

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

PUBLIC MEETING

December 3, 2008

Vice-Chairman Bill Hogan called the Tooele County Planning Commission Meeting to order at 7:00 p.m.

Roll Call / Members in attendance:

Judy Jameson - yes Radell Donnell - yes Bill Hogan - yes Bill Bergener - yes

Staff: Kerry Beulter, Matt Hilderman, Cindy Coombs, Suzette Bradford, Vern Loveless

1. Approval of meeting minutes from November 5, 2008:

Bill Bergener made a motion to approve the meeting minutes from November 5, 2008. Judy Jameson seconded the motion. All concurred.

2. Street Dedication Country Club Drive

Matt stated that this was started back when Jim Lawrence was the County Engineer. The purpose was to prepare a dedication description for the recently reconstructed roadway known as Country Club Drive in order to create a new dedication plat that will adjust the right-of-way to match the as constructed alignment of the road adjustments.

Judy Jameson made a motion to approve. Motion seconded by Bill Bergener
Radell Donnell – yes, Bill Bergener – yes, Judy Jameson – yes, Bill Hogan - yes

3. Planning Commission Policy and Procedures document

Kerry stated the main change to the policies and procedures is to state that there will be one meeting a month instead of the two listed in the current document.

Judy Jameson made a motion to approve one meeting a month. Motion seconded by Radell Donnell.
Bill Bergener – yes, Radell Donnell – yes, Judy Jameson – yes, Bill Hogan - yes

Public Hearing

Bill Bergener made a motion to close the public meeting and open the public hearing. Motion seconded by Radell Donnell. All concurred.

4. AMD LUO #08-04300003 Professional Filming 7-15-1

Kerry stated that staff is proposing the following changes to the current ordinance: **7 - 15. Professional filming.**

- (1) A **TEMPORARY** conditional use permit shall be required for professional filming to be performed in an area where the primary use is not that of an approved motion picture studio ~~in a zoning district permitting such use~~. The permit shall be issued to cover the entire time that film crews are working and may be issued on an annual basis. **EXCEPTION, A PROFESSIONAL FILMING PERMIT, AS IDENTIFIED BY THIS SECTION, IS NOT REQUIRED IF THE PROPERTY**

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IS LOCATED ON

- (2) **STATE OR FEDERAL LAND AND THE ADMINISTERING AUTHORITY HAS A FILMING PERMIT PROCESS ALREADY IN PLACE. COPIES OF APPROVED PERMITS AND APPLICATIONS MAY BE REQUIRED TO BE SUBMITTED TO THE COUNTY AS PROOF OF PROPER PERMITTING.**

5. **AMD LUO #08-04300004 Chapter 5 Non-Conforming Buildings**

Kerry stated that staff is proposing the following changes to the current ordinance **5-1.**

Purpose

Within the districts established by this ordinance or subsequent amendments thereto, there exist uses, structures and lots which were lawfully established or created, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendments. The intent of this chapter is to permit these non-conformities to continue but not to encourage their perpetuation or survival. Non-conformities are declared by this chapter to be incompatible with permitted uses, structures and lots in the districts involved. It is further the intent of this chapter that non-conformities shall not be enlarged upon, expanded, **OR** enjoy an increase in intensity of use, **UNLESS SPECIFIED OTHERWISE.**

5-3. Additions, enlargements, and moving.

A building or structure occupied by a nonconforming use and a building or structure nonconforming as to height, area, or yard requirements shall not be added to or enlarged in any manner or moved to another location on the lot.

AN EXTENSION OF A STRUCTURE, OR PLACEMENT OF AN ACCESSORY BUILDING, WHICH DOES NOT FURTHER ENCROACH UPON THE VIOLATED HEIGHT, AREA OR YARD REQUIREMENT, MAY BE GRANTED UPON APPROVAL BY THE ZONING ADMINISTRATOR, IF IT IS FOUND THAT THE EXTENSION OR PLACEMENT OF THE STRUCTURE IS NOT DETRIMENTAL TO THE INTENT OF THE LAND USE ORDINANCE.

IF THE INTENDED EXTENSION OR PLACEMENT OF THE NONCONFORMING STRUCTURE FURTHER ENCROACHES UPON THE VIOLATED HEIGHT, AREA, OR YARD REQUIREMENT, THE REQUEST SHALL BE REVIEWED THROUGH THE VARIANCE PROCESS AND ACTED UPON BY THE ADMINISTRATIVE HEARING OFFICER.

A NONCONFORMING BUILDING OR STRUCTURE SHALL NOT BE MOVED IN WHOLE OR IN PART TO ANY OTHER LOCATION ON THE PROPERTY ON WHICH IT IS SITUATED UNLESS EVERY PORTION OF SUCH BUILDING OR STRUCTURE IS MADE TO CONFORM TO ALL THE REQUIREMENTS OF THE DISTRICT IN WHICH IT IS LOCATED.

6. **AMD LUO #08-04300005 Chapter 24 Sign Regulations**

Matt stated that staff is proposing the following changes to the current ordinance **24-4-4**

Prohibited sign devices

- (1) The following sign devices used to attract pedestrian or vehicular attention are

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prohibited in any zone:

(b) any sign which flashes, blinks, uses chaser lights, or moves in any way, animate or inanimate, except commercial signs with time/temperature or electronic message center capability, and subtle lighting changes of low intensity;

(b) any sign which flashes, blinks, uses chaser lights, or moves in any way, animate or inanimate, except electronic message center **associated with a permitted and approved on-premise sign. Electronic message centers shall be restricted to the display of public service information to include, but not limited to, date/time/temperature, service, direction, or courtesy information and community events intended to assist the public. No commercial message or advertisements of products or services are allowed. Community events include those that are non-profit and non-partisan in nature, and further a legitimate government or community purpose. The square footage of the electronic message center shall be limited within the sign area measurement.**

Part 24-6 Temporary Signs.

24-6-1. General regulations.

24-6-2. Permit application requirements.

24-6-3. Business related temporary signs.

24-6-4. Community event banners. **Temporary Signs Not Requiring a Permit.**

24-6-5. Temporary signs not requiring a permit. **Repealed.**

24-6-2 (3) Requirements for sign permit applications.

(d) general or electrical contractor license, phone and address; and **Value of the sign**

(e) value of the sign.

24-6-4. Community event banners. **Temporary Signs Not Requiring A Permit.**

(1) Community event banners are allowed for groups and events for advertisements or promotions and shall be described as, but not limited, to the following:

Community organizations, community events, activities sponsored by the County of Tooele, The State of Utah or governmental owned agencies and welcome messages for such events as class reunions, conferences, athletic tournaments or major events that are non-profit, non-partisan in nature or subject to a special event.

- Chapter 2 (239) "Special event" means circuses, fairs, carnivals, festivals, or other types of special events that:

(a) run for longer than eight hours but not longer than six months;

(b) are intended to or likely to attract substantial crowds; and

(c) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

(a) the Benson Grist Mill and other similar historical structures or areas;

(b) non-profit athletic/recreation leagues;

(c) the Tooele County Fair;

(d) cultural or arts events; and

(e) the Deseret Peak Complex and other similar recreational areas.

(1)(a)(iii) **Such banner signs shall not exceed 60 days in a calendar year.**

(v) **Such banner signs shall be limited to a maximum of 40 square feet.**

(2)(a) The following holidays: **Put in calendar year order**

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The sign must be mounted **located** on the building **and such signs shall be limited to a maximum of 40 square feet.**

- Removed the process of providing an application and meeting the requirements for a temporary sign application
- (3)(ii) Three directional signs may be allowed for a developer to guide traffic to the site **a subdivision or development**
- 24-6-5. Temporary signs not requiring a permit. **REPEALED**

7. AMD GP # 08-03500002 Tooele County Access Plan

Kerry stated that the access plan actually started a year ago with grant money. When the money ran out, the plan just died until now. The plan was created to help define access to trails and roads within specified boundaries, Tooele County will be putting the BLM and Forest Service in a position that requires them to cooperate and to align their plans and policies with those of the County to the extent required by law. This plan is an element of the County Resource Management Plan, Chapter 19, which speaks to federal agency planning processes, deals specifically with access to the County's Public Lands, focuses on goals for maintaining & improving access, promotes partnerships between Tooele County and public land management agencies, special interest groups and private land owners, identifies trails, access points and roads.

Adjourn Public Hearing and Resume Public Meeting

Bill Bergener made a motion to adjourn the public hearing and resume the public meeting. Motion seconded by Radell Donnell. All concurred.

8. AMD LUO #08-04300003 Professional Filming 7-15-1

Judy Jameson made a motion to approve. Motion seconded by Bill Bergener
Radell Donnell – yes, Judy Jameson – yes, Bill Bergener – yes, Bill Hogan - yes

9. AMD LUO #08-04300004 Chapter 5 Non-Conforming Building

Bill Bergener made a motion to approve. Motion seconded by Radell Donnell.
Judy Jameson – yes, Radell Donnell – yes, Bill Bergener – yes, Bill Hogan - yes

10. AMD LUO #08-04300005 Chapter 24 Sign Regulations

Bill Bergener made a motion to approve. Motion seconded by Judy Jameson.
Radell Donnell– no, Bill Bergener – yes, Judy – yes, Bill Hogan - yes

11. AMD GP # 08-03500002 Tooele County Access Plan

Judy Jameson made a motion to approve. Motion seconded by Bill Bergener.
Bill Bergener – yes, Radell Donnell – yes, Judy Jameson – yes, Bill Hogan - yes

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12. Public Concerns

Adjournment:

Judy made a motion to adjourn. The motion was seconded by Bill Bergener. All concurred. The meeting adjourned at 8:02 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission