

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

PUBLIC MEETING

January 4, 2006

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

Roll Call / Members in attendance:

Doug Atkin Sharon Grgich Bill Hogan Tim Booth Bill Bergner George Mattena Craig
Anderson

Staff:

Nicole Cline Richard Clark Mary Dixon

1. Swearing in of new Planning Commissioners:

Nicole swore in George Mattena and Bill Hogan as planning commission members.

2. Election of new Chairperson and Vice Chairperson:

Sharon made a motion to reappoint George as chairperson. The motion was seconded by Bill B. All concurred Doug made a motion to close the nominations for chairperson. The motion was seconded by Sharon. All concurred. Bill B. made a motion to nominate Craig as vice chairperson. The motion was seconded by Doug. All concurred. Doug made a motion to close the nominations for vice chairperson. The motion was seconded by Sharon. All concurred.

3. Approval of meeting minutes from December 7, 2005:

Sharon made a motion to approve the meeting minutes from December 7, 2005. The motion was seconded Doug. All concurred.

4. PUD #1007-04 Stansbury Place #1 (Final):

The location of this development was explained to the commission. The first phase of this development will have 153 lots. The preliminary plat was approved by the commission and the final is identical to that plat. Richard explained that this is for the final mylar approval. The construction drawings have been signed by the county engineer. Craig asked if the future phases will tie everything together. Richard explained that they will and then the traffic will flow easier in the area. The commission asked about putting in a temporary access. Nicole explained that it should have been done before now. Bob Shields asked about having the applicants asphalt the temp turnaround. Nicole stated that this has been looked at by the road dept and the engineer. They do not see a need for asphalt.

Sharon made a motion to approve PUD #1007-04 Stansbury Place # 1 (Final).

The motion was seconded by Tim.

Verbal Roll Call:

Bill B. yes Tim yes Sharon yes Doug yes Bill H. yes Craig yes George yes

Adjournment:

With no further comments Sharon made a motion to adjourn the public meeting. The motion was seconded by Bill B. All concurred. The public meeting adjourned at 7:15 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission

WORK MEETING

1. REZ #1011-05 Dave Dominguez MU-40 to MG-EX Sec 8 & 9 T4S R5W:

This application has been before the commission once before, however there were property access issues. Richard explained that the road south of the property is a prescriptive use road. Bill H. asked about the condition of the road. Nicole stated that the road is graded by the road department. This application is for a zone change from MU-40 to MG-Ex, for the purposes of mineral extraction. This property is located adjacent to the south boundary of Tooele Army Depot. Richard explained that one of the surrounding land owners, Sitla, are in favor of this rezone. The other landowners do not have a problem with this rezone. The applicant states that a well and electrical service for the well might have to be put in. The applicant plans no storm water detention other than the operations. This will be a multi-phased project with no more than 10% of the parcel used for extraction at any given time. A traffic study has been submitted. It estimates that 60 trucks/day will use the facility. It concluded that existing roads are adequate to handle the traffic and that a 0.5 sec/vehicle delay at Bauer road and SR-36 will result. Tim asked is there really was a market for this type of business. Richard explained that this would a business decision of the applicant. George stated that once the rezone is in place the applicant can decide to work it or not. Staff recommends that this request be forwarded to the board of county commissioners with a recommendation to approve. Sharon asked if this complies with the general plan in the area. Richard explained that it did.

Doug made a motion to move REZ #1011-05 Dave Dominguez MU-40 to MG-EX Sec 8 & 9 T4S R5W to the next public meeting. The motion was seconded by Tim. All concurred.

2. CUP #1189-05 Beehive Storage:

The location of this facility was explained to the commission. Richard explained that Mr.

