

# **CACHE COUNTY COUNCIL MEETING**

## **March 27, 2007**

The Cache County Council convened in a regular session on March 27, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

### **ATTENDANCE:**

**Chairman:** Darrel Gibbons

**Vice Chairman:** John Hansen

**Council Members:** Brian Chambers, John Hansen, H. Craig Petersen, Kathy Robison, Cory Yeates & Gordon Zilles.

**County Executive:** M. Lynn Lemon

**County Clerk:** Jill N. Zollinger

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**The following individuals were also in attendance:** Beatrice Balls, Lloyd Berentzen, Steve Bower, Dick Broun, Peter Brunson, Steven Chambers, Kelly S. Cronquist, Attorney George Daines, Mark Daines, Colin K. Hadfield, M. Wendell Hansen, Peter Hansen, Claudia Harmon, Lynn James, Grant Koford, Vern Krebs, Kirt Lindley, Sher Lisonbee, Marly Mooire, Wendell Morse, Alec Nielsen, M. Nielsen, Pat Parker, Gary Van Powell, Kimball Probst, Jared Ray, Jenny Ray, Josh Runhaar, Steve Sandholtz, Denny Shupe, James L. Shupe, Bland K. Sparks, Rick Sprott, Mick Warburton, Janet Yonk, Kyle Yonk, Reed Yonk, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune).

### **OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Council member Zilles gave the opening remarks and led those present in the Pledge of Allegiance.

### **REVIEW AND APPROVAL OF AGENDA**

The agenda was approved with Item 9a - Set Public Hearing - corrected to April 10, 2007.

### **REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Yeates to approve the minutes of the March 13, 2007, Council meeting as written. Robison seconded the motion. The vote was unanimous, 7-0.

### **REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** Gordon Nelson

TRCC RAPZ Committee

**ACTION:** Motion by Council member Chambers to approve the recommended appointment. Yeates seconded the motion. The vote was unanimous, 7-0.

**WARRANTS:** The warrants for the period 03-09-2007 to 03-15-2007 were given to the clerk for filing.

### **OTHER ITEMS**

- **Letter to Dr. Edward Clark - National Children's Study** - Lemon said Cache County was tentatively selected a few years ago to be part of this study. The vanguard sites are being selected now and it is hoped that Cache County will be one of the final sites chosen. Lemon has drafted a letter in support of Cache County's selection and Lemon asked for the Council's review and approval of the letter.

(Attachment 1)

**ACTION: Motion by Vice-Chairman Hansen to accept the letter recommending Cache County as a vanguard site for the National Children's Study. Robison seconded the motion. The vote was unanimous, 7-0.**

- **Utah Association of Counties (UAC) Management Conference** will be held at Utah State University's conference center April 18, 19 and 20, 2007. Registration after April 12, 2007, will cost an additional \$25.00. There will be a public lands meeting on the afternoon of April 18, 2007, that will involve county councils and commissions.

Yeates and Hansen said they will be attending the conference. Gibbons will notify Parker of his decision.

### **ITEMS OF SPECIAL INTEREST**

- ▶ **Proclamation - Child Abuse Prevention Month** - Council member Robison explained the functions and fund raising efforts of the Child and Family Support Center and read the proclamation to the Council.

(Attachment 2)

**ACTION: Motion by Council member Robison to accept the Proclamation designating April, 2007, as Child Abuse Prevention Month. Chambers seconded the motion. The vote was unanimous, 7-0.**

- ▶ **Bear River Health Department Air Quality Update - Lloyd Berentzen** introduced Grant Koford, Bear River Health Department, and Rick Sprott, State Director of the Air Quality Program. Berentzen reviewed the revenues received into the air quality program and how those revenues have been expended. Berentzen noted that Council member Petersen has been appointed to fill one of eleven positions on the state air quality board. Later this year the EPA will present an award to Cache County in recognition of its leadership regarding air quality programs.

Rick Sprott commended Cache County for always leading out locally on air quality issues rather than waiting for the state to develop programs for the county. This kind of leadership is unprecedented in Utah. Sprott said Cache Valley has the healthiest air in

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the state and acknowledged his office needs to develop a more aggressive media program that explains the bigger picture to the public. Sprott indicated Utah is going to be the first in the country to try to define areas of non-attainment because of mountain ranges, etc. rather than the entire county or two-county area (as in Cache and Franklin counties) being the non-attainment area.

Gibbons asked what locations in the county were used for the particulate testing? Sprott responded that particulate tests are taken in Amalga, Hyrum and Logan and the results are fairly uniform.

Lemon asked Sprott to explain the Federal timetable for air quality issues. Sprott said Utah will have to submit recommendations to the EPA within eighteen months, then EPA accepts or rejects the recommendations. Then there is another eighteen months allowed for Utah to submit a plan to the EPA, etc. and another time period for the pollution levels to meet standards. The whole process can take as long as ten years.

Gibbons thanked Berentzen and said the Council expects to have regular reporting from the Bear River Health Department on this subject.

#### **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**SET PUBLIC HEARING:** APRIL 10, 2007 - 6:00 P.M. - OPEN 2007 BUDGET

**ACTION:** Motion by Council member Yeates to set the Public Hearing for April 10, 2007, at 6:00 p.m. to Open 2007 Budget. Hansen seconded the motion. The vote was unanimous, 7-0.

**ACTION:** Motion by Council member Chambers to convene as a Board of Equalization. Robison seconded the motion. The vote was unanimous, 7-0.

#### **THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION**

##### **Property Tax Exemption Requests**

Spendlove Research Foundation  
Maranatha Baptist Church

(Attachment 3)

**ACTION:** Motion by Council member Yeates to approve the recommended Property Tax Exemption requests. Robison seconded the motion. The vote was unanimous, 7-0.

##### **Property Tax Hardship Request**

Jensen, LaVal & Sue Ann

Yeates and Lemon pointed out this is a request to extend the deadline for payment until December 31, 2007.

**(Attachment 4)**

**ACTION: Motion by Council member Yeates to approve the recommended extension for property tax payment until December 31, 2007. Chambers seconded the motion. The vote was unanimous, 7-0.**

**ACTION: Motion by Council member Yeates to adjourn from the Board of Equalization. Zilles seconded the motion. The vote was unanimous, 7-0.**

**THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.**

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Final Plat Approval - Warburton Subdivision** - Runhaar said this and the Lindley subdivision were both recommended for approval by the Planning Commission under their consent agenda. Gibbons asked that Runhaar quickly review each subdivision request.

Runhaar said the Warburton subdivision is a three-lot subdivision at approximately 1025 East 1000 South, Avon, that will legalize already existing lots.

**(Attachment 5)**

**ACTION: Motion by Vice-Chairman Hansen to approve the Warburton Subdivision Final Plat. Chambers seconded the motion. The vote was unanimous, 7-0.**

- **Final Plat Approval - Kirt Lindley Subdivision** - A five-lot subdivision at approximately 6188 South 2400 West, southwest of Hyrum.

Robison asked if the applicant is comfortable with the wider access road requirement? Runhaar said yes.

**(Attachment 6)**

**ACTION: Motion by Vice-Chairman Hansen to approve the Kirt Lindley Subdivision Final Plat. Zilles seconded the motion. The vote was unanimous, 7-0.**

- **Final Plat Approval - Bailey Acres Subdivision** - A four-lot subdivision at approximately 3331 South Highway 23, south of Mendon. This was a five-lot request that has been downscaled to a four-lot request. Hansen asked what Chris Sands' concerns were since he voted against the approval? Runhaar said staff recommended



that the 66 foot right-of-way be reaffirmed. The Planning Commission had a long discussion and discussed going down to 50 feet. The commission finally decided to just say "reaffirm the county's right-of-way" and Sands thought it should be specifically designated as a 66 foot right-of-way.

Daines clarified the issue by saying the county has an existing ordinance that all county roads are 66 feet so reaffirming the county's right-of-way is saying a road easement is 66 feet. The road can be smaller or enlarged to the full 66 feet as needed.

Hansen and Daines both said those easements of 66 feet need to be indicated on the plats so homes will be built far enough back to accommodate the possibility of a wider road being built in the future.

**(Attachment 7)**

**ACTION: Motion by Council member Zilles to approve the Bailey Acres Subdivision Final Plat. Hansen seconded the motion. The vote was unanimous, 7-0.**

- **Final Plat Approval - Eagle Rock Subdivision** - A five-lot subdivision at approximately 6800 West 2700 North, Petersboro. Runhaar said the main concern in this request is the 5500 linear feet of a private road accessing the area. A large subdivision and several smaller subdivisions has occurred in the area. The road would probably encourage future development. The applicant has indicated that if the county requires a paved road rather than the proposed gravel road, the county should take it over as a county road.

Daines asked Attorney Moore, representing the applicant, what the costs of a gravel road vs a paved road would be?

**Chairman Gibbons noted it was after 6:00 p.m. and asked the Council to leave the Eagle Rock subdivision request and return to it after the discussion concerning a road for property owners near the airport as many of the interested parties were now present and Executive Lemon wants to be present for the discussion and must leave the meeting early.**

**PENDING ACTION**

- ❑ **Discussion - Road west of Airport Runway - Hyde Park Residents** - Chambers said he had met with many of the property owners affected by the closing of 3700 North for runway expansion and feels they have some valid concerns. They must drive an extra eight miles round trip to access their farm land since the closing of 3700 North. The county had told them a farm road would be built by the county if the right-of-ways could be obtained from property owners. Right-of-ways have not been obtained and the road has never been built.  
Several residents expressed their feelings and Chairman Gibbons reiterated that the

Council's position has always been the same - if needed right-of-ways could be obtained, the road would be built. Gibbons directed Council member Chambers and Executive Lemon to meet with those involved to work out the right-of-way needs and a location for a farm road.

Lemon distributed a hand-out with a proposed course for the road and said the county does not want to condemn land to obtain the right-of-ways and hopes the land owners will be willing to cooperate. Residents reminded the Council condemnation had been threatened when the county wanted to expand the runway.

Daines noted that an unwillingness to condemn land for the road may stop the whole process and the property owners will never have the needed easier access to their land. The Council needs to know the county's position before moving forward.

