

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

PUBLIC MEETING

July 6, 2005

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

Roll Call / Members in attendance:

George Mattena Sharon Grgich Craig Anderson Tim Booth Bill Bergener Marlene Thomas
Doug Atkin

Staff:

Nicole Cline Richard Clark Mary Dixon

Mary swore Tim Booth in as a new member of the Tooele County Planning Commission.

1. Approval of meeting minutes from June 15, 2005:

Doug made a motion to approve the meeting minutes from June 15, 2005. The motion was seconded by Marlene. All concurred.

2. AMZ #1023-05 Amendment to 24-6-3 Business related temporary signs:

At the last meeting this item was brought before the commission. Richard explained the verbiage that would be placed in this amendment.(b) when a business is located in a non-commercial zone, signs advertising the business's special promotions require a permit. Such promotions shall not exceed two periods during the calendar year. Each period may not exceed seven days in length. The periods may be combined to run consecutively. A temporary sign permit is required. A banner or portable sign is allowed. (d) when a business is located in a commercial zone it may post temporary signs as follows: (i) in addition to the times allowed in Sections 24-6-3-1(a) and (c) the business may post signs up to an additional 90 days during the calendar year; (ii) the additional 90 days are selected by the business and may be separate, consecutive, or a mixture of both; (iii) signs on these additional days shall be banners; (iv) one banner shall be allowed per business address; (v) a banner hung on a wall may have a maximum size of 15% of the wall face; (vi) a banner not hung on a wall may have a maximum size of 32 square feet; (vii) a banner may not exceed a height of 10 feet, except that when the targeted street or highway is elevated above the businesses property the banner may be reasonably elevated above 10 feet with the prior permission of the Department of Engineering; (viii) each day that a business posts a banner must be recorded into a log maintained at the business and available for inspection upon request by the zoning administrator. The log shall identify the promotion for which the sign is posted, the location of the sign, the date which the sign was posted and the date which the sign was removed; and (ix) the banner shall be posted on the property of the business, except that a banner may be placed in a public right of way adjoining the property of the business with the permission of the owning entity. No banner shall be erected within the clearview zone on corners, or in any place which would impede traffic visibility or safety. Nicole explained that a banner can

not be placed on public property, so that needs to be removed from the amendment. The commission asked if the wordage could be changed to allow for signs to be placed on property zoned commercial with permission.

Sharon made a motion to recommend approval of AMZ #1023-05 Amendment to 24-6-3 Business related temporary signs with the changes as mentioned. The motion was seconded by Doug.

Verbal Roll Call:

Marlene yes Doug yes Craig yes Sharon yes
Tim yes Bill yes George yes

3. AMS #1004-05 Amendment to Title 13 Subdivision Ordinance:

Nicole explained that staff feels like all of the bugs have been worked out and we now have a good subdivision ordinance.

Sharon made a motion to table AMS #1004-05 Amendment to Title 13 Subdivision Ordinance until the commission has had a chance to review the new changes. The motion was seconded by Doug.

Verbal Roll Call:

Bill yes Marlene yes Sharon yes Craig yes
Tim yes Doug yes George yes

4. AMZ #1024-05 Amendment to Chapters 1,3,4,5, & 7 of the Zoning Ordinance:

Nicole explained that the commission had a copy of all of the changes that would be made to these chapters. There are no other changes at this time.

Doug made a motion to recommend approval of AMZ #1024-05 Amendment to Chapter 1,3,4,5 & 7 of the Zoning Ordinance to the county commissioner.

The motion was seconded by Craig.

