

**TOOELE COUNTY PLANNING COMMISSION  
47 SOUTH MAIN STREET, TOOELE, UTAH 84074  
(435) 843-3160**

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**BUSINESS MEETING**

**April 6, 2005**

The Tooele County Planning Commission Meeting was called to order at 7:00 p.m. by Chairperson George Mattena.

***Roll Call / Members in attendance:***

Sharon Grgich Bill Bergener Craig Anderson  
George Mattena Marlene Thomas Commissioner Dennis Rockwell

***Staff:***

Richard Clark Mary Dixon

**1. Approval of meeting minutes from March 16, 2005:**

Sharon made a motion to approve the meeting minutes from March 16, 2005. The motion was seconded by Bill. All concurred.

**2. CUP #1100-05 Outback Therapeutic Expeditions (Alan & Elizabeth Mitchell):**

Sharon made a motion to table CUP #1100-05 Outback Therapeutic Expeditions (Alan & Elizabeth Mitchell) for six months until the applicant is ready. The motion was seconded by Bill.

Verbal Roll Call:

Sharon yes Craig yes Bill yes  
Marlene yes Dennis yes George yes

**Adjournment:**

With no further comments Sharon made a motion to adjourn the business meeting. The motion was seconded by Bill All members concurred. The business meeting adjourned at 7:05 p.m.

**APPROVAL:** \_\_\_\_\_

**Chairperson, Tooele County Planning Commission**

**1. CUP #1110-05 Michael & Melissa Murdock-In home preschool:**

Richard explained to the commission where this preschool would be located in the Stansbury area. Richard showed the commission the layout of the applicant's home and where the preschool would be located. Richard explained that the applicant proposes to operate one session each weekday, 9:00 am to 11:30 am. There would be eight students

in each session. There will be no naps as the sessions are only 2.5 hours long. There is a bathroom directly across from the classroom. The areas for the preschool include the dining room for snack time and the family room for music and story time, the bedroom on the main floor for the classroom. Richard explained that a preschool needs a conditional use permit to be operated in this zone. Sharon asked if there would be one session a day. Melissa stated that there would only be one session a day that would be operated in the morning. Richard stated that the applicant intends to keep the children in her home from the time they are dropped off until they are picked up. Richard stated that there is a list of conditions that are attached to a permit of this kind. Melissa stated that she does have a state license and it states that she can only have eight students if she is the only teacher.

Marlene moved CUP #1110-05 Michael & Melissa Murdock-In home preschool to the next business meeting. The motion was seconded by Craig All concurred.

2. **AMZ #1020-05 Amendment to chapter 24-5 Off premise advertising:**

Richard explained that the last time this was before the commission they asked staff to come up with some language to prohibit off premise development signs. Richard explained the new language that would be placed in the ordinance and what language would be removed. Richard stated that new language has been put into this ordinance to address the county owned properties also. George asked if the county entities know what they can and cannot put up? Richard stated that they should be; he would address the ordinance with them. Richard explained that with this change we will be adding 24-6-5 to the ordinance. Sharon asked if this referenced political signs. Richard explained that there is another section that addressed those types of signs. Dennis explained that he had found a discrepancy in the ordinance with Christmas / Hanukah signs being 21 days or 19 days. The commission asked if they could move the dates back. Richard explained that they could. The commission requested the dates be December 13<sup>th</sup> through January 2<sup>nd</sup>. Joyce Hogan asked if she could have signs in the county that directed potential buyers to their development. Joyce explained that Stockton does not allow signs, so how can developers put up directional signs for their developments? George stated that with this change to the ordinance you would not be able to have directional signs. Joyce stated that she was opposed to this because they need directional signs for their development. Dennis stated that Joyce would be able to have directional signs. Richard explained that with this change they would not be able to have the directional signs. Bill stated that maybe we need to change some of the wording. The commission asked if possibly we could down size a directional sign to allow them in the county. Marlene asked if directional signs are really a nuisance. Marlene stated that the ordinance we had was not that bad. Dennis stated that the ordinance states that you can have three directional signs. Joyce stated that they would like a large sign so that you can recognize the sign. Marlene asked if we were too strict with what can go on development signs. Marlene asked to table this until we can reword it. Richard stated that if the commission wants new wording then they will need to give him some direction. The commissions asked if there could be information signs on site and allow three directional signs to a development. Marlene asked if we could place verbiage in the ordinance to stop people from putting other signs on existing signs.