Daines asked Jared Ray, one of the property owners whose land would be utilized for the road, how he feels about the proposed road.

Ray was not certain whether he supported using his land for the road.

Steve Chambers said he couldn't tell from the hand-out exactly where the proposed road would be located in connection with his property.

Lynn James said the 4200 North intersection is dangerous and the road between 3700 North and 4200 North also is in bad need of repair. Lemon said he would see that the road condition is checked and fixed as needed.

Gibbons asked if Chambers, Lemon and the property owners feel comfortable with working through the proposed road location among themselves? They do.

Chambers said he will meet with the parties and report their progress to the Council.

#### **INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Continuation of discussion - Final Plat Approval - Eagle Rock Subdivision -**  
Attorney Moore said the cost of a 20 foot gravel road would be \$145,000.00 and the cost of a chip and seal paved road would be \$186,000.00.

Daines asked if he is prepared to have the subdivision bear one of those costs?

Moore said yes. His client is proposing a 20-foot wide private gravel road with a reserve fund that would take care of regular maintenance and snow removal. The other option Moore suggested is to dedicate a 20-foot wide chip and seal road to the county.

Daines said if it's going to be a county road, it needs to be a 66-foot easement, and said it should be a 66-foot easement regardless of county ownership or private ownership.

Daines also said the applicant should be certain to inform any future properties that may utilize the road what their costs will be for the road maintenance, etc.

**(Attachment 8)**

**ACTION: Motion by Council member Zilles to approve the Eagle Rock Subdivision Final Plat as recommended with three additional stipulations: 1. The road be a private 20-foot wide chip and seal road with a 66-foot easement for the future use of the county, 2, A stipulation is included on each lot indicating the buyer's share of the costs that will be incurred from the road, 3: Fire sprinklers are required in the homes. Chambers seconded the motion. The motion passed, 6 aye - Chambers, Gibbons, Hansen, Petersen, Robison & Zilles and 1 nay - Yeates.**

Discussion on the motion:

Gibbons said he had a question about precedence because a request for a shop north of this area was denied because the county could not provide adequate fire protection. This subdivision would be even harder to provide fire protection for.

Daines and Zilles concurred that by the time engines arrived, the residence would probably be lost, but said the fire sprinkler requirement will help save lives in the event of fire.

Petersen asked if the motion as it stands with regard to the road is acceptable to Moore? Moore responded it could be done.

Daines reminded Moore that because of the location of this subdivision and the proposed road, there is a likelihood of more development in the future, but there is no guarantee that the same 5-lot requirements will apply as changes in the subdivision ordinance are probable. Moore acknowledged this possibility.

- **Final Plat Approval - Hill Top Farms Subdivision** - This is a five-lot subdivision at approximately 600 North 7300 West, Petersboro.

Yeates said the Council had received a letter from a neighboring land owner who has concerns over diminished water flow in his well.

Runhaar said the State Water Engineer has jurisdiction and six wells may eventually be located here. Some problems arise with shallow wells and flowing springs. There is no guarantee the spring will remain flowing, etc. The State Water Engineer simply guarantees water, but does not guarantee how the applicant accesses it and some may need to drill deeper wells, etc.

Robison noted that the Cache County Fire Department has recommended fire sprinklers be required in this subdivision.

**(Attachment 9)**

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**ACTION: Motion by Vice-Chairman Hansen to accept the recommendations of the Planning Commission and approve the Hill Top Subdivision Final Plat with the stipulation that fire sprinklers be required in the homes. Chambers seconded the motion. The motion passed 6 aye - Chambers, Gibbons, Hansen, Petersen, Robison & Yeates and 1 abstention - Zilles.**

Council member Petersen indicated that each of the five final plats approved were on for initial consideration and any action taken would have required waiving the rules.

**ACTION: Motion by Council member Petersen to waive the rules and approve Items 11a through 11e (Final Plat Approvals). Robison seconded the motion. The vote was unanimous, 7-0.**

Chairman Gibbons stated that these last two subdivision plats illustrate the fact that the county needs to move forward with the agricultural subdivision ordinance. Last fall some options were proposed with regard to density zoning. Runhaar has made copies of that proposal and Gibbons asked the Council to review the proposal and be prepared to discuss this issue at the April 10, 2007, Council meeting.

#### **OTHER BUSINESS**

- ✓ **May 12, 2007 - 10:00 a.m. - Smithfield Health Days Parade** - Chambers, Gibbons and Yeates will attend.

#### **COUNCIL MEMBER REPORTS**

**Brian Chambers** said he is interested in attending the UAC Management Conference.

**Kathy Robison** indicated she is also interested in attending the UAC Management Conference. Robison said Evan Olsen will have completed his survey he sent to the city councils and mayors and will be ready to report to the Council on his findings at the May 8, 2007, Council meeting. Robison asked Daines if he had compiled some requested information on what water entities are legal? Gibbons suggested waiting for Olsen's report.

Robison asked about the transition language on the natural barrier issue? Petersen said there are several land owners who were adversely affected by the county's natural barrier decision and wondered what could be done immediately on their behalf? Runhaar and Daines said these will probably be handled through a board of adjustment. Runhaar said he has some natural barrier language he will forward to Daines for his review in formulating the transition language.

**Cory Yeates** reported that the following unemployment rates were given at the BRAG meeting: Rich County - 1.7%; Box Elder County 2.4% and Logan - 2%. Yeates also reported on his tour of the Lazy Boy and Malt-O-Meal facilities. Lazy Boy has increased its minimum wage from

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\$8.25/hour to \$11.00/hour to curtail turnover. Malt-O-Meal doesn't have the same turnover problem because their bottom salary is \$12.85/hour and after three years, the top salary was \$50.70/hour.

**Craig Petersen** said the RAPZ Committee met for the first time and there are sixty-nine proposals and the quality of the applications is better. The committee is planning to have recommendations to the Council by the first week in May. Due to recent legislation there will probably be about 7% less money for RAPZ next year.

**ADJOURNMENT**

The Council meeting adjourned at 7:16 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Darrel Gibbons  
Council Chairman

# CACHE COUNTY CORPORATION

**M. LYNN LEMON**  
COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN  
LOGAN, UTAH 84321  
Tel 435-755-1850  
Fax 435-755-1981

## COUNTY COUNCIL

DARREL L. GIBBONS  
JOHN A. HANSEN  
CORY YEATES  
H. CRAIG PETERSEN  
KATHY ROBISON  
BRIAN CHAMBERS  
GORDON A. ZILLES

March 28, 2007

Dr. Edward B. Clark  
Chairman of Pediatrics  
University of Utah School of Medicine  
P. O. Box 581289  
Salt Lake City, UT 84158

Reference: National Children's Study for Cache County, Utah

Dear Dr. Clark,

On behalf of Cache County and the Citizens of Our County we are writing in support of and want to endorse the proposal you are developing to launch Cache County, Utah as a study location for the National Children's Study.

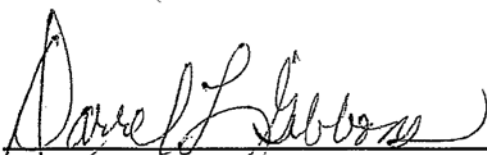
We are familiar with the services provided by Primary Children's Medical Center as the major pediatric referral center for the Intermountain area. We are also aware that the University of Utah and Primary Children's Medical Center are both major medical research centers. Therefore, we are confident that you would conduct this important national study appropriately and well.

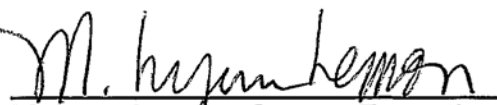
In general we believe and think that Cache County is a great place to live and work. Cache County has a low crime rate, low unemployment, increasing wages, good health care services, a major research University, educational and culture benefits of an urban area combined with many of the rural benefits of clean air, clean water, easy access to open space and the national forest, which make this a great place to live and raise a family. However, with an increasing population and a few "bad" air days as a result of temperature inversion we are dealing with air quality issues, traffic congestion and other issues which threaten our quality of life. We want our children to grow up in a healthy environment and want to do what is needed now to insure these benefits for their future.

We look forward to being involved as community advisors if you are successful.

We believe that the National Children's Study will form the basis of children's health policy and treatments for generations to come, and want to be a part of that. Thank you for your efforts on behalf of Cache County.

Sincerely,

  
Darrel L. Gibbons, Council Chair

  
M. Lynn Lemon, County Executive

CACHE COUNTY  
CORPORATION

**M. LYNN LEMON**  
COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN  
LOGAN, UTAH 84321  
Tel 435-755-1850  
Fax 435-755-1981

**COUNTY COUNCIL**

DARREL L. GIBBONS  
JOHN A. HANSEN  
CORY YEATES  
H. CRAIG PETERSEN  
KATHY ROBISON  
BRIAN CHAMBERS  
GORDON A. ZILLES

**PROCLAMATION**

- Whereas, Cache County's greatest asset is our children. All children deserve to grow up in a safe and nurturing environment to assure they reach their full potential.
- Whereas, child abuse is a serious and growing problem affecting over 3 million of our nation's children annually, and
- Whereas, all citizens of Cache County should become more aware of child abuse and its prevention within their respective communities and to actively encourage and support parents to raise their children in a safe nurturing environment, and
- Whereas, decreasing the occurrence of child abuse relies upon the efforts of each of us, in order to make a positive, substantial effect on the children of today who will grow to be the leaders of tomorrow.

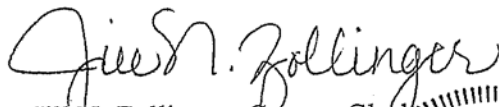
NOW THEREFORE, in recognition of all of our children in Cache County, be it resolved that the Cache County Council and the Cache County Executive, County of Cache, State of Utah, hereby proclaims the month of April, 2007 as

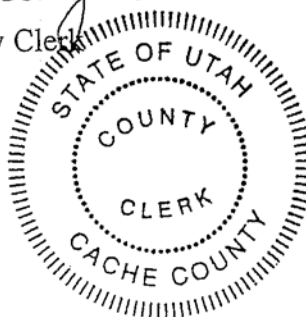
**CHILD ABUSE PREVENTION MONTH**

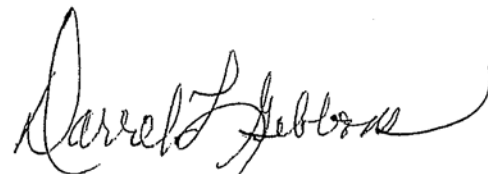
and calls upon all citizens to become aware of the impact of child abuse and to join in working for its prevention within our communities.