Verbal Roll Call:

Craig yes Bill yes Sharon yes Tim yes
Doug yes Marlene yes George yes

5. AMD CUP #059-03 Wasatch Regional Landfill Inc.:

Amendment to conditions issued in the initial permit. Due to the unique characteristics of the use of the property or the potential impact on the county, surrounding neighbors or adjacent land, to mitigate or eliminate the detrimental impacts and for protection of adjacent properties and the public welfare (see Sections 7-1 and 7-5 of the Uniform Zoning Ordinance of Tooele County), we hereby find it necessary to and do hereby impose the following conditions, which must be complied with to establish and continue the use: 1. The land owner, lessee or operator is permitted for ancillary and support facilities necessary to conduct its business such as but not limited to offices, maintenance facilities, laboratories, records storage facilities, process stations and equipment, fuel and

chemical storage, and support services to maintain a workforce. 2. The land owner, lessee or operator shall maintain all facilities and activities in such fashion to assure conformity to all Tooele County Zoning, Health, Building, Plumbing, Mechanical and Electrical Codes, National Fire Protection Association Standards (NFPA), and other County ordinances, rules and regulations. 3. The land owner, lessee or operator shall furnish, within thirty (30) days, relevant information which the county may request to determine whether cause exists for modifying, revoking, reissuing or terminating this permit or to determine compliance with this permit. The land owner, lessee or operator shall also furnish to the County, upon request, copies of all records required to be kept by this permit or those permits required by federal or state law. 4. The land owner, lessee or operator shall maintain a contingency plan and shall report to Tooele County any conditions that may endanger human health or the environment outside the facility. Any such information shall be reported orally as soon as practicable once The land owner, lessee or operator becomes aware of the circumstances of such incident. 5. The land owner, lessee or operator shall take all reasonable steps to minimize and correct any adverse impacts on the public health and environment. At a minimum, The land owner, lessee or operator may be required to address “on-site” monitoring; which may be required for assessment of impacts to air, water, soil, vegetation and public health exposures on all property under the control of The land owner, lessee or operator. Any air, soil or groundwater monitoring assessments shall be provided to Tooele County upon the written request of Tooele County. Tooele County reserves the right to monitor and assess all subject properties that may be impacted at its discretion and expense. 6. The land owner, lessee or operator shall allow Tooele County or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Unless in an emergency, or if in the search for evidence unlawfully acquired or possessed; has been used to commit or conceal; is being possessed with the purpose to use it as a means of committing or concealing; consists of an item or constitutes evidence of illegal conduct; or a violation of this conditional use permit that is located upon the property, all county employees shall make contact with a member of management to arrange to and show identification upon entering at reasonable times upon the premises where a regulated facility and/or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. have access to copy any records that must be kept under the conditions of this permit;
- c. inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. sample or monitor for the purpose of assuring permit compliance or as otherwise directed by Tooele County, any substances or parameters at any location.

7. The land owner, lessee or operator shall submit to the Tooele County Engineer, two (2) copies of its annual operating report no later than April 15 of each year. The annual report will be an executive summary of the major activities of the previous year and a projection of any major facility changes planned for the current year. The major activities to be summarized are as follows:

- a. The amount of waste received and transferred;
- b. Occurrences where human health or the environment were threatened, on and off the site, i.e., explosions, major fires, and/or reportable quantity spills;
- c. Major changes to the facility, or its mission; and
- d. Monitoring activities and any abnormal results that have not already been reported to Tooele County.

8. The land owner, lessee or operator shall hold Tooele County harmless from any and all legal proceedings as a result of The land owner, lessee or operator’s use and crossing of County roads. The land

owner, lessee or operator shall make provisions to place suitable road signs, restraints and flagging personnel at such work sites and road crossings as approved by the Tooele County Department of Engineering and in accordance with the Manual of Uniform Traffic Control Devices. All damage caused by The land owner, lessee or operator to county roads other than normal wear shall be repaired at The land owner, lessee or operator's expense under the direction of the Tooele County Department of Engineering.

9. The land owner, lessee or operator shall notify Tooele County of any sale or transfer of this operation.

10. The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected.

11. This conditional use permit shall be reviewed upon any change in the operation plan of the landfill. Either Tooele County or the land owner, lessee or operator may propose a review of this permit at any time.