Marlene made a motion to table AMZ #1020-05 Amendment to chapter 24-5 Off premise advertising so that staff can review the wordage. The motion was seconded by Sharon. All concurred.

3. **AMZ #1021-05 Amendment to chapter 15 adding Bed and Breakfast facilities to the use matrix:**

Richard explained that staff had done a lot of research on this subject. Richard explained that right now a facility of this type is not allowed in the unincorporated part of the county. Richard explained the proposed definition for this type of facility. “Bed and breakfast” means a private owner occupied residence with no more than three guestrooms and the guest use is subordinate and incidental to the main residential use, and where individual guests are prohibited from staying for more than fourteen days in any twelve month period. The definition does not include a convention facility, hotel, motel, rooming or boarding house or restaurant. Richard also went over the matrix that would be added to the chapter for this type of facility. Marlene asked if there was a limit on the number of rooms that you could have. Richard explained that in a residential zone you can have three rooms; in a commercial zone you may have as many as you would like. Craig asked if Richard could explain what owner meant. Richard stated that it would be the owner of the property. Richard explained that every request we have received for this type of business the people live in the home and they have extra rooms to do this type of business. Gerry Larrivee explained that they stable horses and they have people who come in late or have difficulty and they are looking for a place to stay. Gerry stated that that his home does have the room for a bed and breakfast. Gerry explained that he has found that when a person lives on the premises the operation seems to run a little smoother. George asked if Gerry had any past experience with a business of this type. Gerry explained that all of the ones that he knew of and stayed in were owner operated. Leland Hogan stated that he knows of bed and breakfast in Salt Lake that doesn't limit the number of rooms you can have and the length of time you can stay. Richard explained that in all of the research that he had done on this it limited the number of rooms to three and length of time you can stay to four days. Richard explained that if someone stays longer it would be considered a boarding house. The commission asked if they could put a limit on the number of rooms you could have and the length of time you can stay. The commission asked that there be no more then ten rooms in a commercial area and a person can not stay more then fourteen consecutive days and no more then fourteen days per quarter at one time, in a commercial area or a residential area.

Sharon made a motion to move AMZ #1021-05 Amendment to chapter 15 adding Bed and Breakfast facilities to the use matrix to the next business meeting with the changes as stated. The motion was seconded by Bill All concurred

4. **Discussion regarding chapter 26-4-3 of the Zoning Ordinance (Business related temporary signs:**

Richard explained that Joyce Fawson a business owner in Tooele County, has asked staff to address possibly making a change to the current sign ordinance. Richard stated that Joyce is here tonight to explain what types of problems she has had running her businesses in regard to temporary signs. Joyce explained that she would like to be able to advertise more to get the clientele she needs to operate her business better. Mr. Fawson

