

Attachment A

_____CITY SUBDIVISION PROCESS

Subdivision Defined:

A "Subdivision" is any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

Any landowner wishing to subdivide any land must follow the application and approval process set forth in the City Code except in the following circumstances:

1. When dividing or partitioning agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance.
2. When adjusting the boundary between two adjoining unsubdivided properties, so long as no new parcel is created and the adjustment of the boundary does not violate any land use ordinance.
3. A recorded agreement between two owners of adjoining lots that have been subdivided and which adjusts their mutual boundary, so long as no new lot is created and the adjustment does not violate any land use ordinance.
4. Joining of a subdivided parcel to another parcel of property that has not been subdivided, so long as the joinder does not violate any land use ordinance.

(Utah Code Ann. 10-9a-103(57), 10-9a-603; City Code _____)

Violations of Subdivision Ordinance:

A person who subdivides a parcel in violation of the State or City Code is guilty of a class B misdemeanor under City Code and a civil infraction under State Code. Additionally, no further land use permits, including building permits, may be issued for any parcel that has been illegally subdivided.

(Utah Code Ann. 10-9a-611; City Code _____)

Administrative Decision:

The decision to approve or deny a subdivision application is an administrative land use decision. This means that the Planning Commission, City Council, and any other authority that reviews the application do not have legislative discretion to decide whether to approve the application based on its own feelings or opinions. Instead, they all must simply analyze the facts of the application against the standards set forth in the City Code. They may gather facts from the public, but the

public's feelings or opinions may not be a factor in the review of the application. Also, the Commission must make written findings of fact that explain the basis for granting or denying the application, and those findings should be noted clearly in the record of the meeting in which the decision is made. Each authority, from the Planning Commission to the City Council, should keep detailed minutes of the specific facts and reasons why an application is approved or denied. Additionally, the Planning Commission and City Council should issue a letter documenting the facts and reasons for approval or denial following the meeting. This letter of approval or denial can simply adopt the findings and conditions set forth in the Staff Report (if there is a Staff Report – see below in Step 2).

Application Process:

Optional Sketch Plan: The applicant may wish to have an informal discussion with members of the Planning Commission and City staff regarding a proposed subdivision. The applicant may do so and would need to provide a map, plat, or scale drawing of the proposed development and any other information that may help identify policies, procedures, and standards that may be applicable to the proposed subdivision. Any discussion is nonbinding, and the request for a Sketch Plan meeting or the submission of any Sketch Plan documents is not considered the filing of a subdivision application.

(City Code _____)

Step 1. The Filing of the Application for Subdivision:

- ☐ Complete and sign the Application for Subdivision form prepared by the City.
- ☐ Attach the following items to the Application form:
 - ___ Preliminary subdivision plat that contains all the information required by City Code _____.
 - ___ Construction drawings and plans for all improvements required by City Code and a firm bid for the cost of constructing all required improvements.
 - ___ The applicant's detailed plan for protecting future residents of the development from such hazards as open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of a potentially hazardous nature located on, crossing, contiguous or near to the property being subdivided.
 - ___ A title report for the proposed subdivided property provided by a title company within thirty (30) days of the date of subdivision application.
 - ___ A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.
 - ___ Addresses of all owners of record of real property adjacent to the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.
 - ___ Copy of Property Plat of the area (when applicable). This information is available from the Cache County Recorder's Office.

- Payment of the non-refundable administrative processing fee, and a refundable subdivision application fee, as established by resolution by the City Council.
- Stamped and addressed envelopes for all current property owners of record, within _____ (as required by City Code feet in all directions of the proposed project area. This information is also available from the Cache County Recorder's Office.
- If the proposed subdivision is located within the boundaries of an irrigation company or canal company, or easements of any canals or irrigation ditches exist on the proposed subdivision site, a letter from the governing board of the applicable canal or irrigation company, acknowledging the proposed subdivision. This letter may identify any potential impacts resulting from the proposed subdivision.

- ☐ Pay the non-refundable administrative processing fee, and a refundable subdivision application fee, as established by resolution by the City Council.

(City Code _____)

Step 2. Application and Preliminary Plat Review by Zoning Administrator

Commented [ST1]: This can be the clerk, staff, or a designated administrator as listed here.