12. This conditional use permit is revocable by the planning commission at any time due to failure of the permittee to observe any condition specified or failure to observe other requirements of the Uniform Zoning Ordinance of Tooele County in regard to the maintenance of improvements or conduct of the use or business as approved.

13. The unloading of unballed solid waste in a covered structure is typical of many transfer stations, but problematic and uncommon for landfills. Loose solid waste material will be off-loaded at the working face of the active portion of the landfill without the use of a covered structure. A Litter Control Plan has been developed and approved for this facility that meets State and Federal requirements. Several standard and effective approaches for helping to prevent wind blown litter from leaving the active face of the landfill and/or the landfill facility altogether are outlined in this plan. These strategies may include, but are not limited to, methods such as covering incoming loads, minimizing the size of the working face, applying cover soil or alternate daily cover to the working face, utilizing wind screens and litter fencing, employing individuals to pick up loose materials, debris, and litter periodically as needed, and monitoring wind conditions. Several of these methods will indeed be implemented on a daily basis. It is proposed that the aforementioned alternatives be adopted to effectively control windblown litter and to meet the requirements of preventing or minimizing the problems associated with loose materials.

14. As part of the overall permitting process with other governmental agencies within the State of Utah, a Fugitive Dust Mitigation and Control Plan was developed and approved to minimize, prevent, and/or control airborne dust emissions typical of solid waste facilities. These plans call for a wide variety of methods that will be employed, many on a daily basis, to minimize and control dust emissions from landfill activities and berms. It is proposed that dust emissions from the compacted earthen berms be minimized through any one or a combination of the following: 1) water trucks, 2) avoiding excessive and unnecessary disturbance, 3) revegetation, 4) erosion control mats, 5) fabrics, 6) placement of synthetic materials, and 7) gravel.

15. Before startup, an operations plan shall be submitted to the Tooele County Planning Commission for review. The plan shall be updated and reviewed every five years with the Tooele County Planning Commission. Each five year plan shall expire and all operation shall cease until a new plan is approved.

16. At the time that the operation is 95% complete The land owner, lessee or operator shall submit a state approved closure plan to Tooele County which will include post-closure activities.

17. The land owner, lessee or operator shall comply with the licensing and inspection requirements of Title 7, Chapter 3 of the Tooele

County Code.18. All internal roads shall be constructed with a dust free surface or treatment to prevent fugitive dust emissions. 19. A Storm Water Pollution Prevention (SWPP) Plan will be reviewed by the county engineer and implemented and updated as needed using Best Management Practices (BMP's) to control erosion and sediment discharges from the facility. A current copy of the SWPP Plan will be kept in the office of the county engineer. 20. As one component of an overall litter control plan, the land owner, lessee or operator. shall utilize fencing to help capture and minimize blowing waste. 21. Any waste that is blown as a result of the transportation or processing of waste from the operation of the facility shall be cleaned up daily. 22. Copies of the licenses and permits issued by the State of Utah, Department of Environmental Quality, Division of Solid and Hazardous Waste shall be filed with the Department of Engineering to become a part of this record. The facility shall not operate without the proper permits being in force. 23. The construction drawings of cells shall be submitted to the Tooele County Department of Engineering for review by the county engineer. 24. The land owner, lessee or operator shall negotiate with the Board of County Commissioners to ascertain the necessity and implementation of a mitigation agreement. 25. The land owner, lessee or operator shall build a perimeter security fence of a sufficient size to prevent unauthorized access. 26. The operator shall send to the Tooele County Health Department copies of any reports of operations and monitoring required by the state Department of Environmental Quality. Sharon asked if a closing plan has been done. Staff stated that it has been done with the state.

Sharon made a motion to approve AMD CUP #059-03 Wasatch Regional Landfill Inc. with the changes that have been worked out with staff. The motion was seconded by Marlene.

