

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

PUBLIC MEETING

November 2, 2005

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

Roll Call / Members in attendance:

Sharon Grgich, Craig Anderson, Tim Booth George Mattena, Bill Bergener, MarleneThomas

Staff:

Nicole Cline Richard Clark Mary Dixon

1. Approval of meeting minutes from October 19, 2005:

Sharon made a motion to approve the meeting minutes from October 19, 2005. The motion was seconded by Bill. All concurred.

2. CUP #1170-05 Tara Robinson (Home Based Business):

This permit would allow the applicant to operate a pre-school in her home located at 753 Country Club, Stansbury Park. The applicant proposes to operate 2 sessions each Monday, Wednesday and Friday, from 10:00am to 11:30 am and 12:30 pm to 3:00 pm; and Tuesdays and Thursdays from 10:00 am to 12:00 pm. The applicant proposes to have up to 12 children per class. The applicant's mother will help and co-teach on Wednesdays. Beginning sometime in 2006 her mother will be helping almost every day. Richard stated that staff recommends approval with the following conditions. All pre-school activities shall take place inside the residence. The students shall remain in the home except when arriving to school and leaving the school; No food shall be prepared and served in the home for consumption by the students; There shall be no more than 1 adult employed by the pre-school who resides outside of the home; The inside area that is used as the pre-school be made to conform to those standards of the current and any future updates of the building code for such a use; The children shall have constant adult supervision, and never left to be on their own or out of the sight of an adult working in the pre-school; Parents or guardians shall make written permission at the enrollment of the child as to the names of the people who drops off or pick up the child; A person who drops off or picks up a child shall sign their name and time on a form provided by the pre-school. Records of who picks up and drops off the child shall be maintained by the pre-school and kept for no less than 7 years; Insurance shall be maintained for such a use, and a copy of the insurance coverage shall be sent to the department of engineering once annually.

Sharon made a motion to approve CUP #1170-05 Tara Robinson (Home Based Business) with the conditions as presented by staff. The motion was seconded by Tim.

Verbal Roll Call:

Bill yes Sharon yes Craig yes

Tim yes Marlene yes George yes

3. **PUD #003-99 Country Crossing 2B Plat 7 (Final):**

Nicole explained that this would be a three lot development in the Stansbury area. Each lot would be a little more than an acre. The current zoning is R-1-10. Nicole stated that staff does not have any problems with this development.

Marlene made a motion to approve PUD #003-99 Country Crossing 2B Plat 7 (Final).
The motion was seconded by Craig.

Verbal Roll Call:

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

4. **SUB #1001-04 Sweet Sage Acres – Final (Leo Ault):**

Nicole briefly explained the facts of this subdivision. Nicole stated that staff has received all of the items that needed to be submitted. The boundary lines agreements have also been signed and recorded. Nicole stated that all of the land disputes have been worked out. Staff is happy with this subdivision and recommends approval of it.

Sharon made a motion to approve SUB #1001-04 Sweet Sage Acres Final (Leo Ault).
The motion was seconded by Tim.

Verbal Roll Call:

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

Adjournment:

With no further comments Sharon made a motion to adjourn the public meeting.
The motion was seconded by Bill.
All concurred.
The public meeting adjourned at 7:06 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission

1. **AMZ #1026-05 Amendment to chapters 10 thru 12, 14 thru 20, 22 thru 23, 26 thru 28 of the land use ordinance:**

Nicole explained the changes that were made to the different chapters. All chapters have the following changes: Uniform Zoning Ordinance of Tooele County has been changes to Tooele County Land Use Ordinance, Compliance with the two column format, General grammar corrections, Footers are of one format. Corrections to Chapter 10, 11 and 12 are nothing more than the changes shown in the first slide. Chapter 13 is being re-written to become Title 16 of the Tooele County Code. Chapter 14 has the previously mentioned