- ☐ The Zoning Administrator reviews the application and ensures that all required documents have been presented and any fees have been paid. If the application is incomplete, the Zoning Administrator provides notice to the applicant of what is missing. The applicant has 60 days to cure the deficiency. If the application is not complete within 60 days, the Zoning Administrator returns the incomplete application to the applicant.
- ☐ If there is a canal located within 100 feet of the proposed subdivision, the Zoning Administrator must give notice to the canal owner of the subdivision application within 20 days of the application being filed and may receive input regarding access to, maintenance of, and the protection and safety of the canal from the canal owner.
- ☐ The Zoning Administrator sends the application and all supporting documents to the City Engineer, City Attorney, the water authority that will provide water to the subdivision, the sanitary sewer authority, and the local health department for any preliminary thoughts and feedback that may be helpful for the Planning Commission.
- ☐ The Zoning Administrator, with help of the City Attorney and City Engineer, determines if the land being subdivided is free and clear of unacceptable encumbrances according to the title report and includes that in the Staff Report.
- ☐ The City Zoning Administrator prepares a Staff Report that analyzes each requirement for a subdivision under City code and contains required corrections or conditions from the City Attorney, City Engineer, water authority, sewer authority, and health department as well as any City staff. The Staff Report should make findings of fact as to each requirement and make recommendations to the Planning Commission as to what conditions should be imposed and whether to approve or deny the application based solely on whether all requirements are met. In other words, the Staff Report can be a prepared document that lists all the important facts and conditions that would be needed for approval and allows the Planning Commission to adopt those findings and conditions with or without modification.

- ☐ The City Zoning Administrator prepares a draft written decision that the Planning Commission and City Council may adopt and use following its review (see last item in Steps 3 and 4).

(Utah Code Ann. 10-9a-603; City Code _____)

Step 3. Planning Commission Review and Recommendation of Application and Preliminary Plat.

- ☐ After the Zoning Administrator's review is complete, schedule the application for consideration by the Planning Commission. Also schedule the application for the next available City Council meeting that follows the Planning Commission meeting.
- ☐ The Zoning Administrator provides all required notice of the Planning Commission meeting under the Open and Public Meetings Act.
- ☐ The Zoning Administrator also provides notice of the Planning Commission meeting and the City Council meeting for review of the application via U.S. Mail to all owners of record of real property adjacent to the proposed subdivision site.
- ☐ Hold a public meeting with Planning Commission where the application is reviewed and the Commission makes findings of facts and conclusions as to whether to recommend approval or denial of the application to the City Council.
- ☐ Planning Commission signs and sends out the written decision containing all the details, facts, conclusions, and conditions recommended by the Planning Commission to the City Council. This written decision should address all requirements of a subdivision plat and why they are or are not met for the application. The written decision may simply adopt the Staff Report, with any changes it deems necessary, as a way of making all the required findings and conclusions.
- ☐ Particularly, the Planning Commission written decision should address whether it is feasible to require the applicant to complete all public improvements for the subdivision before the recording of the Final Plat and before the issuance of building permits for individual lots. If not, the Planning Commission written decision should address the improvement security as required by City Code _____ and the amount of the security. If a security will be used, the decision should require the applicant to enter into a Development Agreement with the City in conjunction with the security for improvements.

(City Code _____)

Step 4. City Council Review and Approval or Denial of Application and Preliminary Plat.

- ☐ Schedule the application for consideration by the City Council at the next regularly scheduled meeting. The City Council should be provided the application and all supporting documents, the Staff Report, and the written Planning Commission recommendation letter.
- ☐ Provide all required notice of the meeting under the Open and Public Meetings Act.

- ☐ Planning Commission signs and sends out the written decision containing all the details, facts, conclusions, and conditions recommended by the Planning Commission to the City Council. This written decision should address all requirements of a subdivision plat and why they are or are not met for the application. The written decision may simply adopt the Staff Report, with any changes it deems necessary, as a way of making all the required findings and conclusions.

(City Code _____)

Step 7. City Council Review and Approval or Denial of Application for Final Plat.

- ☐ Schedule the application for consideration by the City Council at the next regularly scheduled meeting. The City Council should be provided the application and all supporting documents, the Staff Report, and the written Planning Commission recommendation letter.
- ☐ Provide all required notice of the meeting under the Open and Public Meetings Act.
- ☐ Hold a public meeting with the City Council where the application is reviewed and the Council makes findings of facts and conclusions as to whether to deny or approve the application. The Council can add or remove conditions of approval or make any other changes it sees are necessary under State Code or City Code to allow approval.
- ☐ City Council signs and sends out a written decision containing all the details, facts, conclusions, and conditions that part of the City Council's decision. This written decision should address all requirements of a subdivision plat and why they are or are not met for the application. The written decision may simply adopt the Staff Report, with any changes it deems necessary, as a way of making all the required findings and conclusions.

(City Code _____)

Step 8.A. Construction of Improvements Without Security.

- ☐ Preconstruction meeting with held between the applicant and the City Public Works Director and/or City Engineer to determine if all required construction drawings and plans are complete and construction of the subdivision improvements is ready to begin.
- ☐ Necessary permits are obtained to begin construction on the subdivision improvements.
- ☐ The applicant sends notice to the Zoning Administrator at least 48 hours before commencement of construction.
- ☐ All subdivision improvements are constructed in accordance with the design standards and as set forth in the Final Plat approval from the City Council and any conditions set forth therein.
- ☐ Within 30 days of completion of construction, the applicant must submit "as built" drawings of the subdivision improvements prepared by a licensed professional.

- ☐ Hold a public meeting with the City Council where the application is reviewed and the Council makes findings of facts and conclusions as to whether to deny or approve the application. The Council can add or remove conditions of approval or make any other changes it sees are necessary under State Code or City Code to allow approval.
- ☐ City Council signs and sends out a written decision containing all the details, facts, conclusions, and conditions that part of the City Council's decision. This written decision should address all requirements of a subdivision plat and why they are or are not met for the application. The written decision may simply adopt the Staff Report, with any changes it deems necessary, as a way of making all the required findings and conclusions.

(City Code _____)

Step 5. Final Plat Application.

- ☐ Within one year of completion of the Preliminary Plat, complete and sign the Application for Final Plat approval as provided by the City. If an application for Final Plat approval is submitted more than one year after approval of the Preliminary Plat, the applicant must go through the Preliminary Plat approval process again.
- ☐ Attach the following items to the Final Plat Application form:
 - ___ The approved Application for Subdivision and all supporting documents, including the written decisions of the Planning Commission and City Council.
 - ___ The approved Preliminary Plat.
 - ___ The Final Plat that was been prepared in accordance with the conditions and requirements established by the City Council in the written decision approving the Application for Subdivision and the approved Preliminary Plat.
 - ___ A signed Development Agreement in a form approved by the City with the help of the City Attorney and City Engineer.
- ☐ The Zoning Administrator determines if the application is complete. If the application is incomplete, the Zoning Administrator provides notice to the applicant of what is missing. The applicant has 60 days to cure the deficiency. If the application is not complete within 60 days, the Zoning Administrator returns the incomplete application to the applicant.

(City Code _____)

Step 6. Final Plat Review by Planning Commission.

- ☐ Schedule the application of the Final Plat for consideration by the Planning Commission.
- ☐ The Zoning Administrator provides all required notice of the Planning Commission meeting under the Open and Public Meetings Act.
- ☐ Hold a public meeting with Planning Commission where the application is reviewed and the Commission makes findings of facts and conclusions as to whether to recommend approval or denial of the application for the Final Plat to the City Council.

- ☐ The City Engineer and/or City Public Works Director determine whether all improvements have been constructed as required and in conformance with the design standards and conditions of Final Plat approval by the City Council. Once it is determined that all improvements are completed as required, then approval is given by the City Zoning Administrator to the applicant to record the Final Plat and building permits may be issued for individual lots.
- ☐ The Final Plat is recorded on title to the property and building permits and certificates of occupancy may be issued in accordance with State and City Code. The Final Plat must be recorded within one year of its approval. If not, then applicant must go through the Final Plat approval procedure again.

(City Code _____)

Step 8.B. Construction of Improvements with Security.

- ☐ Preconstruction meeting with held between the applicant and the City Public Works Director and/or City Engineer to determine if all required construction drawings and plans are complete and construction of the subdivision improvements is ready to begin.
- ☐ The Applicant pays or provides the security for improvements in accordance with City Code _____.
- ☐ The Development Agreement is fully executed by the applicant and the City and recorded on title to the property. The Development Agreements sets forth what improvements must be in place before building permits may be issued for individual lots. The Development Agreement also sets forth that all public improvements must be completed before any certificates of occupancy may be granted for individual lots.
- ☐ The Final Plat is recorded on title to the property. The Final Plat must be recorded within one year of its approval. If not, then applicant must go through the Final Plat approval procedure again.
- ☐ Necessary permits are obtained to begin construction on the subdivision improvements.
- ☐ The applicant sends notice to the Zoning Administrator at least 48 hours before commencement of construction.
- ☐ Construction of the initial improvements required by the Development Agreement before permits may be issued for individual lots is completed.
- ☐ Within 30 days of completion of initial improvements construction, the applicant must submit "as built" drawings of the subdivision improvements prepared by a licensed professional.
- ☐ The City Engineer and/or City Public Works Director determine whether the initial improvements have been constructed as required and in conformance with the design standards and conditions of Final Plat approval by the City Council. Once it is determined that all improvements are completed as required, then approval is given to proceed with the remaining public improvements in accordance with the Development Agreement, and building permits may begin to be issued for individual lots.

- ☐ Within 30 days of completion of construction of all remaining public improvements, the applicant must submit "as built" drawings of the subdivision improvements prepared by a licensed professional.
- ☐ The City Engineer and/or City Public Works Director determine whether all remaining improvements have been constructed as required and in conformance with the design standards and conditions of Final Plat approval by the City Council. Once it is determined that all improvements are completed as required, then certificates of occupancy may be issued in accordance with State and City Code.

(City Code _____)

Staff Report: 7200 North Subdivision

5 August 2021

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. Additional information may be provided that supplements or amends this staff report.

Agent: Ryan and Michelle Merrill

Parcel ID#: 13-017-0005, and a portion of -0004

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Project Location

Reviewed by Angie Zetterquist

Project Address:

~7200 North 4800 West
near Newton

Current Zoning:

Agricultural (A10)

Acres: 78.98

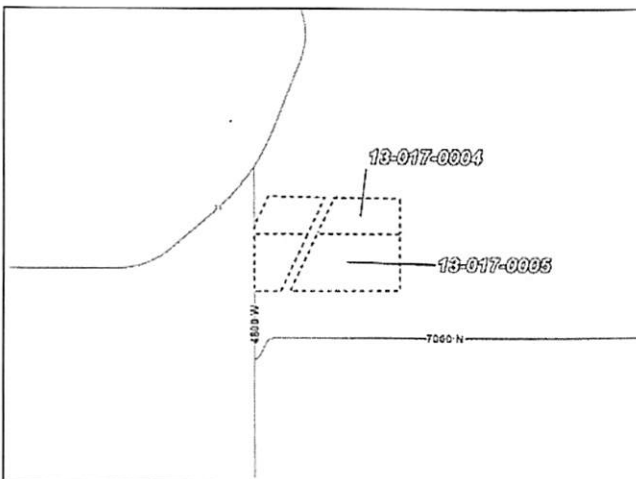
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural

West – Agricultural



Findings of Fact

A. Request description

1. The 7200 North Subdivision is a request to create a new 3-lot subdivision with an Agricultural Remainder on 78.98 acres in the Agricultural (A10) Zone. The entire 60.0 acres of parcel #13-017-0005 will be within the subdivision boundary as will the 20.5 acres of parcel #13-017-0004 located east of the railroad tracks. The remaining ~18 acres of #13-017-0004 will not be included within the subdivision boundary and will remain a separate parcel. The remaining 18 acres can remain a separate parcel as it is an existing legal parcel and will be legal parcel after the boundary adjustment due to the creation of the new subdivision.

- a. Lot 1 will be 4.13 acres;

- b. Lot 2 will be 4.32 acres;
- c. Lot 3 will be 3.91 acres;
- d. Lot 4 will be 4.05 acres; and
- e. The Agricultural Remainder will be 62.57 acres.

B. Parcel legality

- 2. The GIS Parcel Summary indicates that the subject properties are legal as they are in the same size and configuration since August 8, 2006

C. Authority

- 3. §17.02.030 [E] Authority for Land Use Actions – The Planning Commission is authorized to act as the Land Use Authority for subdivision amendments. *See conclusion #1.*

D. Culinary water, septic system, and storm water

- 4. §16.04.080 [A] Water Requirements – Domestic culinary water rights are in process for the subdivision (Water Right #25-11729/a47205). The change application for the water rights indicates 7 domestic water rights have been requested, but confirmation of four approved domestic water rights for Lots 1-4 will be required prior to recordation. The applicant was seeking to create more buildable lots, but soil conditions (see below) limited the development to 4 lots. *See condition #1*
- 5. §16.04.080 [B] Sewage Requirements – The applicant has provided a septic feasibility letter for a proposed 5-lot subdivision from the Bear River Health Department (BRHD). However, per the letter, conventional septic systems are not feasible in the soil. Alternatively, BRHD has determined that the subdivision is feasible for alternative, packed bed media, septic systems. The alternative septic systems will require initial and yearly permits as well as onsite inspections by a 3rd party twice per year for the life of the system. *See condition #2*
- 6. §16.04.070 Storm Drainage Requirements – A stormwater report prepared by a licensed Engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a predevelopment hydrologic condition, whichever is less. *See condition #3*
All storm water controls/structures (ponds, culverts, etc.) required to meet the stormwater requirements must be constructed prior to recording the plat. Additionally, all stormwater controls/structures must be maintained by the property owners with a note added to the plat reflecting the property owners' responsibility for stormwater maintenance. *See condition #4*
A Land Disturbance Permit is required for any future development. *See condition #5*
A UPDES construction stormwater permit from the State is required. A copy of the Stormwater Pollution Prevention Plan (SWPPP), the permit, and the NOI must be provided to the Department of Public Works. *See condition #6*

E. Access

- 7. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 8. Table 17.10.040 Site Development Standards – Minimum lot frontage required in the A10 Zone is 90 feet.
- 9. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage.
- 10. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.

11. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
12. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. An analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - a. And any additional impacts to the proposed development access roads.
13. The Road Manual specifies the following:
 - a. Local Roads – The primary function of a local road is to provide access to residences, farms, businesses, or other properties that abut the road, rather than to serve through traffic. Although some through traffic may occasionally use a local road, through traffic service is not the primary purpose of local roads. For purposes of design and construction standards, local roads are subdivided into Major Local (ML) and Minor Local (L) roads.
 - a. Major Local Road (ML): Major Local Roads serve a dual function of providing access to properties that abut the road as well as providing through or connection service between higher road classification facilities. Major Local Roads may have significant local continuity and may operate at relatively high speeds. Because of the possibility of through traffic, a meaningful segment of traffic on Major Local Roads may include drivers who are unfamiliar with the roads. Traffic on Major Local Roads is largely composed of passenger vehicles or other smaller vehicle types. Where a significant proportion of traffic is trucks or other heavy vehicles, additional design considerations will be required.
 - b. Table B-6 Typical Cross Section Minimum Standards: Major Local Roads must meet the minimum standard of a 66-foot right-of-way, two 10-foot wide paved travel lanes with 4-foot wide gravel shoulders: 14-inches depth of granular borrow, a 6-inches depth of untreated base course, and 3 inches of bituminous surface course (asphalt).
 - c. Major Local Roads must meet the minimum standard of a 66-foot right-of-way, two 10-foot wide paved travel lanes with 6-foot wide shoulders (2 feet paved and 4 feet of gravel): 14-inches depth of granular borrow, a 6-inches depth of untreated base course, and 3 inches of bituminous surface course (asphalt).
 - d. Table B-8 Typical Cross Section Structural Values: The minimum structural composition for major and minor local roads requires 14” depth of granular borrow, 6” depth of road base, and 3” depth of asphalt.
14. Section 12.02.020(B): Where land abutting an existing substandard street or road is subdivided or developed, the developer shall dedicate any necessary additional rights of way and improve the adjacent roadway to conform to the county’s standard.
15. A basic review of the access to the proposed subdivision identifies the following:
 - a. Access to the 7200 North Subdivision is from 4800 West, a county road, and a private driveway access.
 - b. 4800 West:
 - i. Is an existing county facility that provides access to the general public.
 - ii. Currently provides access to agricultural fields, farms, residential and generally serves to provide through access from surrounding cities to State Route 218.
 - iii. Is classified as a Minor Collector, but is required to meet the lesser Major Local Road standard.
 - iv. Consists of a 20-foot wide paved surface with 3-foot paved shoulders and 2-foot wide gravel shoulders.
 - v. Has the required 66-foot wide ROW per the subdivision plat.

- vi. Is maintained year round.
- vii. Is considered substandard as to shoulders and the required clear zone for a Major Local Road and must be improved to meet those requirements prior to recording the subdivision plat. *See condition #7*
- c. Private driveway access:
 - i. Will provide access to the subdivision.
 - ii. Prior to the plat being recorded, the point of private access must be improved to meet current County Standards for a Minor Private Road per the Road Manual and must include an area for mail boxes and refuse containers. Work within the County right-of-way requires approval and issuance of an encroachment permit. *See condition #8 & #9*
 - iii. Requires a turnaround that meets the Road Manual and Fire District standards and must be shown on the subdivision plat. Final platted dimensions will be dependent on roadway improvement plans and the stormwater report. *See condition #10*
 - iv. As a private access, must be maintained by the property owners. The County will not provide maintenance.

F. Service Provision

- 16. §16.04.080 [C] Fire Control – The County Fire District visited the subject property and found the access road meets fire code standards, but an approved turnaround is required at the end of the private drive. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development. Water supply for fire protection will be provided by the Newton Fire Department. *See condition #11*
- 17. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides collection service in this area. All residential carts will need to be placed on the east side of 4800 West for collection. Refuse collection is not provided on new private roads as private roads are not built to the same standards as a public road and operating refuse vehicles on private roads quickly degrades the road surface. Sufficient shoulder space must be provided along the side of this narrow road for all refuse and recycling containers to be placed 3-to-4 feet apart and be far enough off the road so as not to interfere with passing traffic.

G. Sensitive Areas

- 18. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
 - a. According to the GIS data, there is a potential liquefaction area located on the proposed agricultural remainder. Agricultural remainders are restricted for development. Future development in this area may require a geotechnical report.
 - b. A railroad track divides the portion of the subdivision with the buildable lots from the agricultural remainder. Future development must comply with any additional setbacks required from the railroad tracks.

H. Public Notice and Comment—§17.02.040 Notice of Meetings

- 19. Public notice was posted online to the Utah Public Notice Website on 22 July 2021.
- 20. Notices were posted in three public places on 22 July 2021.
- 21. Notices were mailed to all property owners within 300 feet of the subject property on 22 July 2021.
- 22. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

Conditions

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

1. Prior to recording the plat, confirmation of an approved domestic water right for the proposed 4 lots must be provided to the Department of Development Services. *(See D-4)*
2. Applicant must obtain all permits and inspections required by the Bear River Health Department for the alternative septic systems. *(See D-5)*
3. Prior to recording the plat, the application must provide the County Engineer with a stormwater report prepared by a licensed Engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a predevelopment hydrologic condition, whichever is less; and the applicant must provide written approval of the stormwater plan from the County Engineer to the Department of Development Services. *(D-6)*
4. Prior to recording the plat, all stormwater controls/structures (ponds, culverts, etc.) must be constructed by the applicant. Ongoing maintenance of the stormwater controls/structures must be maintained by the property owners. *(See D-6)*
5. A Land Disturbance Permit is required for any future development. *(See D-6)*
6. A UPDES construction stormwater permit from the State is required. A copy of the Stormwater Pollution Prevention Plan (SWPPP), the permit, and the NOI must be provided to the Department of Public Works. *(See D-6)*
7. Prior to recording the plat, 4800 West must be improved to the Major Local Road standards as per the Road Manual; the design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes; a full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction; and fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent *(See E-15-b-vii)*
8. Prior to recording the plat, the private access drive and turnaround must be constructed to meet the requirements of the Road Manual and the County Fire Department the design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes; and a full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent. *(See E-15-c-ii)*
9. Prior to working in the County right-of-way, the applicant must obtain approval of an encroachment permit. *(see E-15-c-ii)*
10. Prior to recording the plat, the required turnaround at the end of the private road must be completed to meet the Road Manual and Fire District standards and must be shown on the subdivision plat. Final platted dimensions will be dependent on roadway improvement plans and the stormwater report. *(See F-16)*

Conclusions

Based on the findings of fact and conditions noted herein, staff recommends approval of the 7200 North Subdivision as:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.

7200 North Subdivision

A Part of the Southwest Quarter of Section 15, Township 13 North,
Range 1 West, Salt Lake Base & Meridian, Cache County, Utah
April of 2021



Scale: 1" = 100'
0 100' 200'

Scale in Feet

LEGEND

- Subdivision Boundary
- Lot Line
- Adjoining property Line
- Easement Line
- Existing Fence Line
- Section Corner
- Found Survey Point
- Set 3/8" by 24" Rebar
- Weld Cap



Pacific
Union

Agricultural Remainder 1

(Agricultural Remainders are non-taxable except for agricultural structures)
13-017-0005
Containing 62.568 Acres

SUBDIVISION BOUNDARY PART 2

A Part of the Southwest Quarter of Section 15, Township 13 North, Range 1 West of the Salt Lake Base and Meridian.
Beginning on the East Right-of-Way Line of the Union Pacific Railroad and the Northwest Corner of Legacy Minor Subdivision of a Point Located 883.47 Feet North 00°17'04" West Along the West Line of said Southwest Quarter and 841.57 Feet North 89°35'46" East from the Southwest Corner of said Southwest Quarter and RUNNING THENCE North 24°12'20" East 1801.12 Feet Along said East Right-of-Way Line; Thence South 89°00'07" East (East by Record) 1191.95 Feet Along and Existing Fence Line; Thence South 00°21'44" East (South by Record) 1699.32 Feet Along a Fence to the North Line of said Legacy Minor; Thence South 89°35'46" West (South 89°42'36" West by Record) 1882.06 Feet to the Point of Beginning. Containing 62.568 Acres.

RECORD OWNER
DEVELOPER
Ryan Glen Morris
Michelle Harmon Morris
5402 W 5000 N
Bonneville UT 84433
435-757-8011

Clinton G. Harman
P.L.S. No. 7881307

Date



ADVANCED
LAND SURVEYING INC.
1770 Research Park Way Ave
Logan Utah 84301
(435) 435-4444
www.advancedland.com

Attachment C

10-9a-504 Temporary land use regulations.

(1)

- (a)** A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:
 - (i)** the legislative body makes a finding of compelling, countervailing public interest; or
 - (ii)** the area is unregulated.
- (b)** A temporary land use regulation under Subsection (1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.
- (c)** A temporary land use regulation under Subsection (1)(a) may not impose an impact fee or other financial requirement on building or development.

(2) The municipal legislative body shall establish a period of limited effect for the ordinance not to exceed six months.

(3)

- (a)** A municipal legislative body may, without prior planning commission consideration or recommendation, enact an ordinance establishing a temporary land use regulation prohibiting construction, subdivision approval, and other development activities within an area that is the subject of an Environmental Impact Statement or a Major Investment Study examining the area as a proposed highway or transportation corridor.
- (b)** A regulation under Subsection (3)(a):
 - (i)** may not exceed six months in duration;
 - (ii)** may be renewed, if requested by the Transportation Commission created under Section 72-1-301, for up to two additional six-month periods by ordinance enacted before the expiration of the previous regulation; and
 - (iii)** notwithstanding Subsections (3)(b)(i) and (ii), is effective only as long as the Environmental Impact Statement or Major Investment Study is in progress.

Renumbered and Amended by Chapter 254, 2005 General Session

Report Criteria:

Invoices with totals above \$0.00 included.