Verbal Roll

Call:

Doug

yes Craig yes Bill

yes Tim yes

Marlene yes

Sharon yes George

yes

6. **Amendment to the Policies and Procedures for Tooele County Plannin Commission:**

In regard to the changes that were put on us with the last legislative session we need to amend the policies and procedures for the Planning Commission The changes were explained to the commission .

Sharon made a motion to recommend approval of the amendment to the Policies and Procedures for Tooele County Planning Commission to the board of County Commissioners. The motion was seconded by Bill

Verbal Roll Call:

Tim yes Craig yes Sharon yes Bill yes
Marlene yes Doug yes George yes

PUBLIC HEARING

1. AMD PUD #1012-05 Stansbury Park Gateway (Final):

This development is located South of the Credit Union and North of the medical center. In 2001 this parcel of ground was divided into two parcels with a dentist office and a medical office. Since that time the property has been sold and the new owners would like to make this parcel of ground one lot and make a medical facility. Nicole explained that the developers will be amending the easement, which goes into the parking lots. Craig asked if they would have their own parking lot. Nicole stated that they would and they would have to meet the parking lot requirements. Tim had some concerns with how this building would be placed on the lot. Nicole explained where and how the building would be placed on the property. Kenton Peters explained that he would like to have this approved without the commission having to see the building plans. Mr. Peters stated that they will have to comply with the building codes and the zoning ordinance. Doug stated that Mr. Peters is right that we are only amending the lots. Nicole stated that we could place conditions on this that the commission sees the building site plan before it is approved. George stated that when we see where the building is placed we can place conditions on this. Doug stated that the commission doesn't need to see the site plan, we have the county ordinances to handle this.

Doug made a motion to approve PUD #1012-05 Stansbury Park Gateway (Final) as presented. The motion was seconded by Bill.

Verbal Roll Call:

Doug yes Craig yes Marlene yes Sharon yes
Bill yes Tim yes George yes

2. PUD #1013-05 Saddleback SR-36 Subdivision Phase 1 (Concept):

Nicole explained to the commission where this development would be located in the Lakepoint area. Nicole explained what this commercial development would be used for. The engineering and the drainage have been worked out with the engineering department and have been approved. After the PUD has been approved the developer will have to get a cup for the access and for the uses. Sharon asked about the wet lands in the area. Staff explained that this was part of a remigration project with Saddleback. Doug asked if UDOT had given them access. Chris Robinson stated that with their agreement with UDOT it does not require a traffic study. Nicole explained the letter that was included in the commission's packets has been replaced with another one and UDOT does not have any problems with the development. Doug stated that he has some concerns with the access into the development. George stated that if this is developed then we can get an access road developed. Nicole explained that this access has been secured with UDOT and the counties hands are tied. Chris Robinson stated that when the frontage road is built then they would like a right in and right out. Chris Robinson explained that the wetlands have been relocated west of Flying J. Sharon asked if there was an on site water drainage plan. Nicole explained that there was and it had all been engineered. Chris Robinson explained that the drainage would add to the wet lands. Doug asked when the frontage

road would be finished. Mr. Miklovik stated that he does not have a plan in place for the frontage road yet. The commission had some concerns with a left turn onto SR-36. Randy Cassidy stated that there is no left turn movement on SR-36 now. Chris Robinson explained that this development would be a truck lube center.. Marlene asked if it is a 60 foot right of way on the frontage road. Nicole stated that it was. Nicole stated that the plan of the developer and staff is to get the traffic off from SR-36 and then we can work on the frontage road.

Doug made a motion to approve PUD #1013-05 Saddleback SR-36 Subdivision Phase 1 (Concept). The motion was seconded by Craig.

Verbal Roll Call:

Doug yes Craig yes Marlene yes Sharon yes
Tim yes Bill yes George yes

Adjournment:

With no further comments Sharon made a motion to adjourn the public hearing. The motion was seconded by Doug. All concurred. The public hearing adjourned at 8:11 p.m.

APPROVAL: _____
Chairperson, Tooele County Planning Commission