changes and a reference to the BOA changed to the appeal authority. Changes to Chapter 15 are as follows: Feedlots are listed in the matrix; Kennels have better classification: kennel, boarding; kennel, breeding; kennel, private; Stables are listed and have the following distinctions: Stable, commercial; Stable, private; Adult daycare is listed in the matrix; Child care listed in the matrix with 2 categories: Child care, commercial, CUP issued by P/C; Child care, residential, CUP issued in-house; Preschool is listed in matrix and CUP issued in-house; Bed and breakfasts, CUP issued in-house; The requirement to get a CUP for “public, quasi-public, and public service utility lines, pipelines, power lines and etc., which extend more than 500 feet that are used to transport their material, service or supply” has been eliminated; Seasonal cabin or home is removed from the matrix; One accessory housing unit per single family dwelling is added to the matrix; “Municipal Solid Waste handling, processing collection, disposal, and other activities that are government owned and operated” is removed from the matrix; Solar power generation for on site use is changed to a permitted use; “Farms devoted to raising and marketing of chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales” is a permitted use in the MU and A zones, and conditional use in RR-5 and RR-10. Should we make it conditional in the MU and A, add hog or pig farms to that, and make it a prohibited use in the RR zones? Changes to Chapter 16 are as follows: Adult day care facility are listed in the matrix; Child care listed in the matrix with 2 categories: Child care, commercial, CUP issued by P/C; Child care, residential, CUP issued in-house; Preschool is listed in matrix and CUP issued in-house; Mobile home parks and mobile home subdivisions are removed; Changes to Chapter 17 are as follows: No new MG-H zones shall be created after September 26, 2005. Any industry having a prior-approved hazardous or radioactive waste conditional use permit may amend that permit in accordance with Chapter 18. Automobile or recreation vehicle sales, service, lease, rental and repair, new or used, conducted entirely within an enclosed building is changed to a permitted use in the M-G district; Recreation vehicles, rentals, leases, sales and service, outdoor and indoor is changed to a permitted use in the M-G district; Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts is added in the matrix; Art needlework shop; art shop; art supply is changed to a permitted use in the commercial zones and an in-house conditional use in the industrial zones, prohibited in the MG-H; Bath and massage (not part of medical or health spa) is changed to an in-house conditional use in the C-G and C-H zones; Child or adult day care facility is added as a conditional use in the C-N, C-S, C-G and M-D zoning districts; Infirmary, immediate care facility is added to the medical/dental clinic, laboratories; Technical office for research and development, laboratory & research facility is added to the matrix; Weather-stripping shop is changed to a permitted use in the C-S, M-D and M-G zoning district; Recreational vehicle park is made a conditional use in the C-S district; Power generation (electrical) for on-site use with steam, hydro, or reciprocating engine with more than 10.05 kva, but less than 150 kva output is an in-house conditional use in the C-S, C-H and C-G districts, Power generation (electrical) for on-site use auxiliary, temporary, wind, with more than 6 kva, but less than 10 kva output is an in-house conditional use in the C-N, C-S, and C-H districts; Weaving is changed to an in-house conditional use in the C-S and C-G districts. Electrical, electronic and communication instruments manufacturing is a conditional use in the C-D, M-D and M-G districts; Engineering, laboratory and scientific instruments, temperature controls manufacturing is a conditional use in the C-D, M-D and M-G