In witness thereof, as Chairman of the County Council and County Executive, we have hereunto set out hand this 13<sup>th</sup> day of March 2007.

Attest:

  
Jill N. Zollinger, County Clerk



  
Darrel L. Gibbons, Council Chairman

  
M. Lynn Lemon, County Executive



Tamra Stones  
County Auditor

Cache County  
Office of the County Auditor  
179 NORTH MAIN, SUITE 202  
LOGAN, UTAH 84321  
Tel: 435.755.1700  
Fax: 435.755.1991

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 27, 2007  
SUBJECT: Continuation of Tax Exemption Application - 2007

**Affidavit:** **Spendlove Research Foundation – 05-062-0030** (partial exemption of 51%) Located at 365 N 600 W, Logan, UT 84321. This parcel contains an office building and two storage buildings. 49% of the facility is rented to organizations conducting business for profit. (Contact: Christian Iverson, VP Business Development 750-0959)

This application has been reviewed. This organization serves educational purposes. A portion of the real property and all personal property is used by the foundation for conducting scientific research. *Partial exemption of 51% is due to portion of facility being rented to organizations conducting business for profit.*

**FINDINGS OF FACT - UCA 59-2-1101**

The board finds this organization serves educational purposes and that the real and personal property affidavit as submitted, be granted a tax exemption status for 2007:

**DETERMINATION**

☒ APPROVED ☐ DENIED ☐ TABLED ☐ INTENT TO DENY

  
Cache County Council Chairman

3-27-2007  
Date

Attested:

  
Tamra Stones, BOE Clerk





Cache County  
Office of the County Auditor  
179 NORTH MAIN, SUITE 202  
LOGAN, UTAH 84321  
Tel: 435.755.1700  
Fax: 435.755.1991

Tamra Stones  
County Auditor

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 27, 2007  
SUBJECT: Continuation of Tax Exemption Application - 2007

**Affidavit:** **Maranatha Baptist Church – 02-052-0027** Located at 395 S Main, Logan, UT 84321. Personal property includes a 1995 Ford Van 1FMEE11N6SHB48046 and a 2003 Ford Van 1FBNE31L63HA71456. (Contact: Michael Wilson, Treasurer 753-1241)

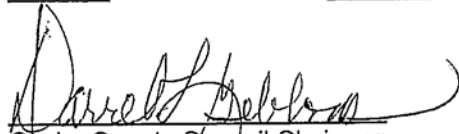
This application has been reviewed. This organization serves religious purposes. All real and personal property is used by the organization for religious services and activities.

**FINDINGS OF FACT - UCA 59-2-1101**

The board finds this organization serves religious purposes and that the real and personal property affidavit as submitted, be granted a tax exemption status for 2007.

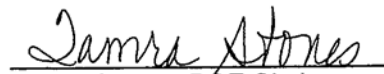
**DETERMINATION**

☒ APPROVED ☐ DENIED ☐ TABLED ☐ INTENT TO DENY

  
Cache County Council Chairman

3-27-2007  
Date

Attested:

  
Tamra Stones, BOE Clerk

# MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: March 27, 2007

SUBJECT: Property Tax Requests for Hardship Applicants

The guidelines for the severe economic hardship abatement found in the Utah Code Annotated, Sections 59-2-1107, 59-2-1108, and 59-2-1109, is up to 50 percent of taxes owing for the current year, not to exceed \$676.00. The following applicants do not meet the criteria for circuit breaker and indigent abatement because of age or income; therefore it becomes the governing body's decision to remit or abate according to the above-mentioned codes.

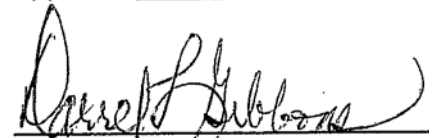
## New Applicant:

**LaVal & SueAnn Jensen** – 07-167-0080 (North Logan) 47 & 42 years old, respectively. The Jensens had their own construction company, but struggled to keep it going and felt that filing bankruptcy was their only option. It was around this time they began falling behind on their property taxes. During the last 2½ years, they have had major medical problems with minimal medical insurance coverage due to self-employment. Mr. Jensen has now been employed for 1½ years and is doing well in his job with a bonus expected in November. They feel they can have their tax obligations paid by the end of the year and are requesting a payment extension and that their home be removed from this year's tax sale. The Jensen's household income for 2006 was \$60,000. **Back taxes are due from 2002 thru 2006 in the amount of \$6,301.14.** Delinquent taxes amount to \$5,089.37. Penalties and interest amount to \$1,211.77.

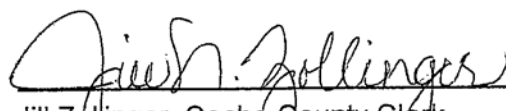
**Recommend removal of home from the 2007 tax sale with a payment extension granted to the end of the year. If back taxes are not paid in full by December 31, 2007, the home will be placed on the 2008 tax sale.**

Applicants request for assistance is:

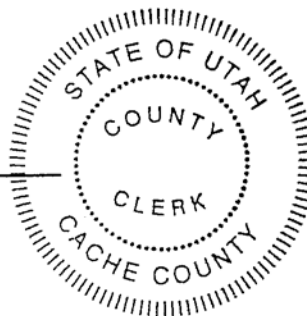
Approved ✓ Denied \_\_\_\_\_ Tabled \_\_\_\_\_

  
Darrel L. Gibbons, Chairperson

ATTESTED:

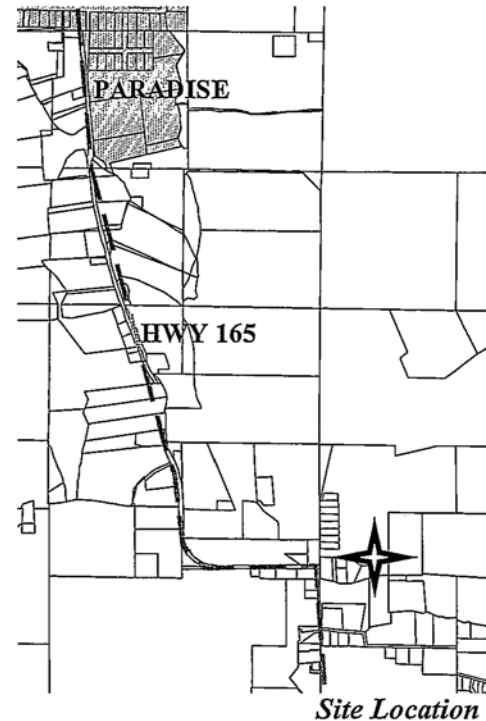
  
Jill Zollinger, Cache County Clerk

Date: 3-27-2007



# Development Services Cache County Corporation

*Project Name:* Warburton 3-Lot Subdivision  
*Agent:* Michael Warburton  
*Request:* 3-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 1025 East 10000 South (Avon)  
*Tax ID:* 16-047-0004  
16-047-0054  
16-047-0061  
16-047-0001  
*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture  
South – Agriculture  
East – Agriculture  
West – Single Family Homes



## PROJECT

*History:* Parcel 16-047-0061 was originally surveyed and recorded in May of 2006, and parcel 16-047-0054 in February of 1996 without approval from the Planning Commission or the County Council. Parcel 16-047-0004 was created through a conditional use permit in 1991.

*Request:* The applicant is requesting a subdivision to legalize lots 1 and 2. There are existing homes on Lot 1 and Lot 3. The proposed lot sizes are 6.2 acres (Lot 1), 11.12 acres (Lot 2), and 1.21 acres (Lot 3). The lot sizes on all lots meet the minimum lot size requirements for an agricultural subdivision as provided in §17.09.080.

*Water & Septic:* The existing homes on Lots 1 and 3 have culinary water rights and a septic system. Lot 2 has been determined feasible for a septic system.

*Access:* All lots will gain access from County Road 11000 South. Staff is not recommending that the County require full dedication of road right-of-way. In working with the County Attorney, staff is instead requesting that the applicant record a written easement that reaffirms the County's right-of-way on the existing roads.

## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- Lots 1 and 3 currently have functioning septic systems that have been serviced within the past 5 years. Lot 2 has acceptable soil conditions for a septic system.
- A percolation test on Lot 2 will be required prior to issuance of a septic permit.

### *Cache County Road Department:*

- The access road is a 16 to 18-foot wide paved surface width. County Road 11000 South should be widened to 20 feet.
- The road may be difficult to widen because of the canal to the south. The Planning Commission should look closely at road issues before accepting this subdivision.
- It has not been determined whether a dedication of 25 feet from the center of the road has been done.

### *Cache County Fire Department:*

- Fire tenders from Paradise are 3.2 miles from the property.
- A re-inspection of private drives is required before release of building permits.

- Because of the distance from fire tenders and the lack of hydrants in the area the fire department recommends residential sprinklers be installed in the homes.

*Cache County School District:*

- The nearest bus stop is located approximately 1 block from the lots at 10000 South Highway 165.

*Cache County Service Area #1*

- The container must be placed on 11000 South for collection.

**PUBLIC COMMENTS**

Notices were mailed to 10 property owners located within three hundred feet of the subject property.

**STAFF RECOMMENDATIONS**

*Action:* Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Warburton 3-Lot Subdivision for property located at approximately 1025 East 10000 South (Avon), TIN # 16-047-0004, 16-047-0054, 16-047-0061, and 16-047-0001.

*Stipulations:*

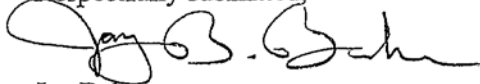
1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
2. The applicant shall either reaffirm the County's 66 foot right-of-way on 11000 South in a written and recorded easement or provide full dedication of the right-of-way.