stated that when they put up a banner they can not believe how much more business they get. George stated that when the sign ordinance was written it was to protect the county from being littered with signs and to regulate the signs in the residential areas and commercial areas. George stated that we probably need a place where we separate the residential from the commercial area. Joyce stated that they would like to put up signs for the different holidays and other events that would be coming up. Joyce stated that with the current ordinance they have to chose what holiday they want to advertise and they would really just like to advertise for all. George stated that if you are competing with other businesses you want to get your fair share of clients. Richard stated that possibly if the Fawson's want a banner all the time then they need to put up a permanent sign. Richard stated that one of his jobs is sign enforcement, and that there is not a sign nuisance problem because the ordinance is good and is aggressively enforced. Dennis stated that we don't have any businesses in the county but if we allow signage then maybe we will get businesses. Richard stated that we get people who just put up signs, and we take them down because they are illegal. Richard explained that if we allow these then we need to be pointed as to what is allowed and what is not allowed. Craig asked how long this ordinance had been in affect. Sharon stated that it had been in affect probably two years. Dennis stated that if we had allowed more signage in the commercial area then maybe the businesses that closed down would still be there. George stated that if there is a commercial building then we should allow a temporary banner. Myron Bateman stated that a banner is a lot cheaper then advertising in the paper. Myron stated that a banner is always more effective then advertising in the paper. Craig asked why a permanent sign could not be placed at the business and then have it changed for the different sales or holidays. George stated that there really needs to be something located on site for the different businesses. Richard explained that he can work with Joyce and come up with some language and meet with the other tenants in the strip mall. Marlene asked if this would be strictly commercial? Richard stated that it would be. Dennis asked that staff talk to all of the businesses located along SR 36 north.

5. **Discussion on Toole County Health Department Building Expansion:**

Myron Bateman explained to the commission how the health department would like to expand the current health building. Myron explained that with the growth in the county the health department needs to expand. Myron explained that they needed to get planning commission approval to purchase property to expand. Marlene asked if this expansion would use county money or health department money to purchase the property. Myron stated that it would be health department money. Sharon asked if they would also expand the parking at the health building. Myron stated that they would.

Sharon made a motion to move the purchase of land for the County Health Department to the next business meeting. The motion was seconded by Bill. All concurred.

6. **Discussion on Conservation Subdivisions:**

Richard explained that this item is a discussion session. Richard explained that we need to have open space to implant the General Plan. Richard explained that a conservation subdivision is a way to preserve our county open space and give the land owner more options on what they can do with their land. Richard showed the commission a plan for a conservation subdivision and how one could possibly be laid out. Richard explained that

the land would go into a conservation subdivision and then the developer can develop how they want to. Marlene had some concerns with allowing a land owner to develop their land into a conservation subdivision, and after the land owner had passed away having others come in a develop the open space areas. Leland Hogan asked how this type of subdivision was different from a planned unit development. Richard said he can get that information for the next meeting. Marlene asked if the developer of this type of subdivision could break off pieces of land and sell it. Richard stated that they couldn't because it would be in a conservation easement. Scott Droubay stood and voiced his option on conservation subdivisions in Tooele County, they are feasible, but some questions need to be answered. Sharon asked if we are looking at this type of subdivision in the county can we start looking at Transfer of Development Rights. Richard stated that this is possible with this type of development. Flint Richards stated that he thinks about conservation subdivisions on a larger scale. Flint stated that they want to keep Erda a open space area in the county. Flint asked if we might need to put a minimum limit to the size of ground that this type of subdivision can be developed on. Flint explained that most people who are looking to purchase property are looking for property that has open space surrounding it. George stated that we need to allow the open space that is and will be located in the county accessible to others. Flint asked the commission to have an open mind and continue to look at implementing conservation subdivisions. Dennis stated that he felt like the open space needs to be shared more with the public. Joyce Hogan stood and voiced some concerns with calling these conservation subdivisions. Joyce stated that she thought that they need to be called something else.

### **Adjournment:**

With no further comments Sharon made a motion to adjourn the work meeting. The motion was seconded by Craig. All concurred. The work meeting adjourned at 9:44 p.m.

Craig made a motion to reopen the business meeting. The motion was seconded by Dennis. The business meeting reopened at 9:45 p.m.

Sharon made a motion to recommend approval for the County Health department to purchase land for the expansion of the health building. The motion was seconded by Marlene.

Verbal Roll Call:

Dennis yes Bill yes Sharon yes  
Craig yes Marlene yes George yes

With no further comments Sharon made a motion to adjourn the business meeting. The motion was seconded by Bill. All concurred. The business meeting adjourned at 9:46 p.m.

**APPROVAL:** \_\_\_\_\_

**Chairperson, Tooele County Planning Commission**