districts; Office machines, including cash registers, computing machines and typewriters, scales and balances manufacturing is a conditional use in the C-D, M-D and M-G districts; Beer outlet, Class A, Class B is changed to a conditional use in the M-G district, Liquor and beer sales; places for the drinking of liquor or beer is changed to a conditional use in the M-G district, Paperboard products is added to the manufacturing of paper; Pharmaceutical manufacturing is added as a conditional use in the C-G district; College or university not exempt by statute is added as a conditional use in the C-S, C-H, C-G, M-D and M-G districts; Hospital, public or private as a conditional use in the C-H, C-G, M-D and M-G districts; Recreational vehicle park is changed to a permitted use in the M-G district; Noncommercial research facility as a conditional use in the C-S, C-H, C-G, M-D and M-G districts; “Public, quasi-public, and private service utility lines, pipelines, power lines, roads and etc., which extend more than 500 feet, that transport the material, service or supplies from one service area to another” is removed from the matrix; Recreational center, facilities or area that is private and/or commercial is a conditional use issued in-house; Vocational or other schools not exempted by statute is added as a conditional use in the C-S, C-H, C-G, M-D and M-G districts; Boxing arena was changed to in-house conditional use permit in the C-G and C-H districts; Dance halls were changed to in-house conditional use in the C-S, C-H and C-G districts; Recreational center, facilities or area that is private and/or commercial are now an in-house conditional use in the C-S, C-H, C-G, M-D and M-G districts; Bus terminal has the added verbiage: “and railroad passenger station, intermodal terminal, public transit hub” and added as an in-house conditional use in the C-N, C-S, C-H, and C-G districts; Contractors' equipment storage yard is changed to in-house conditional use in the C-G district; Freight or trucking yard or terminal is changed to an in-house conditional use in the C-G and M-D district; Storage units, self storage, without outside storage is changed in-house conditional use in the C-H district; Storage units, self storage, off-premise outside self service storage is changed to in-house conditional use in the C-H, C-G, M-D and M-G districts; Terminal, parking and maintenance facilities is changed to in-house in all commercial and industrial zones; Transfer company and warehouse are changed to an in-house conditional use in the C-G district; Power Plant for the non-nuclear production, generation, and distribution of electricity or steam is added to the matrix as a conditional use in the M-G and MG-H districts; Changes to Chapter 18 are as follows: All activities relating to storage, treatment, and disposal of wastes classified as hazardous or radioactive are hereby declared to be a public nuisance. Such activities listed below are prohibited except where application has been made to Tooele County prior to September 26, 2005 leading to a determination which authorizes and permits such uses in an MG-H zoning district and then only upon strict compliance with all industrial performance standards, ordinances, regulations, laws, and permits of Tooele County, the State of Utah, and the United States of America. Any industry having a prior-approved radioactive waste storage, treatment, or disposal permit from all regulatory agencies including Tooele County may not treat, store, or dispose on-site any hazardous waste unless an application has been made to Tooele County prior to September 26, 2005 leading to a determination which authorizes and permits such industry. No new MG-H zones shall be created after September 26, 2005. Any industry having a prior-approved hazardous waste permit from all regulatory agencies including Tooele County may not treat, store, or dispose on-site any radioactive waste unless application has been made to Tooele County prior to September 26, 2005 leading to a determination which authorizes and permits the same.

The planning commission shall review the application for the conditional use permit amendment in accordance with Chapter 7 of this land use ordinance. No new MG-H zones shall be created after September 25, 2005. The Environmental Impact Board (EIB) shall be formed by the Board of County Commissioners to review the Environmental Impact Statement (EIS) as outlined in Section 18-5 of this chapter. An application shall include a statement of facts that show that there is a national need for the facility and the existing and proposed waste stream of the facility. Need shall be demonstrated by evidence that the proposed facility has a proven market including information on the source, quantity, hazard potential of waste stream, and a review of other existing and proposed commercial facilities regionally and nationally that would also provide a means of disposal materials, and why Tooele County should host those wastes as opposed to other locales. The Board of County Commissioners shall review the recommendations of the planning commission and the EIB and approve or deny the amendment application. Changes to Chapter 19, 20, 22, 23, 26, 27 and 28 are SB60 and grammar. Chapter 8 didn't have any changes to be reviewed. Chapter 9 is being re-written in context. Chapter 13 is being changed to Title 16. Chapter 24 is large and will be brought back at a later time. Chapter 25 didn't have any changes to be reviewed. Alan Wilson from Miller Sports Park asked if this could be expedited so that they can proceed with the sports park. Joyce Hogan from Envirocare stated that they are supportive of the changes that have been made and they are very positive changes. Nicole stated that she will make the language more clear in chapter 15 to state that it is for commercial and not a residential use .

Sharon made a motion to recommend approval of AMZ #1026-05 Amendment to chapters 10 thru 12, 14 thru 20, 22 thru 23, 26 thru 28 of the land use ordinance to the county commissioners. The motion was seconded by Tim.