White does have indoor storage at this time and would like outside storage. The ordinance states that the applicant needs to get a conditional use permit for the outside storage. This permit is usually issued in-house; however, we have had calls with concerns, therefore we brought this permit before the commission tonight. Richard explained that the applicant is here tonight to answer any questions or concerns. Richard explained to the commission some conditions that they had placed on other permits for the same use: The items that may be allowed for outdoor storage are limited to those submitted by the applicant in his application; The applicant may not allow items to be stored that he has excluded from storage in his application; No item stored outdoors may be taller than 15 feet in height; The permittee shall install view obscuring fencing at least 6 feet high. George explained that the fencing is to obstruct the items from the public view. Nicole explained to the commission what type of development was in the area, you need to determine what needs to be done with this permit. Doug stated that he would like to see some view obscuring fencing for the area. Nicole stated that the commission can impose a setback for the items in the front. Doug White stated that they have owned it since 1994, and the outside storage was inherited with the unit. Doug W. also stated that he didn't think that anything could be put up to obscure the storage with the way the ground it set up. Doug stated that the commission needs to mitigate this for it not having fencing. Craig asked the applicant what type of items he would like to store. Mr. White stated that he would possibly store boats campers and trailers, they would like to stay away from cars. Mr. White stated he has another unit that has slats and that does not look attractive. Doug asked if the previous ordinance allowed outside storage. Nicole stated that it did not. Richard stated that with the new ordinance we allowed for the outside storage with a permit. Bill Hogan stated that he feels like the people driving down the road don't care. George stated that he is concerned with surrounding development and houses. Nicole stated that the commission could ask the applicant to have the storage in the back. Nicole stated that the commission can work out what type of fence or landscaping needs to be on the permit. Marilyn Shields the director of the Benson Mill stated that the Benson Mill has 15,000 visitors throughout the year, Marilyn stated that the storage unit has been an eye sore for some years. Marilyn stated that she would like the commission to deny this and make the area more attractive for the public that visits the mill. Marilyn stated that people ask why the storage units are even there. Jim Ward stated that Leucadia would like to see a better fence placed around the facility. Noall Clark stated that he was surprise that this was even considered because of the negative comments about the storage units. Mr. Clark stated that the storage unit is not consistent with what is there. Mr. Clark stated that he has never heard a positive comment about the unit. Mr. Clark stated that he would be opposed to the storage that was previously there, and the quality needs to come up substantially. Bob Shields stated that possibly some trees could be place on the property that are higher. Mr. White stated that he is surprised about the complaints and wished that these people would have spoke up when this was approved in the beginning. Doug W. stated that the commission needs to be reasonable with the conditions that are placed on this. Richard stated that the operation was never approved in the past. The applicant needs to amend the application to tell us what he wants to place in this unit. Sharon asked if staff can bring to them some pictures of this unit and other units.

Sharon made a motion to table CUP #1189-05 Beehive Storage to allow staff to come

back with pictures of the property and recommend some conditions. The motion was seconded by Bill H. All concurred.

3. Education on CUP evaluation sheet:

Nicole explained that she and the county attorney talked about conditional use permits and the impact they have on the county. They came to the conclusion that they could impact the county a great deal; therefore they decided that possibly more thought needed to be given to issuing a permit. Nicole came up with an evaluation sheet that the commission and staff will need to fill out to determine if a permit should be issued or not. Nicole explained to the commission the definition of a conditional use permit. 17-27a-103. Definitions: "Conditional use" means a land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. 17-27a-506. Conditional uses: (1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance. (2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. Nicole explained to the commission about a court case in Utah where a permit that was denied and later, appealed, the court ended up granting the permit due to error on the planning commissions and county commissions part. Nicole stated that Tooele County doesn't want this to happen, so we have decided to evaluate these applications a bit more. Nicole explained how the commission should determine if a permit should be issued or not. 7 – 5: Determination: (2) In authorizing any conditional use the planning commission or zoning administrator shall impose such requirements and conditions as are necessary for protection of adjacent properties and the public welfare. The land use authority may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. The outline of the evaluation form was explained to the commission.

Adjournment:

With no further comments Sharon made a motion to adjourn the work meeting. The motion was seconded by Bill B. All concurred. The work meeting adjourned at 9:00 p.m.