

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

**PUBLIC MEETING  
April 4, 2007**

The Tooele County Planning Commission Meeting was called to order at 7:00 p.m. by Vice Chairman Bill Hogan.

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

Tim Booth Alison Hansen  
William Hogan Joy Clegg

***Staff:***

Nicole Cline Dyan Johnson Kent Page Mary Dixon

**1. Approval of meeting minutes from February 21, 2007:**

Joy made a motion to approve the meeting minutes from February 21, 2007. The motion was seconded by Tim. All concurred.

**2. REZ #07-03000001 Dan Jenkins Section 29, Township 5 South, 6 West MU-40 to A-20:**

Dyan explained that there was a public hearing held earlier on this item. The applicant has asked to be placed back on the agenda, he would like the planning commission to make a decision. The applicant is Dan Jenkins, the rezone is located in Sec. 29, T. 5 South R. 5 West. The rezone would be 58 acres zoned from MU-40 to A-20. The general plan states, areas near incorporated city and town boundaries may have a higher density zoned of one unit per 20 acres. MU-40 should be changed to A-40 which is a less industrially and commercially permissive zoning designation. Mike Nelson, Land Manager for BLM, doesn't see a problem with this rezone. BLM usually doesn't have opinions on rezones. Roice Arnold, County Fire Warden, the area has a high fire hazard. Things can be done to reduce fire hazards by using building material, clear spaces, etc. More people move to an area more fire danger. If this rezone is approved the applicant will have to go through a fire mitigation analysis. Travis Sagers, the mayor of Rush Valley, does not support a rezone to A-20 because it increases pressure on Rush Valley City for traffic, fire and ambulance services. Rezones affect the city of Rush Valley more than the County because they use Rush Valley's services. Rush Valley is first responder for fire. He is not sure they can provide adequate fire protection for the homes that are already built. Dan Jenkins explained what he would like to do with the property if it is rezoned. If the rezone is approved from MU-40 to A-20 it would allow for less commercial use in the area. Dan read some statements from the Rush Valley general plan. He would like two lots for homes. Dan explained that he had spoken to his neighbors and they do not have a problem with this rezone. Dan stated that he had heard

that the BLM is going to clear all of the trees on their property for a firebreak. In regard to water Dan stated that the plan states that they have water, he is currently drilling a well. Joy asked if staff could give an example of what could be done in an MU-40 zone. Joy stated that the way the area is now zoned you can do more on it then with the lower zone that Mr. Jenkins would like. Joy stated that it would reduce the impact of fire and water use in the area. William asked about rezoning the entire area. Dyan explained to the commission why they should not rezone the entire area. Nicole explained that if the planning commission wants staff to hold a public meeting about rezoning the entire area then staff can do that. The applicant would like the commission to make a decision tonight on this rezone.

Joy made a motion to recommend approval of REZ #07-03000001 Dan Jenkins Section 29, Township 5 South, 6 West, MU-40 to A-20 based n the statements that were made that were included in the Rush Valley general plan. Will not impact fire service. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Alison yes Joy yes William no

### **3. PUD #06-02200001 Shady Brook Lane (Preliminary Plat):**

The applicant is Pangea Development Company. There will be 88 lots, in the concept 96 lots were approved. There are 31.8 acres. It is located in Sec. 21 2 South 4 West. The original concept plan was shown to the commission and where phase one was located. The applicant has requested to be excused from statutory time limits imposed by chapter 5. Chapter 5: Approval of the design stage shall not be valid for more than one year. The applicant may obtain no more than 2 six month extensions. Applicant needs to show substantial progress. The applicant is doing two phases they would like to do phase one then do phase two. Staff recommends approval of the preliminary plat. The approval will be for phase one and two. Jason Smith explained that there are 89 lots with the average size being 12,000 sq. feet.

Joy made a motion to approve PUD #06-02200001 Shady Brook Lane (Preliminary plat) with the applicant being excused from the statutory time limits imposed by chapter 5. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Alison yes Joy yes William yes

### **4. SUB #06-01400001 Jenny Cove (Preliminary Plat):**

The applicant is Pangea Development Company. The development is located in section 20 T 2 South R 4 West. There are 28 lots there were 27 in the concept plan. The average lot size is 11,104 sq. feet. Staff recommends approval of the preliminary plat.

Tim made a motion to approve SUB #06-01400001 Jenny Cove (Preliminary Plat). The motion

was seconded by Joy.

Verbal Roll Call:

Joy yes Tim yes Alison yes William yes

**5. PUD #0011-02 Parcel 9 @ Starside Phase 2 (Final):**

Kent stated that this development had been reviewed five or six months ago. There will be a church in this development. The steeple for the church will be piggy backed with the PUD. There will be a 28 acre park. The commission can issue a permit for the steeple.

Joy made a motion to approve PUD #0011-02 Parcel 9 @ Starside Phase 2 (Final) in addition to allow for a permit for the church steeple to be 66 feet 4 inches high. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Alison yes Joy yes William yes

**6. CUP #07-00100006 Jeffrey Quibell □ Conditional Use Permit 1864 Shepard Lane:**

This home based business will be located in an accessory structure on Jeffrey Quibell property. The business is for fabrication of ornamental iron railing. Ryan Smith, Fireman, North Tooele Fire District stated that the welding operation will be safe due to adequate, ventilation, separation from combustibles and surrounding land uses, insulation. William asked if anyone would be coming to the home. There would be no one coming to the home and no deliveries would be made to the home. Rocky Mtn. Power asked that Mr. Quibell contact them if the welding operation becomes larger. William asked about hours of operation being placed on the permit. Staff recommends a CUP for home based business as long as adequate ventilation, separation, and insulation are maintained. If the use and/or the area of use and/or the ventilation, separation, and insulation are changed the CUP should be reviewed by staff, the Planning Commission and the fire district

Joy made a motion to approve CUP #07-00100006 Jeffrey Quibell □ Conditional Use Permit 1864 Shepard Lane. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Joy yes Alison yes William yes

**7. CUP #07-00100005 Richard Stevens □ Conditional Use Permit 3782 Erda Way:**

The facts of this permit were explained to the commission. The location of the property was also explained. Property owner Richard Steven requests a home based business to temporarily store electric motors for transport and to complete light repairs on electric motors in an accessory

structure on his property. There will not be any large power machinery. Richard Stevens stated that the motors will be small horse power. He does have a shop that he uses to work on large motors. Richard stated that he does have customers already in the county that he does work for. Richard stated that he does not want customers coming to his home. There will be no unusual noise, odor, or fire safety concerns will occur.

Joy made a motion to approve CUP #07-00100005 Richard Stevens □ Conditional Use Permit 3782 Erda Way with the condition that there will be no outside storage. The motion was seconded by Tim.

Verbal Roll Call:

Alison yes Joy yes Tim yes William yes

**8. AMD SUB #1006-04 Lake Point Estates Phase 1 □ Replace requirement of vinyl fence with a split rail fence:**

The Final Plat is proposed to be amended as follows: Change □ 6' Vinyl Fence Required □ to □ Fence □ Change location from □ West Half of Section 11 □ to □ West Half of Section 11 & East Half of Section 10 □. The commission was shown a layout of the development. This amendment will only change the verbage, of the fence form 6 foot vinyl to a split rail fence.

Joy made a motion to approve AMD SUB #1006-04 Lake Point Estates Phase 1 □ Replace requirement of vinyl fence with split rail fence. The motion was seconded by Alison

Verbal Roll Call:

Tim no Alison yes Joy yes William yes

**9. PUD #06-01600001 Benson Mill Crossing Phase 2 (Preliminary Plat):**

No applicant was present this item was tabled.

Joy made a motion to table PUD #06-01600001 Benson Mill Crossing Phase 2 (Preliminary Plat). The motion was seconded by Tim. All concurred.

**10.** The public meeting was adjourned and the public hearing was opened. All concurred.

**PUBLIC HEARING**

**11. REZ #07-03000003 Tooele County Section 25, Township 1S Range 4W □ RR-1 to C-H:**

The applicant/owner is Tooele County the rezone is for 10.46 acres. The property is currently zoned RR-1 the county would like it rezoned to C-H. The property is located in Sec. 25, T. 1 South R. 4 West in Lakepoint. Staff recommends approval of this rezone.