Verbal Roll Call:

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

Adjournment:

With no further comments Sharon made a motion to adjourn the public hearing. The motion was seconded by Marlene. All concurred. The public hearing adjourned at 7:40 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission

1. **AMD CUP #1160-05 Paul Davidson (Wind Driven Generator):**

Richard explained that the commission approved a permit for Paul Davidson a few weeks ago for a generator that was 34 feet high, he would like to amend that permit and ask for approval for it to be 50 feet high. George asked Paul Davidson how he determined that it needed to be higher. Paul Davidson stated that after he got the original permit he was reading more material and determined that it needed to be higher. Paul Davidson explained that the tower would be on the west side of the house. George asked Paul Davidson if he would have enough wind at 50 feet to generate power. Paul Davidson stated that he had collected data from different sites in the county and he thinks that it will be high enough. Nicole suggested to Paul Davidson that he might want to get a wind reader to test where he would get the most wind. Marlene asked if the tower blows over will it stay in the yard. Paul Davidson stated that if it did blow over it would stay in his yard. Nicole stated that the commission can grant him his 50 feet height now and if he needs more then he can amend the permit again. Richard stated that staff recommends the 50 foot height.

Sharon made a motion to approve the AMD to CUP #1160-05 Paul Davidson (Wind Driven Generator). The motion was seconded by Bill.

Verbal Roll Call:

Tim yes Bill yes Craig yes

Marlene yes Sharon yes George yes

2. **AMGP #1016-05 Mid Valley Recreation Complex Plan:**

Nicole explained that with the area at the Desert Peak complex, and the sports park the county is looking at amending the general plan. With the new sports park going in we are looking at the area expanding and growing, and we need to plan for that now. We have a potential for more tourism in the area. Nicole explained that we need to make sure that people need to know that this sports park is located in Tooele County. Nicole stated that the real potential in this is in commercial opportunities in the area and we need to take advantage of this. We need to create a zone that is unique to this area. Nicole explained that we have the opportunity to have companies come and do the automobile design research at this park. Nicole stated that we are looking at this by sections and most of the area is large parcels owned by the county. Nicole explained that we are looking at hotels, and possibly shooting ranges. Nicole stated that we need to not have residential so close to the area. Nicole stated that we need to make this an area so that Tooele County can benefit from it. Sharon asked if this is pushing the Mid Valley highway. Nicole stated that it was. Sharon asked if the county will purchase more land. Nicole stated that we will not, the private sector can make an investment in the land out there. Nicole stated that she would like to create some new zones. Nicole explained that she will bring this back each time she has more information to present to the commission.

3. **CUP #1168-05 Randy Stewart (Home Based Business):**

Richard explained where Randy Stewart's property was located in the Lakepoint area; he also showed the commission pictures of the property. Richard also explained to the commission and the audience what the definition of a home based business was. Richard stated that staff had received three comments in regard to this permit, one was against the operation, one liked it with conditions, and the other one didn't have a problem. Randy Stewart stated that he had spoken to the neighbor who had a problem and explained what

he wanted to do, that neighbor did not have a problem now. This was confirmed by Bill Bergener. Staff recommends approval of this permit with the following conditions: All activities associated with the business shall be conducted in the detached garage, except that vehicles waiting for service may be stored outside for up to 7 days. Hours of operation will be between 7:00 am and 8:30 pm. The operation shall be in compliance with the Tooele County Lighting Ordinance. There shall be no more than two customer vehicles outside of the garage at any time. The premises shall be kept free of junk and trash. Waste, including oil and other automotive wastes, shall be disposed of in accordance with applicable state and local laws. Tires and other potential containers associated with the operation shall not be allowed to accumulate water. No changes to the permitted activities shall be allowed unless this permit is amended by the Tooele County Planning Commission. Marlene asked about extending the hours of operation. Randy asked if they could extend the hours if there was no noise.

Marlene made a motion to approve CUP #1168-05 Randy Stewart (Home Based Business) with the extension of the hour from 8:30 p.m. to 10:00 p.m. with no auditable noise at the property line after 8:30 p.m. The motion was seconded by Craig.

Verbal Roll Call:

Marlene yes Craig yes Sharon yes

Tim yes Bill yes George yes

Adjournment:

Marlene made a motion to adjourn the public meeting. The motion was seconded by Bill. The public meeting adjourned at 8:30 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission