

**ORDINANCE 2009-25**

**AN ORDINANCE ENACTING CHAPTER 29, PINE CANYON ENVIRONMENTAL OVERLAY ZONE, OF THE TOOELE COUNTY LAND USE ORDINANCE**

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:**

**SECTION I - PURPOSE.** Tooele County desires to create a new overlay zone to monitor future development within Pine Canyon and confirm that properties are adequately remediated for their intended use prior to development. Environmental studies conducted in 2001 to 2003 under the direction of the US Environmental Protection Agency and the Utah Department of Environmental Quality have indicated a potential for soils in a portion of Pine Canyon to contain elevated concentrations of lead and arsenic, above acceptable residential cleanup levels, on some undeveloped properties. The Pine Canyon Planning Commission held a public hearing on the issue and recommends passage of this ordinance.

**SECTION II - CHAPTER ENACTED.** Chapter 29, Pine Canyon Environmental Overlay Zone, of the Tooele County Land Use Ordinance is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.

**SECTION III - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION IV - EFFECTIVE DATE.** This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation in Tooele County.

Ord. 2009-25

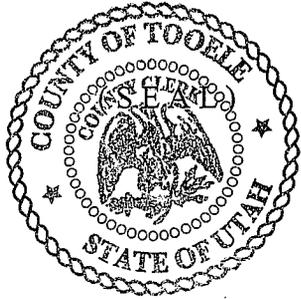
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 22<sup>nd</sup> day of September 2009.

ATTEST:

  
Marilyn K. Gillette, Clerk

TOOELE COUNTY COMMISSION:

  
Colleen S. Johnson, Chairman



Commissioner Johnson voted absent  
Commissioner Clegg voted aye  
Commissioner Hurst voted aye

APPROVED AS TO FORM:

  
Doug Hogan  
Tooele County Attorney

## CHAPTER 29

### PINE CANYON ENVIRONMENTAL OVERLAY ZONE

#### Section

- 29-1. Purpose and scope.
- 29-2. Definitions.
- 29-3. Applicability.
- 29-4. Site location master plan.

#### 29-1. Purpose.

The purpose of this chapter is to monitor future development in the Pine Canyon area and confirm that properties are adequately remediated. Environmental studies conducted in 2001-2003 under the direction of the US Environmental Protection Agency and the Utah Department of Environmental Quality have indicated a potential for soils in this area to contain elevated concentrations of lead and arsenic, above acceptable residential cleanup levels, on some undeveloped properties.