**RECOMMENDED FINDINGS OF FACT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Warburton 3-Lot Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. Warburton 3-Lot Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Warburton 3-Lot Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 11000 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,

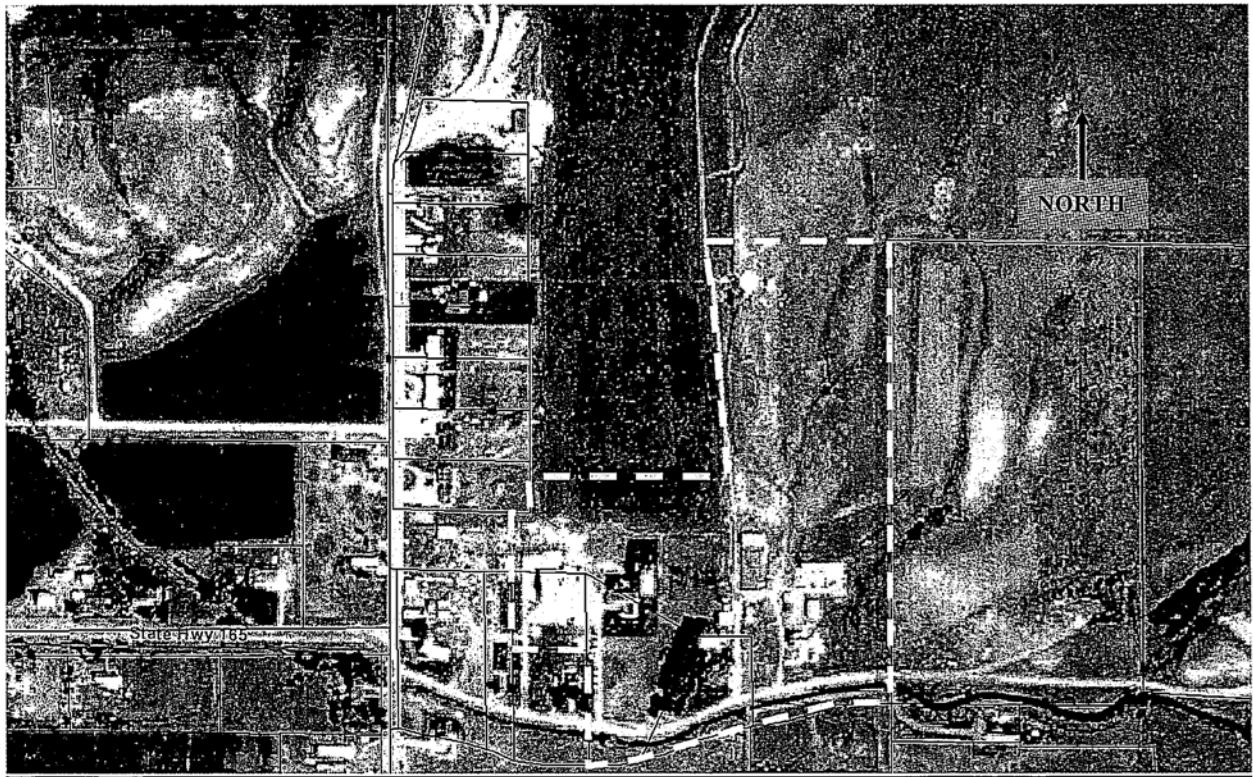


Jay Baker

Associate Planner I

Report Published: February 16, 2007

This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



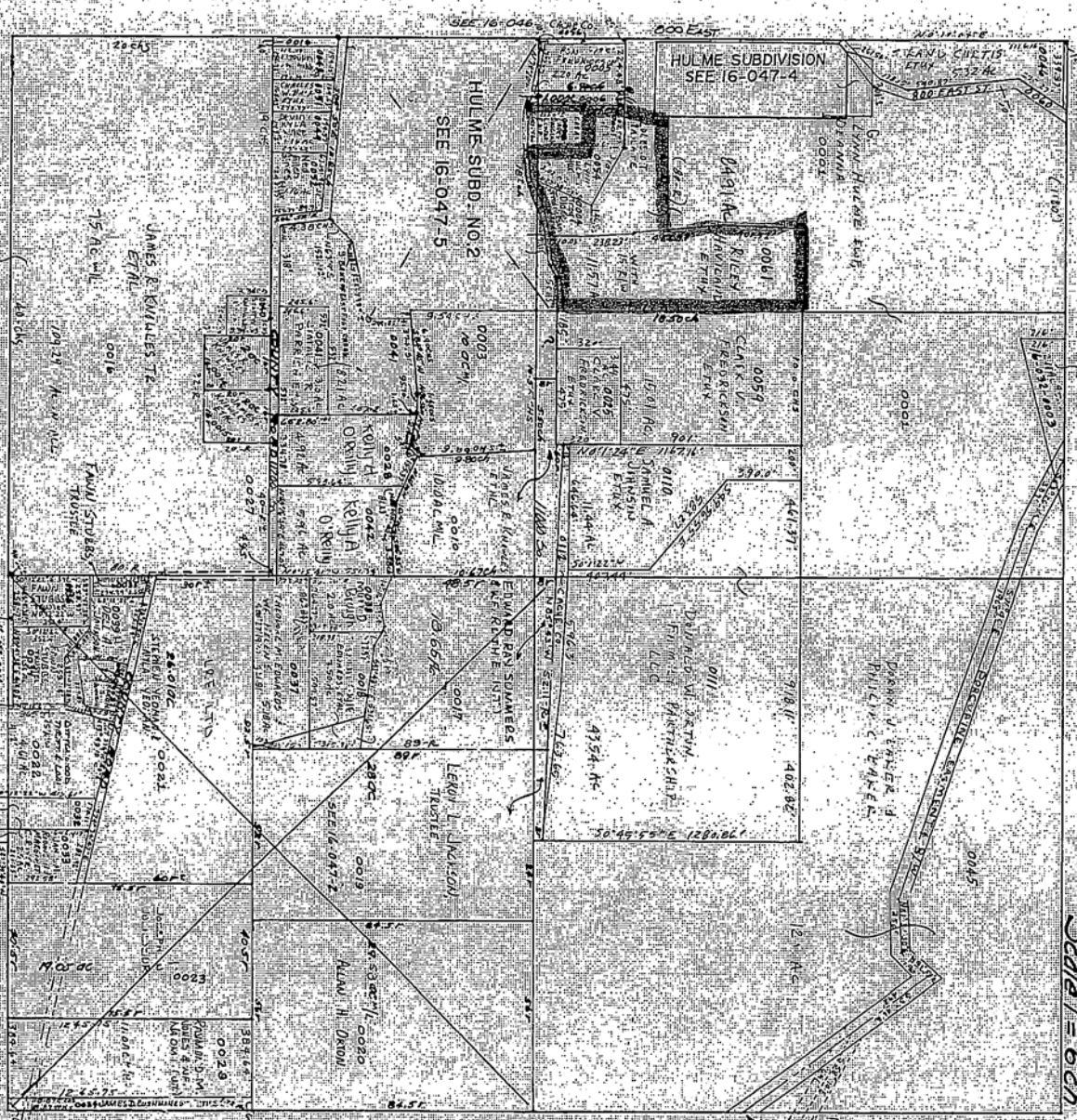


# SECTION 11, TOWNSHIP 9 NORTH, RANGE 1 EAST

TAX UNIT 31

047

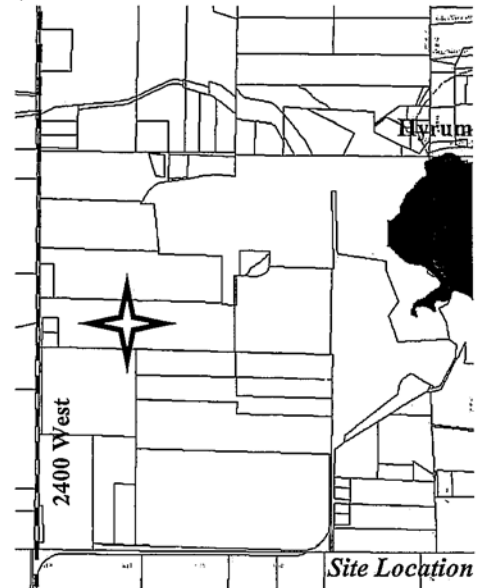
Scale 1" = 60'



SEE 16-048

# Development Services Cache County Corporation

*Project Name:* Kirt Lindley Subdivision  
*Agent:* Kirt Lindley  
*Request:* 5 Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 2344 West 6672 South (Hyrum)  
*Tax ID:* 01-061-0005  
01-061-0021  
01-061-0022  
*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture/Minor Subdivision  
South – Agriculture  
East – Agriculture  
West – Homes



## PROJECT

*History:* In 2001, a lot split subdivision was completed on a portion of the 1970 parcel to create two building lots on the western portion of this property. Then in 2004, a natural barrier subdivision was completed to divide a single parcel that is located on the northwestern portion of the 1970 parcel.

*Request:* The applicant is requesting a subdivision to create an additional building parcel of approximately 6.0 acres and a dry lot parcel (Lot 5) of 31.1 acres. Considering all of the lots that have been completed from the base 1970 parcel, there would be 5 lots from the original 1970 parcel. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080 (there will be five lots from an original 1970 parent parcel).

*Access:* The subdivision is accessed by a private road (6672 South) that is accessed by a county road (2400 West). The access continues east/west along the north side of the subdivision. Staff is recommending that this subdivision be required to widen the private access road to the 20 foot hard surface minimum.

*Water:* The applicant has applied to the State of Utah Division of Water Rights for culinary water permits on Lot 3, but at present has not obtained approval. Lots 1, 2, and 4 have existing water rights. The subdivision will not be recorded until the appropriate water right has been approved by the State of Utah Division of Water Rights.

## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- Lots 1, 2, and 5 have existing septic systems that have been in use for less than five years and are adequate.
- Site and soil conditions are adequate for installation of septic systems on lots 3 and 4 with a maximum trench depth of 24 inches. A percolation test is required before a septic permit is issued.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

### *Cache County Road Department:*

- The subdivision is accessed via a private road off of 2400 West. 2400 West is a paved surface of 25 feet with a right-of-way width of 66 feet. The private road is an 18 foot wide gravel surface.
- All private roads within the subdivision, including the private access road off 2400 West shall maintain a minimum of a 20 foot wide hard surface with the appropriate easements and/or right-of-ways for access and utilities.

*Cache County Fire Department:*

- The private drive access must be widened to the minimum 20 foot hard surface width requirement.
- Each home will require additional review after site plans are completed.
- Tenders from Hyrum fire are 3.4 miles from the subdivision. It is recommended that homes in this subdivision be equipped with residential sprinklers.

*Cache County School District:*

- An existing bus stop is located at 6116 South 2400 West, approximately one-half block from the proposed subdivision.

*Cache County Service Area #1*

- All cans must be placed on 2400 West for collection.

**PUBLIC COMMENTS**

Notices were mailed to 12 property owners located within three hundred feet of the subject property and to the City of Hyrum. At the time staff reports were published, no comments had been received.

**STAFF RECOMMENDATIONS**

*Action:* Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Kirt Lindley Subdivision, a five (5) lot subdivision for property located at approximately 2344 East 6672 South (Hyrum), TIN #01-061-0005, 01-061-0021, 01-061-0022, and 01-061-0056.

*Stipulations:*

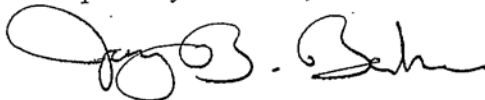
1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any waterway or well unless otherwise designated by the Health Department.
2. The applicant shall ensure that the entire private road (6672 South) has a minimum hard surface (double chip and seal) width of 20 feet with appropriate easements for utilities.
3. The proponent shall submit detailed information about the Home Owner's Association and any CC&R's that will be present for this subdivision for review by staff.

**RECOMMENDED FINDINGS OF FACT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Kirt Lindley Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Kirt Lindley Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Kirt Lindley Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 2400 West, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,



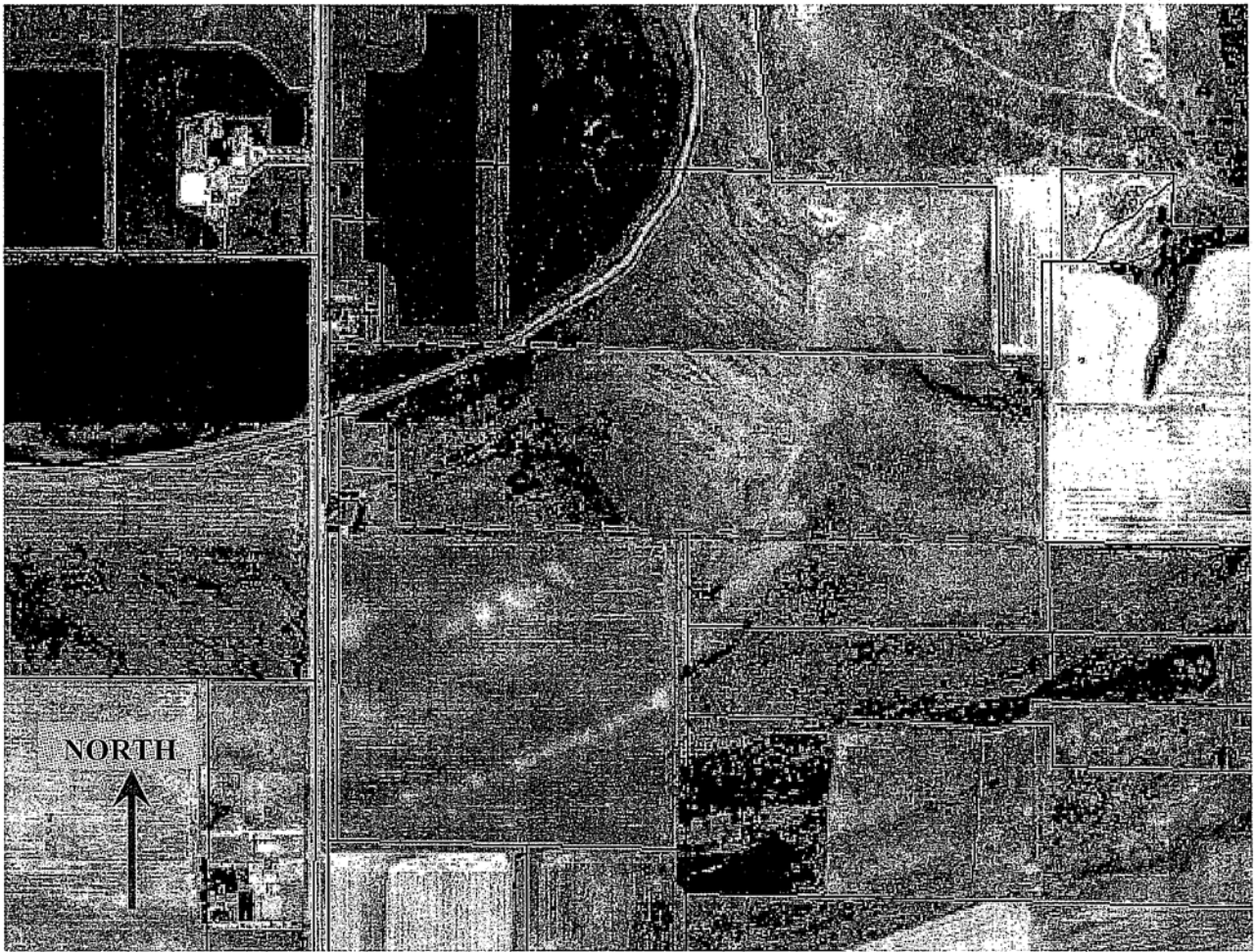
Jay Baker  
Associate Planner I

Report Published: October 26, 2006

Republished: February 15, 2007

This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.





-1-

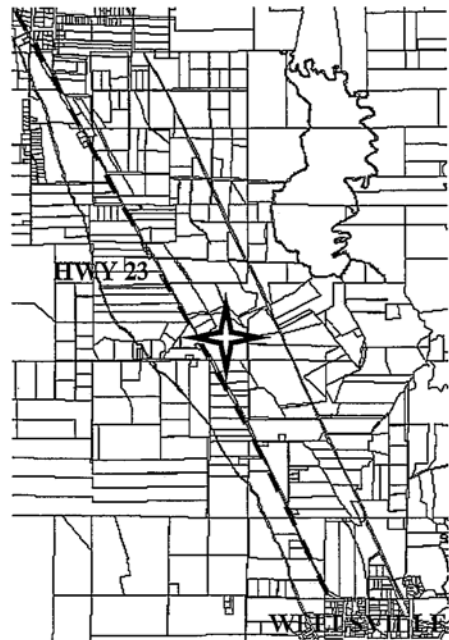
TAX UNIT 28



6600 SOUTH ST.  
SEE 01-082

# Development Services Cache County Corporation

*Project Name:* Bailey Acres Subdivision  
*Agent:* Kimball Probst  
*Request:* 5-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 3400 South State Route 23  
*Tax ID:* 11-048-0011  
11-048-0012  
11-048-0014  
11-048-0015  
*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture  
South – Agriculture/Residential  
East – Agriculture  
West – Agriculture /Residential



Site Location

## PROJECT

*History:* The applicant originally requested a subdivision to create five (5) building lots in one 1970 parcel. At the time it was not understood by the property owner of Lot 5 (30.42 acres) that the current ordinance would not allow him to subdivide his property.

*Request:* The applicant is requesting a subdivision to create five (4) building lots in one 1970 parcel. The purpose of the subdivision is to legalize Lot 2 which was created without approval. There are existing homes on Lots 1 and 3. Lot 1 is 5.0 acres, Lot 2 is 7.47 acres, Lot 3 is 12.38 acres, and Lot 4 is 30.42 acres. Lot 4 is proposed as a dry lot for agricultural production. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080 (there will be four lots from the original 1970 parent parcel).

*Access:* This subdivision is proposing to be serviced from State Route 23 with the exception of lot 5 which will be accessed by County Road 3400 South or 4800 West. The applicant met with staff from the Utah Department of Transportation (UDOT), CMPO, and the county as part of the Cache Access Management Program on October 4, 2006. In the meeting UDOT indicated that access spacing on Highway 23, Category 4 roadway, be at least 500 feet.

*Water & Septic:* The applicant has been approved by the State of Utah Division of Water Rights for culinary water permits for lots 1 and 3. The applicant has unapproved water rights for lot 2. Lot 4 is a dry lot and a culinary water right is not required.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems. Each home will be required to obtain a permit and install the septic system in accordance with R317-4 Utah Administrative Code, Onsite Wastewater Systems Rule.

## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- Site and soil conditions on Lot 2 are suitable for a septic system. A septic permit will be required before installation.
- Lots 1 and 3 have existing septic systems that are adequate. Lot 4 is not eligible for building.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

### *Cache County Road Department:*

- 3400 South, a County Road, has an existing paved surface width of 18 to 20 feet.
- Access to all lots is adequate. Lots 2 and 3 must maintain a shared driveway as access from Highway 23.

*Cache County Fire Department:*

- Fire sprinklers are not required but are recommended for this subdivision.
- Water supply tenders from Mendon Fire are 2.9 miles away.
- The access road is adequate for existing homes. Additional review will be required for each lot before building is allowed.

*Logan City Service Area #1*

- Residents will need to place their trash containers on Highway 23. Their driveways should be wide enough to allow for two containers without interfering with high speed traffic and snow removal.

*Cache County School District:*

- Bus Stop is located on the corner of 3400 South and Highway 23.

**PUBLIC COMMENTS**

Notices were mailed to 15 property owners located within three hundred feet of the subject property.

**STAFF RECOMMENDATIONS**

*Action:* Staff recommends that the Planning Commission approve a motion to recommend approval to the County Council of the Bailey Acres Subdivision, a four (4) lot subdivision for property located at approximately 3400 South SR 23 (Wellsville), TIN #11-048-0011, 11-048-0012, 11-048-0014, and 11-048-0015.

*Stipulations:*

1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
2. The applicant shall reaffirm the County's right-of-way on all county roads adjacent to the subdivision.

**RECOMMENDED FINDINGS OF FACT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Bailey Acres Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Bailey Acres Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Bailey Acres Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,



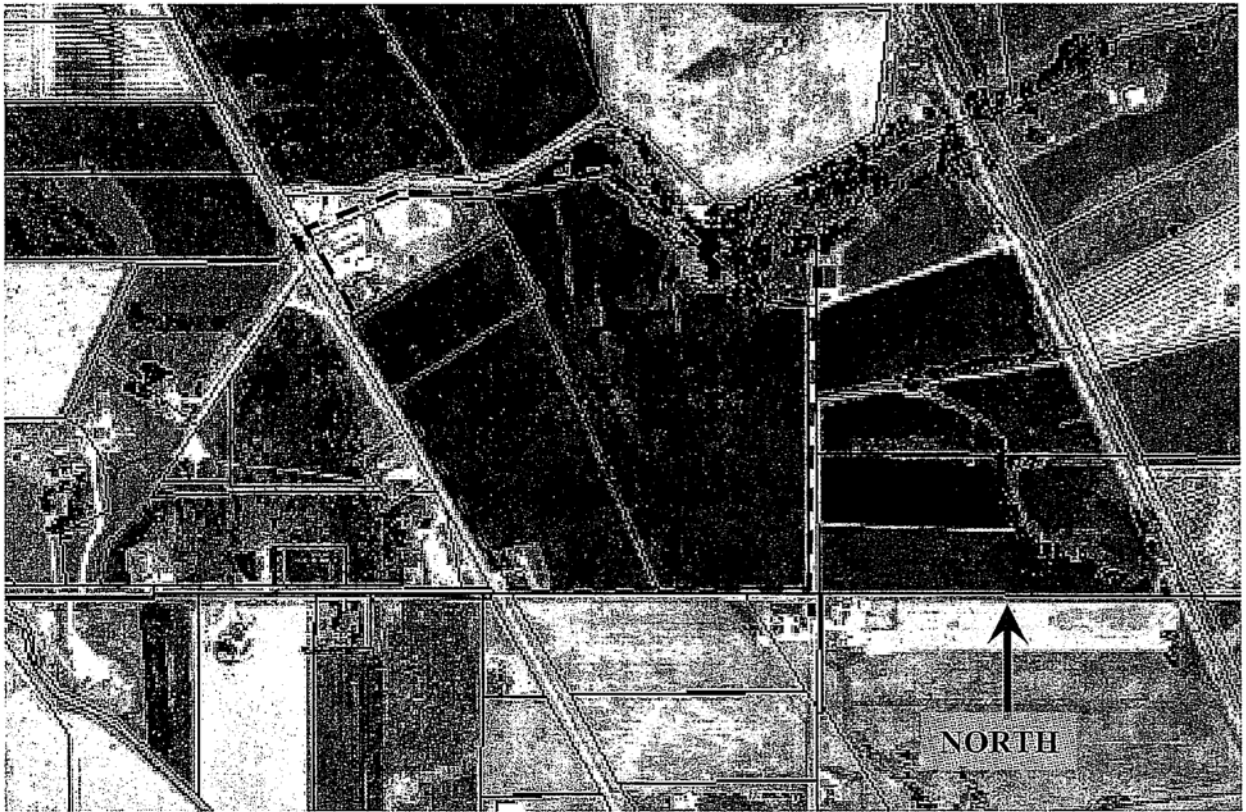
Jay Baker

Associate Planner I

Report Published: February 13, 2007

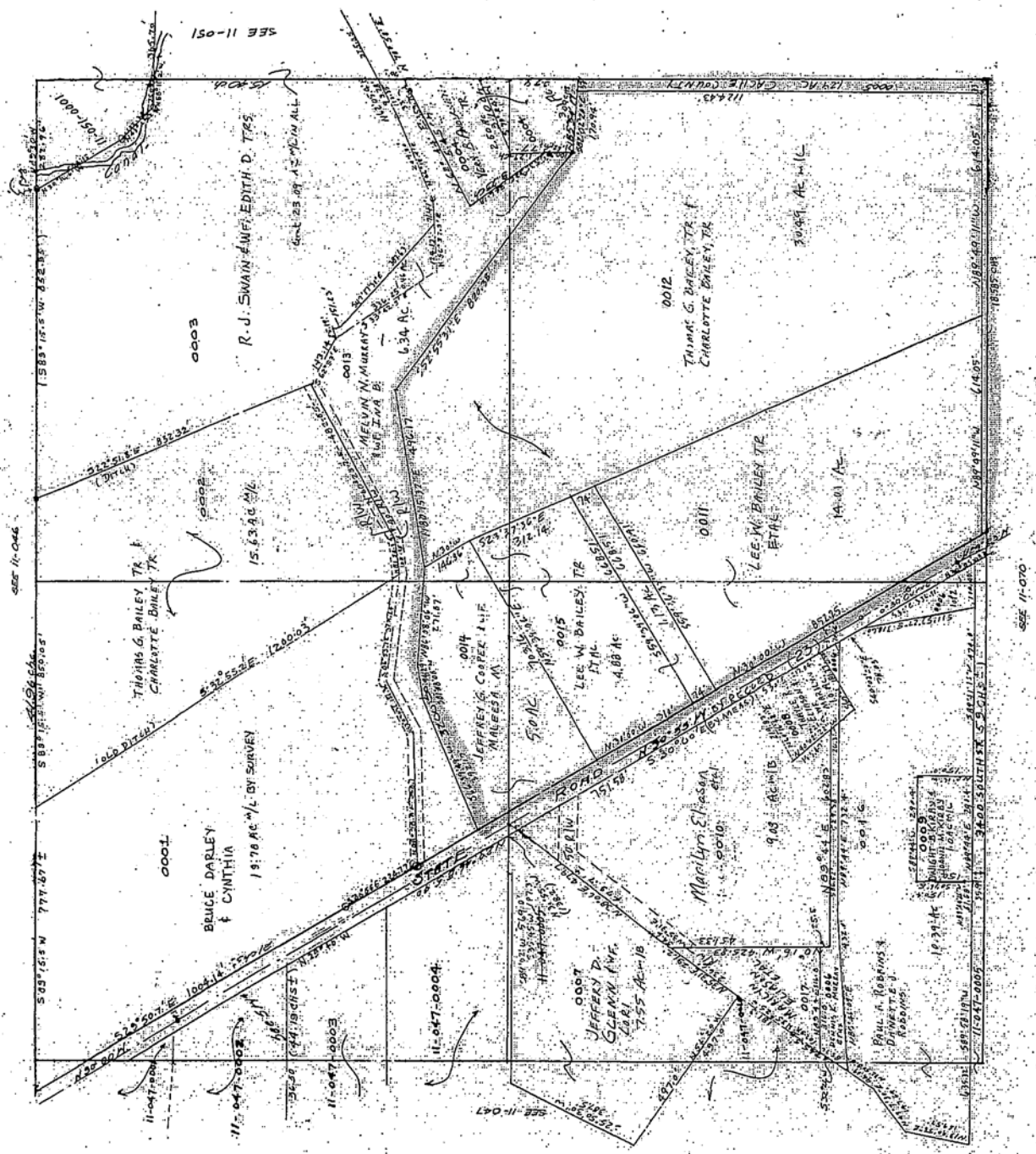
Republished: March 9, 2007

This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



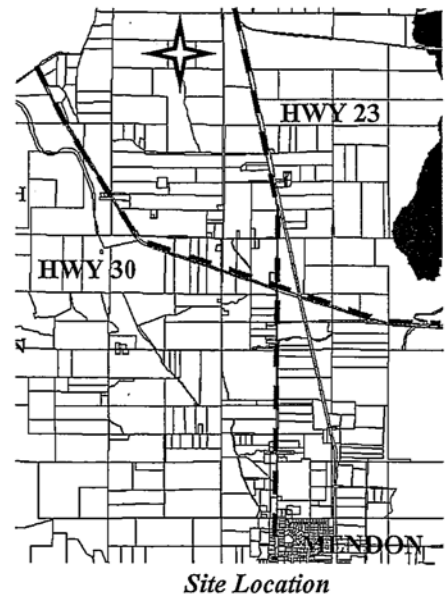


SECTION 21, TOWNSHIP 11 NORTH, RANGE 1 WEST  
SCALE 1 INCH = 30 CHAINS.



# Development Services Cache County Corporation

*Project Name:* Eagle Rock Subdivision  
*Agent:* Richard Broun  
*Request:* 5 Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 6800 West 2700 North  
*Tax ID:* 12-021-0003  
*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture  
South – Agriculture  
East – Agriculture  
West – Agriculture



## PROJECT

*Request:* The applicant is requesting a subdivision to create five (5) new building parcels. Lots 1 & 2 are each 10.3 acres, and Lots 3 – 5 range from 6.1 to 7.1 acres in size. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080 (there will be five lots from the original 1970 parent parcel).

*Access:* This subdivision is proposing to be serviced from two private roads, 6750 West and 2700 North. 2700 North is contained fully within the parcel being subdivided, and the right-of-way extends through the property to facilitate future road connections should further development occur within the area. 6750 West is proposed to connect to 2000 North and runs for approximately 3900 feet before reaching the parcel being reviewed for division.

Staff is concerned with multiple issues in regards to the road issues and placement of this subdivision. The first issue is the maintenance and construction of both 2700 North and 6750 West. The total road length proposed for this subdivision is 5500 linear feet for 5 lots. Spring Ridge Estates Subdivision, which totaled 38 lots, had new roads totaling approximately 8000 linear feet. Staff has had discussions on the construction and maintenance of the road, and recommends that there be further discussion about whether a homeowners association will be capable of maintaining the road.

The second issue is one of future concern in that the construction of this road has the potential to cause many other parcels of ground to develop. The primary concern is the linking of a series of minor subdivisions along this private road. There is a potential for up to 40 lots to use 6750 West for access under the current ordinance.

The third issue is with regards to the maintenance of the lots. Currently there are no additional water rights that would allow for agricultural production or for controlling the spread of noxious weeds. Staff recommends that the applicant address this issue in the Homeowner's Association CC&Rs.

*Water & Septic:* The applicant has been approved by the State of Utah Division of Water Rights for culinary water permits for this subdivision and will be required to obtain a change of use and final approval for five domestic water rights. The subdivision will not be recorded until the appropriate water rights for all of the lots have been approved by the State of Utah Division of Water Rights.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems. Each home will be required to obtain a permit and installed in accordance with R317-4 Utah Administrative Code.

## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- The soil on all of the proposed lots may be acceptable for septic systems.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

*Cache County Road Department:*

- 2000 North, a County Road, has an existing paved surface width of 22 feet and a right-of-way width of 60'.
- The proposed private road will be required to obtain a separate clearance prior to approval of any construction within this subdivision.

*Cache County Fire Department:*

- Water supply tenders 5.6 miles from Mendon.
- Each lot/home will need to be further reviewed prior to the issuance of a Zoning Clearance.
- The private road will need to be completed prior to the issuance of Fire Clearances for the individual home sites.

*Cache County Service Area #1:*

- Container must be placed on County Road 2000 North for collection.

*Cache County School District:*

- Bus Stop is located at 2000 North 6800 West.

*County Engineer:*

- It is recommended that 6750 West be constructed to conform to AASHTO standards for 60 mph.
- The proposed right-of-way width is not adequate for the proposed construction and should be widened.
- It is recommended that the road be surfaced with bituminous pavement.
- The proposed drainage plan appears to be adequately designed. Any downstream erosion induced by changes to the present drainage patterns unacceptable to the property owner will be the responsibility of the roadway operator.
- The applicant shall acquire all applicable Federal, State, and local permits for the construction of 6750 West.
- A stop sign will be required at the intersection of 6750 West and 2000 North. A 24" culvert will be required at this intersection for proper drainage.

**PUBLIC COMMENTS**

Notices were mailed to 4 property owners located within three hundred feet of the subject property.

**STAFF RECOMMENDATIONS**

*Action:* Staff recommends that the Planning Commission approve a motion to recommend that the County Council Approve the Eagle Rock Subdivision, a five (5) lot subdivision for property located at approximately 6800 West 2000 North, TIN #12-021-0003.

*Stipulations:*

1. The applicant shall obtain a Storm Water Pollution Prevention Plan from the Utah Division of Water Quality as required by state law.
2. Construction of the private roads shall comply with provisions of the Utah Noxious Weed Act and the Cache County Noxious Weed Policy by controlling weeds on all disturbed soils during and after construction.
3. A 24" culvert of adequate length is required along the north side of 2000 North at its intersection with the proposed private road 6750 West.
4. A stop sign is required at the intersection of 6750 West and 2000 North. The County will provide, install and maintain the sign. The applicant shall pay for the initial cost of the sign.
5. The applicant shall submit an engineered full set of design and construction plans for 6750 West and the proposed cul-de-sac for approval by staff. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The plans shall be peer reviewed for staff by the County Engineer, the cost of which shall be paid by the applicant. The road shall meet all applicable requirements of the International Fire Code 2006 and any other applicable codes.
6. The applicant shall pave the internal road with a minimum of 20 feet in width. During all phases of the construction, inspections and approvals by County road staff shall be completed.



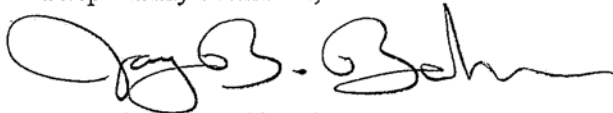
7. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that all private roads can be adequately funded and maintained.
8. All of the utilities and associated easements shall be provided for within lot setbacks throughout the subdivision. The location of utilities and easements shall be approved by staff prior to recordation of the plat.

#### **RECOMMENDED FINDINGS OF FACT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Eagle Rock Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Eagle Rock Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Eagle Rock Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 6750 West and 2700 North, the roads that provide access to the subject properties, have an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,

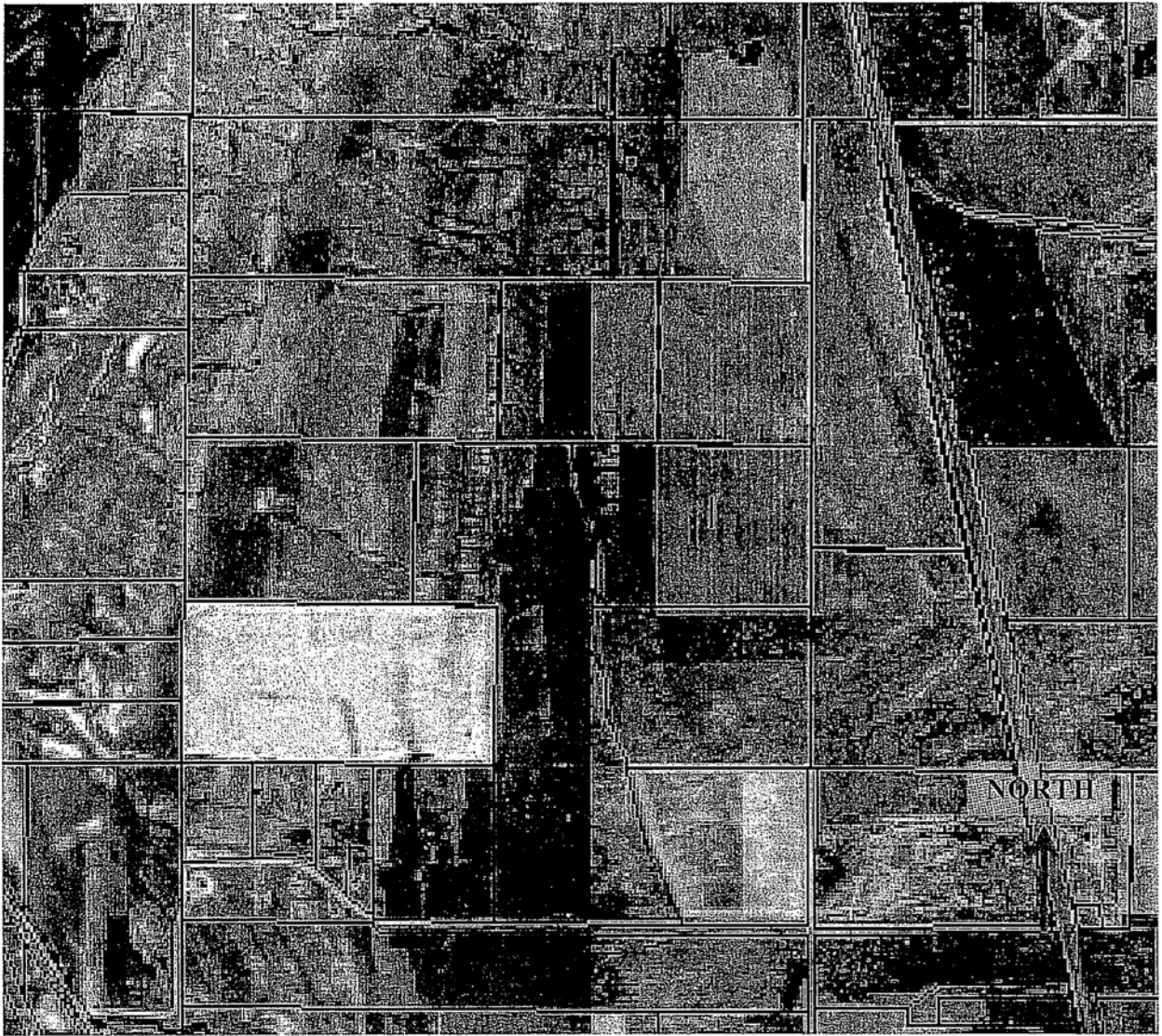


Jay Baker, Associate Planner I

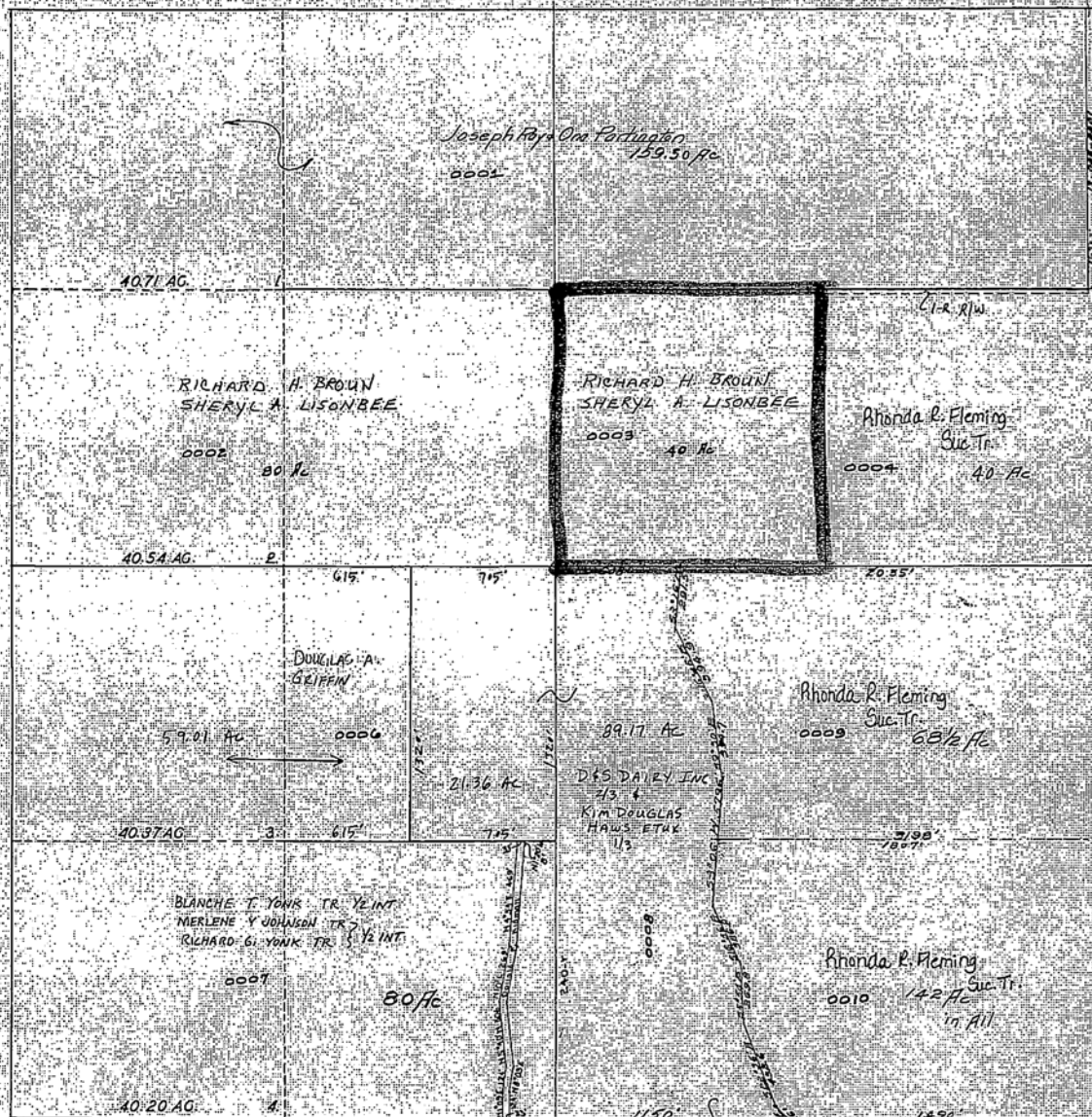
Report Published: February 15, 2007

Republished: March 9, 2007

This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



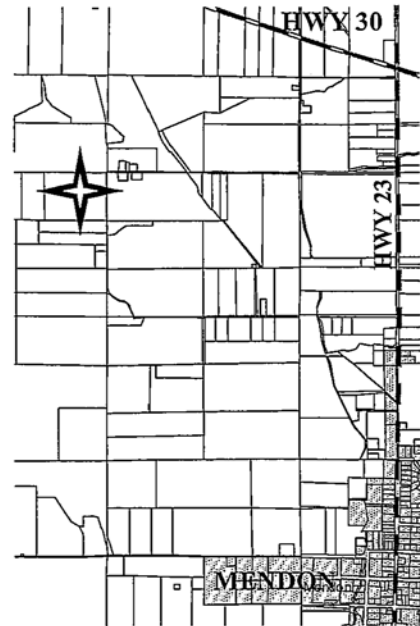
SEE 12-007



SEE 12-022

# Development Services Cache County Corporation

*Project Name:* Hilltop Farms Subdivision  
*Agent:* Richard Yonk  
*Request:* 5-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 350 North 7200 West  
*Tax ID:* 12-052-0005  
*Staff Recommendation:* Recommend Approval with stipulations  
*Surrounding Uses:* North – Agriculture  
South – Agriculture/Single Family Dwelling  
East – Agriculture/Single Family Dwelling  
West – Agriculture



*Site Location*

## PROJECT

*Request:* The applicant is requesting a subdivision to create five (5) building parcels. The purpose of the subdivision is to create 4 building lots. The fifth lot will be designated as a dry lot. The lots are the following sizes, Lot 1 is 2.47 acres, Lot 2 is 2.04 acres, Lot 3 is 2.35 acres, Lot 4 is 2.00 acres, and Lot 5 is 43.47 acres. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080 (there will be five lots from the original 1970 parent parcel).

*Access:* This subdivision is proposing to be serviced from 7200 West and 600 North, both county roads. County Road 7200 West has a 20 wide asphalt surface. County Road 600 North is a gravel surface with a width of 16 to 18 feet. The Road Department is requiring that County Road 600 North be widened to 20 feet of hard surface from the intersection of 7200 West to the western edge of Lot 4.

*Water & Septic:* The applicant has been approved by the State of Utah Division of Water Rights for culinary water permits for this subdivision.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems. Each home will be required to obtain a permit and install the septic in accordance with R317-4 Utah Administrative Code.

## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- Site and soil conditions on Lots 1-4 are suitable for a septic system with a maximum trench depth of 24 inches. A septic permit will be required before installation.
- Lot 5 was not evaluated because it is designated a dry lot. If it is to be developed in the future a site evaluation, percolation test, and site fee will be required prior to obtaining a permit.
- Due to the natural slope of the area, the septic systems should be placed towards the front of the lots.
- A significant amount of area will be needed for septic placement because of high percolation rates on the lots.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

### *Cache County Road Department:*

- 7200 West, a County Road, has an existing paved surface width of 19 to 20 feet.
- 600 North, a County Road, has an existing gravel surface of 16 to 18 feet. This road will need to be widened to 20 feet to accommodate traffic. The portion of the road to be widened will be from 7200 West to the western edge of Lot 4.

*Cache County Fire Department:*

- Water supply tenders from Mendon Fire are 4.9 miles away.
- Access from 7200 West and 600 North is adequate.
- Each new home will require additional review when their location on the lots is determined.
- Due to the distance from the fire department, residential fire sprinklers are recommended.

*Cache County School District*

- Bus Stop is located at 341 North 7200 West.

*Cache County Service Area #1:*

- Garbage cans must be placed on the east side of county road 7200 West for lots 1-3.
- Lot 4 is required to place garbage cans on 600 North for collection.

**PUBLIC COMMENTS**

Notices were mailed to 3 property owners located within three hundred feet of the subject property.

**STAFF RECOMMENDATIONS**

*Action:* Staff recommends that the Planning Commission approve a motion to recommend approval to the County Council of the Hilltop Farms Subdivision, a five (5) lot subdivision for property located at approximately 350 North 7200 West (Petersboro), TIN #12-052-0005.

*Stipulations:*

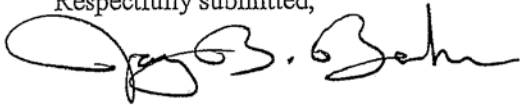
1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
2. County Road 600 North must be widened to 20 feet of hard surface from 7200 West to the western edge of Lot 4. Design of the road shall be reviewed by the County Engineer for compliance with county road standards.
3. The applicant shall reaffirm the County's right-of-way on all county roads adjacent to the subdivision.

**RECOMMENDED FINDINGS OF FACT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Hilltop Farms Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Hilltop Farms Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Hilltop Farms Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,



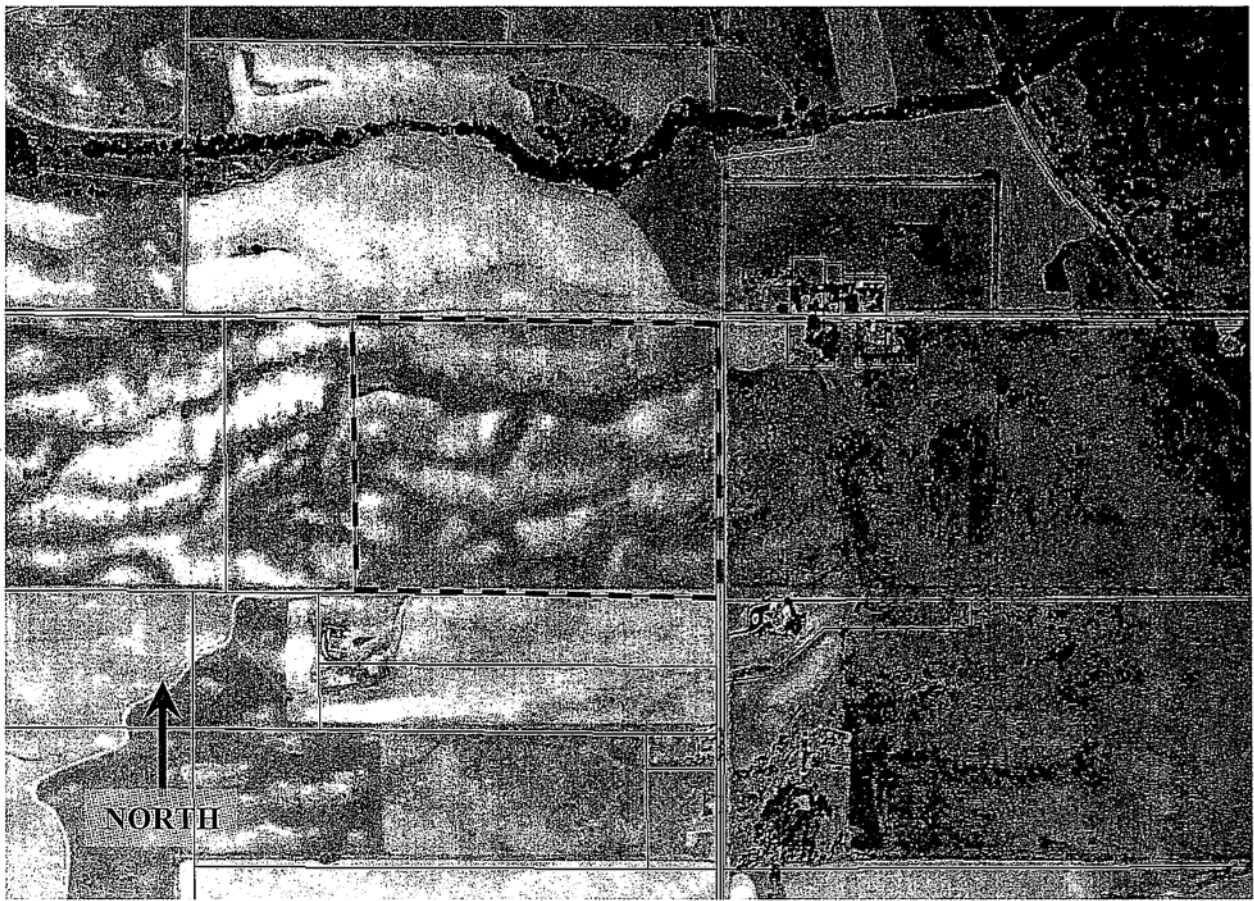
Jay Baker  
Associate Planner I

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This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.





# SECTION 36, TOWNSHIP 12 NORTH, RANGE 2 WEST.

## SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28