**12. REZ #07-00100004 Tyler Winn □ MG to MG-EX:**

The agent for the property is Tyler Winn the property owner is Roger Brockbank. It is located in Section 18, T. 4 South R. 4 West. The request is to rezone the property from MU-40 to MG-EX for a ready mix concrete plant. 27 - 1 Purpose. The mining, quarry, sand and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand and gravel excavation industry while protecting the environment. This zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses. The location of the property was shown to the commission. Tyler Winn explained how this rezone would affect the surrounding land owners. Darrell Painter asked where the gravel would come from for this operation. The gravel will not be extracted from the area it will be hauled in. The operation will be locally owned and operated. There will be six trucks that will enter the property from the south.

**13. PUD #07-02200001 ATI Titanium (Preliminary Plat):**

This development will be located on Rowley road next to US Magnesium, there will be one lot that is 726 acres. The company is Allegheny Technologies, they will be manufacturing titanium and it will be located in an M-G zoning district. Nicole explained that some of the roads in the area will be vacated and some new roads will need to be put in. There is an easement on the property for Rocky Mtn. Power, for a sub station. This type of industry requires a conditional permit therefore we are doing this as a planned unit development. A planned development is a distinct category of conditional use 17-2-3. It states that in manufacturing zoning districts: Any parcel larger than one acre may be divided or developed only as a planned unit development. Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except that no commercial building shall be located closer than 50 feet to any residential district boundary line or to any street line which continues as frontage into a residential district, and providing they do not encroach on any easement. The applicant is seeking modification under chapter 9 for title 13-7-9. 9-2 Authority to modify regulations. The planning commission shall have the authority in approving any planned development to change, alter, modify or waive any provisions of this ordinance as they apply to the proposed planned development. No such change, alteration, modification or waiver shall be approved unless the planning commission shall find that the proposed planned unit development: (a) will achieve the purposes for which a planned development may be approved pursuant to Section 9-1; and (b) will not violate the general purposes, goals and objectives of this chapter and of any plans adopted by the planning commission or the county commission. Also all power lines, telephone lines, and other normally overhead utility lines shall be placed underground in all subdivisions.

**14. AMD #07-04300001 AMD to Chapter 15 table 15-5-3.3 (B) Accessory Housing:**

Dyan explained that this amendment is for the floor area of an accessory housing unit. The unit shall not exceed 800 square feet for lots between 1 and 4.69 acres. For lots 4.7 acres and larger an accessory housing unit shall not exceed 1,000 square feet. Dyan explained that the research she did for this amendment the average size was between 800 and 1,000 sq. feet.

15. The public hearing was adjourned and the public meeting was reopened. All concurred.

**16. REZ #07-03000003 Tooele County Section 25, Township 1S Range 4W □ RR-1 to C-H:**

Joy made a motion to recommend approval of REZ #07-03000003 Tooele County Section 25, Township 1S Range 4W □ RR-1 to C-H. The motion was seconded by Tim. Verbal Roll Call:

Tim yes Alison yes Joy yes William yes

**17. REZ #07-00100004 Tyler Winn □ MU-40 to MG-EX:**

Joy made a motion to recommend approval of REZ #07-00100004 Tyler Winn □ MU-40 MG-EX. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Alison yes Joy yes William yes

**18. PUD #07-02200001 ATI Titanium (Preliminary Plat):**

Joy made a motion to approve PUD #07-02200001 ATI Titanium (Preliminary Plat), with the modification under Chapter 9 for Title 13-7-9 as the applicant had requested.

The motion was seconded by Tim.

Verbal Roll Call:

Alison yes Joy yes Tim yes William yes

**19. AMD #07-04300001 AMD to Chapter 15 table 15-5-3.3 (B) Accessory Housing:**

Joy made a motion to recommend approval of AMD #07-04300001 AMD to Chapter 15 table 15-5-3.3 (B) Accessory Housing. The motion was seconded by Tim.

Verbal Roll Call:

Tim yes Alison yes Joy yes William yes

**Other Business:**

William asked if the commission could get more information in their packets. The staff report needs to be filled out. If there is not recommendation please make a note.

**Adjournment:**

Tim made a motion to adjourn. The motion was seconded by Alison. All concurred.

The meeting adjourned at 8:30 p.m.

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

**Chairperson, Tooele County Planning Commission**