#### 29-2. Boundary.

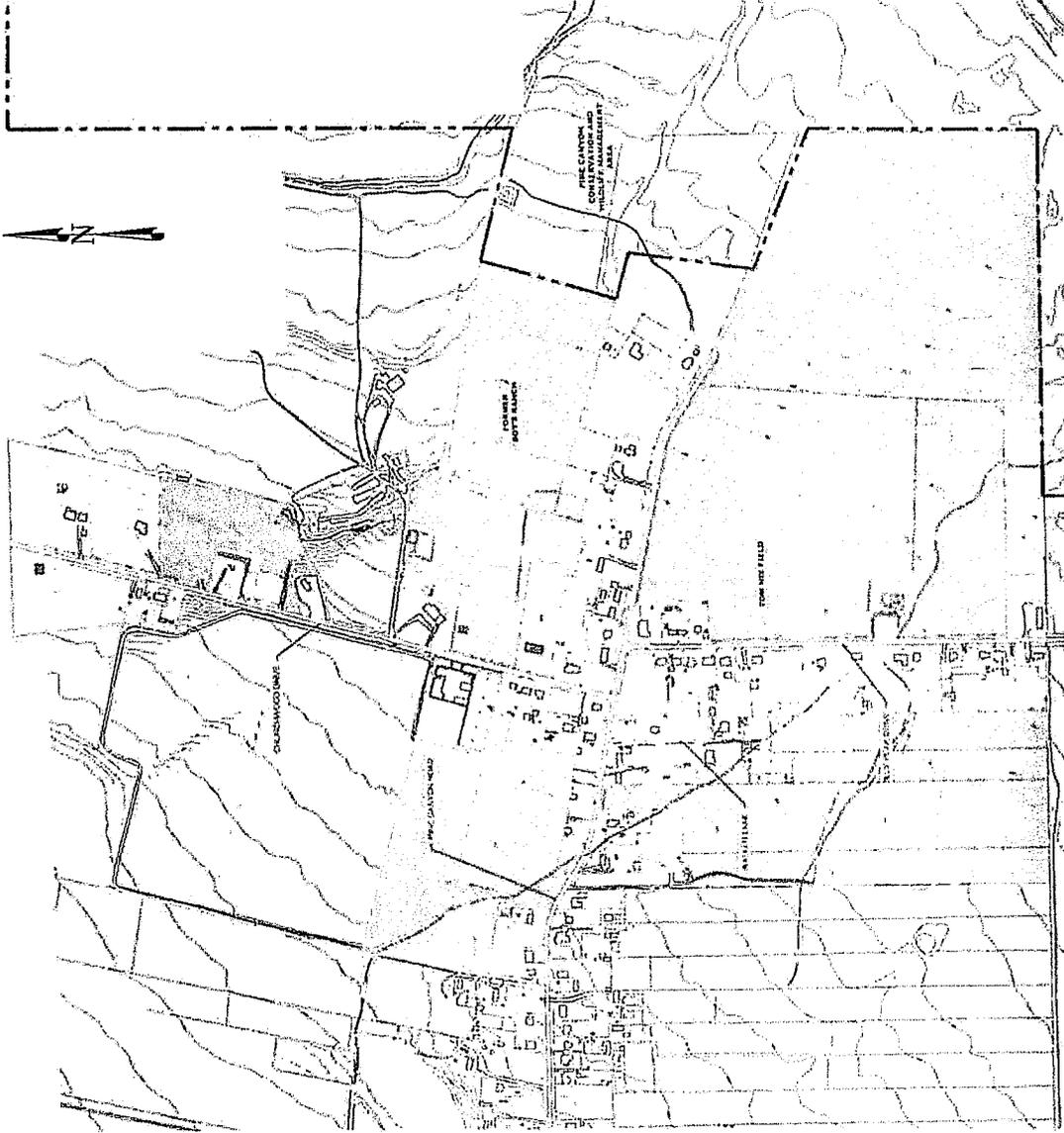
The overlay boundary includes properties within the Pine Canyon Township as identified on the Pine Canyon Environmental Overlay Zone Map on file with the Tooele County Health Department and the Division of Planning and Zoning.

#### 29-3. Definitions.

"Development action" means any man-made change to real estate, including, but not limited to, the construction of buildings or other structures requiring a permit, land uses requiring land use authority approval, subdividing, mining, dredging, filling, grading, paving, excavation or drilling.

#### 29-4. Application.

Within the overlay zone, a review of the environmental conditions and possible remedial action is required as part of any development action. Confirmation of sufficient remedial action, for the intended use, shall be required from the Tooele County Health Department prior to proceeding with a development action. A property owner/developer shall be required to submit a Sampling and Analysis Plan according to Development Guidelines adopted by and on file with the Tooele County Health Department prior to conducting any sampling of the property. The owner/developer must submit a Remedial Work Plan as described in the Guidelines prior to performing remedial work.



AREAS WHERE ENVIRONMENTAL ASSESSMENT IS REQUIRED

AREAS WHERE ENVIRONMENTAL ASSESSMENT IS NOT REQUIRED

CONSERVATION AREA BOUNDARY

1	Revised Area Boundaries	1/2019
2	Revised Area	9/2019

TOOELE COUNTY  
PLANNING AND ZONING



PROJECT NO.	2019-007
DATE	1/2019

PINE CANYON AREA  
ENVIRONMENTAL  
OVERLAY ZONE  
DEVELOPMENT GUIDE  
TOOELE, UTAH

Sheet	1
Date	2-2019-2017
Scale	AS SHOWN

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