Only paid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
MAYOR & COUNCIL							
10-41-230 TRAVEL & TRAINING							
869	CARDMEMBER SERVICE	112221	ELECTED OFFICIALS ESSENTI	10/27/2021	60.00	60.00	11/23/2021
Total MAYOR & COUNCIL:					60.00	60.00	
ADMINISTRATION							
10-44-220 MILEAGE							
440	KRISTI HIDALGO	112221	Mileage	11/22/2021	69.00	69.00	11/23/2021
10-44-230 TRAVEL & TRAINING							
869	CARDMEMBER SERVICE	110421	UMCA TRAINING	09/16/2021	417.00	417.00	11/04/2021
10-44-240 OFFICE SUPPLIES & EXPENSE							
869	CARDMEMBER SERVICE	110421	STAMPED ENVELOPES	09/16/2021	879.07	879.07	11/04/2021
869	CARDMEMBER SERVICE	110421	MISC. SUPPLIES	09/16/2021	32.09	32.09	11/04/2021
10-44-260 TOWN HALL							
657	ALLTECH	AT-21341	PODIUM/MICROPHONE	10/25/2021	569.99	569.99	11/23/2021
10-44-270 UTILITIES							
657	ALLTECH	ATD-21314	PHONE SERVICE - TOWN HALL	10/18/2021	36.48	36.48	11/04/2021
657	ALLTECH	ATD-21314	FAX SERVICE	10/18/2021	25.00	25.00	11/04/2021
657	ALLTECH	ATD-21880	PHONE SERVICE - TOWN HALL	11/16/2021	36.48	36.48	11/23/2021
657	ALLTECH	ATD-21880	FAX SERVICE	11/16/2021	25.00	25.00	11/23/2021
246	COMCAST	110421	INTERNET	10/22/2021	69.79	69.79	11/04/2021
189	DOMINION ENERGY	110421	UTILITIES	10/26/2021	23.47	23.47	11/04/2021
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	74.40	74.40	11/23/2021
10-44-305 LEGAL/PROFESSIONAL							
184	OLSON & HOGGAN, PC	111821	LEGAL SERVICES - COUNTY M	10/31/2021	300.00	300.00	11/23/2021
10-44-315 AUDITOR							
272	STEVEN R. MISENER, CPA	50708	QUARTERLY REPORTS	10/06/2021	175.00	175.00	11/23/2021
10-44-320 E911 FEES							
685	LOGAN CITY	111821	911 FEE	11/17/2021	816.00	816.00	11/23/2021
10-44-330 SANITATION COLLECTION FEES							
685	LOGAN CITY	111821	SANITATION	11/17/2021	4,971.56	4,971.56	11/23/2021
10-44-340 ELECTIONS							
260	CACHE COUNTY CORPORATIO	6156	TAX INCREASE ADS	10/29/2021	568.43	568.43	11/04/2021
10-44-620 MISC SUPPLIES/SERVICES							
657	ALLTECH	AT-21903	SERVER DOMAIN PURCHASE	11/18/2021	13.30	13.30	11/23/2021
869	CARDMEMBER SERVICE	110421	PHONE BOOKS	09/16/2021	367.13	367.13	11/04/2021
Total ADMINISTRATION:					9,469.19	9,469.19	
LAW ENFORCEMENT							
10-51-110 ANNUAL CONTRACT/SERVICES							
260	CACHE COUNTY CORPORATIO	6165	LAW ENFORCEMENT CONTRA	11/18/2021	6,701.00	6,701.00	11/23/2021
10-51-390 ANIMAL CONTROL							
260	CACHE COUNTY CORPORATIO	6165	ANIMAL CONTROL SERVICE CO	11/18/2021	3,200.00	3,200.00	11/23/2021
Total LAW ENFORCEMENT:					9,901.00	9,901.00	
FIRE & RESCUE							
10-53-270 FUEL/OIL & UTILITIES							
657	ALLTECH	ATD-21314	PHONE SERVICE - FIRE DEPT.	10/18/2021	36.48	36.48	11/04/2021
657	ALLTECH	ATD-21880	PHONE SERVICE - FIRE DEPT.	11/16/2021	36.48	36.48	11/23/2021
246	COMCAST	110421	INTERNET	10/22/2021	69.79	69.79	11/04/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
189	DOMINION ENERGY	110421	UTILITIES	10/26/2021	61.57	61.57	11/04/2021
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	192.23	192.23	11/23/2021
Total FIRE & RESCUE:					396.55	396.55	
ROADS & STREETS DEPARTMENT							
10-60-255 FUEL & OIL							
189	DOMINION ENERGY	110421	UTILITIES	10/26/2021	7.20	7.20	11/04/2021
10-60-420 ROAD UTILITIES/STREET LIGHTS							
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	542.56	542.56	11/23/2021
10-60-730 ROAD MAINTENANCE							
540	MILLERS TREE SERVICE	110421	TREE TRIMMING	10/27/2021	4,000.00	4,000.00	11/04/2021
Total ROADS & STREETS DEPARTMENT:					4,549.76	4,549.76	
PARKS & RECREATION							
10-70-250 PARK GENERAL							
175	LOWES	918287	PARKS MISC	10/22/2021	13.20	13.20	11/04/2021
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	104.49	104.49	11/23/2021
10-70-430 YOUTH COUNCIL							
775	DIANA CALDERWOOD	112221	REIMBURSEMENT - YOUTH CO	11/22/2021	118.23	118.23	11/23/2021
10-70-820 CIVIC CENTER UTILITIES							
189	DOMINION ENERGY	110421	UTILITIES	10/26/2021	37.78	37.78	11/04/2021
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	40.60	40.60	11/23/2021
Total PARKS & RECREATION:					314.30	314.30	
Total GENERAL FUND:					24,690.80	24,690.80	
WATER FUND							
WATER DEPARTMENT							
51-81-230 WATER TRAVEL & TRAINING							
869	CARDMEMBER SERVICE	110421	UMCA TRAINING	09/16/2021	422.00	422.00	11/04/2021
485	HOLLY JONES	112221	MILEAGE	11/22/2021	23.00	23.00	11/23/2021
51-81-240 OFFICE SUPPLIES & EXPENSE							
869	CARDMEMBER SERVICE	110421	STAMPED ENVELOPES	09/16/2021	879.08	879.08	11/04/2021
869	CARDMEMBER SERVICE	110421	CERTIFIED MAILINGS	09/16/2021	6.80	6.80	11/04/2021
869	CARDMEMBER SERVICE	110421	MISC. SUPPLIES	09/16/2021	32.09	32.09	11/04/2021
869	CARDMEMBER SERVICE	112221	CERTIFIED MAILINGS	10/27/2021	58.15	58.15	11/23/2021
51-81-270 UTILITIES							
219	ROCKY MOUNTAIN POWER	111821	UTILITIES	11/10/2021	79.24	79.24	11/23/2021
51-81-370 WATER SAMPLING							
114	BEAR RIVER HEALTH DEPT.	213565	WATER SAMPLING	11/01/2021	20.00	20.00	11/23/2021
Total WATER DEPARTMENT:					1,520.36	1,520.36	
Total WATER FUND:					1,520.36	1,520.36	
PERPETUAL CARE FUND							
PERPETUAL CARE DEPARTMENT							
71-40-710 MAINTENANCE							
175	LOWES	901816	CEMETERY MISC	09/26/2021	33.21	33.21	11/04/2021
834	RANDY SMITH	112221	MILEAGE	11/22/2021	28.75	28.75	11/23/2021
Total PERPETUAL CARE DEPARTMENT:					61.96	61.96	
Total PERPETUAL CARE FUND:					61.96	61.96	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Grand Totals:					26,273.12	26,273.12	

Dated: 12-7-2021Mayor: N. Cruz HidalgoCity Council: Angela SparksDonMyra FawcettJB ButlerCity Recorder: Kristi Hidalgo

Report Criteria:

Invoices with totals above \$0.00 included.

Only paid invoices included.