

MEETING MINUTE SUMMARY
SALT LAKE COUNTY PLANNING COMMISSION MEETING
Wednesday, November 13, 2019 8:30 a.m.

****Meeting minutes approved on January 15, 2020****

Approximate meeting length: 1 hour 9 minutes

Number of public in attendance: 4

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Cohen

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
Neil Cohen	x	x	
Ronald Vance	x	x	
Mark Elieson	x	x	
Bryan O’Meara			x
Kim Barbushev	x	x	
Christopher Collard	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Diana Martinez	x	x
Zach Shaw (DA)	x	x

BUSINESS MEETING

Meeting began at – 8:35 a.m.

- 1) Approval of Minutes from the July 10, 2019 meeting.

Motion: To approve Minutes from the July 10, 2019 meeting as presented.

Motion by: Commissioner Vance

2nd by: Commissioner Elieson

Vote: Commissioner Barbushev abstained, all other Commissioners voted in favor (of commissioners present) Motion passed.

Approval of Minutes from the October 16, 2019 meeting.

Motion: To approve Minutes from the October 16, 2019 meeting as presented.

Motion by: Commissioner Vance

2nd by: Commissioner Elieson

Vote: Commissioner Barbushev abstained, all other Commissioners voted in favor (of commissioners present) Motion passed.

- 2) Other Business Items (as needed)

No other business items to discuss.

PUBLIC HEARINGS

Hearings began at – 8:39 a.m.

Counsel advised continuing application #31056 until the County Council makes a decision on the rezone.

31038 – Greg Neff is requesting a Rezone approval from A-2 (Agricultural) to M-2 (Manufacturing).
Acreage: 7.01 approx. **Location:** 8700 South 700 West. **Planner:** Diana Martinez

Salt Lake County Planning and Development Services Planner, Diana Martinez provided an analysis of the staff report. Ms. Martinez read from an email she received this morning.

Commissioner Cohen asked if the island in the county is only in red. Ms. Martinez advised the whole area is unincorporated area and is not a parcel, the rest of the parcel would remain A-2. Commissioner Cohen asked what the remainder of the parcel is. Ms. Martinez said fur breeder and sod breeder. Fur breeder owns the parcel. Mr. Shaw said he's never seen half a parcel rezoned. Don't think the fur breeding and sod farmer are non-conforming and allows uses. Spot zoning is not illegal and is creating an island of a different zone in surrounding area and doesn't know the surrounding zones. Surrounded by different cities. Commissioner Cohen asked if the applicant purchased. Ms. Martinez said they are leasing.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: AMES Construction

Name: Greg Neff

Address: 3737 West 2100 South

Comments: Mr. Neff said the property is a temporary batch plant and widening I-15 for UDot, comes in on semi-trailers and assembled in various pieces.

Mr. Shaw said the rezone is there because the use is not allowed. Mr. Neff said red area outlined is greater than what's being used. 683 feet and put a temporary fence, batch plant, and lay down yard for signs and miscellaneous items needed for construction of the interstate. Back piece option to lease if needed and included in rezone to not run afoul. Parcel currently has two different zones M-2 and Agricultural and part of the fur breeders plant. All part of Salt Lake County, 25 and a half acres. Flat area graded out and nothing being used. The square is a sod distributor. Wants to rezone for future uses. Commissioner Collard asked for estimated use time. Mr. Neff said less than a year. Depending on scheduling delays, based on paving window of ten months. Rocky mountain power has scheduled delays of relocating, roughly ten to eleven-month paving. Leasing the batch plant from Geneva and they will be the plant operator for AMES Construction. From Bangerter to 7200 south, add additional lane to the east of I-15, 9400 south collector distributor lanes to bypass 9000 south weaving situation. Commissioner Cohen said if this doesn't work out, where would you put it. Mr. Neff said idea is to get the concrete to the area as quick as possible, closest batch plant is point of the mountain, saves time and effort and limits impact to traffic and this is a nice location and truck traffic runs on the interstate. Commissioner Cohen asked Mr. Shaw and looked up conditional use of A-2 zone and asked if this would cover this. Mr. Shaw said not zoning administrator. Ms. Martinez said as a planner and reads that to be a construction trailer, temporary for office use. Ms. Martinez said the rezone is going to change the zoning, if this does carry on to conditional use it goes with the land and wouldn't be a temporary permit, another construction concrete batch can come in. Mr. Shaw said will do research on the issue if zoning is approved. Instances in the county and conditional use has been time limited. Commissioner Cohen said permitted use in M-2. Ms. Martinez said in M-2 it is listed as permitted use under lot size industrial uses over one acre will be treated as a conditional use. Commissioner Cohen said Section D changes from a permitted use to conditional, because it's over an acre. If the rezone

is approved, contingent on planning commission approval, then the conditional use application will come back under M-2, the application on the agenda can't be taken up and there is no conditional use under the current zone. Mr. Shaw said even if you deny, the council can still approve.

Commissioner Barbushev motioned to open the public hearing, Commissioner Elieson seconded that motion.

Speaker # 2: Citizen

Name: Steve Barnes

Address: 11464 Rock Hampton Drive, Sandy

Comments: Mr. Barnes said he's strongly opposed and heard the word temporary and rezone is permanent and conditional use is permanent but heard investigating temporary conditional use and foundation for temporary use.

Mr. Shaw said can have that nailed down before county council and resolved before their decision, but up to planning commission if they want to continue or proceed. Commissioner Cohen said could recommend if the use could be restricted, time limited. Commissioner Elieson said on this item we are looking at a rezone only and doesn't have any intention what they put on the lot. Commissioner Collard said rezoning has a long-term impact. Commissioner Elieson said looking at the property and around, M-2 sounds realistic for the property owner for whatever they're going to do. Mr. Shaw advised to finish public hearing. Commissioner Cohen said we have them on record. Mr. Barnes said he has properties in Sandy City, and they are industrial. M-2 doesn't allow dust and such and higher than 35 feet and hard to imagine the silos are higher than 35 feet. Mr. Shaw said there isn't a height restriction in M-2 zone.

Commissioner Barbushev motioned to close the public hearing, Commissioner Elieson seconded that motion.

Speaker # 3: AMES Construction

Name: Greg Neff

Address: 3737 West 2100 South

Comments: Mr. Neff said Sandy Suburban Improvement District, behind is leasing to a contractor with trucks. Sandy City Utility Department and there are commercial properties, and substation behind the property. They must follow strict federal codes with permitting and dust, and compliant with UDOT codes, as far as any concern's infiltration, is mitigated and working with consultant to contain storm water runoff.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and staff had a brief discussion regarding the colors on map, rezoning the full parcel, temporary buildings, mitigating chemicals deposited in the ground, rezone runs with the land.

Motion: To recommend approval of application #31038 to the County Council as proposed.

Motion by: Commissioner Elieson

2nd by: Commissioner Collard

Vote: Commissioners voted unanimous in favor (of commissioners present)

Mr. Shaw said the County Council will take this up and make a decision on the rezone.

31056 - Greg Neff is requesting a Conditional Use approval for a Concrete Batch Plant. **Acreage:** 7.01

approx. **Location:** 8700 South 700 West. **Zone:** Rezoning to M-2 (Manufacturing) **Planner:** Diana Martinez

Motion: To continue application #31056 until the County Council makes a decision on the rezone.

Motion by: Commissioner Barbushev

2nd by: Commissioner Vance

Vote: Commissioners voted unanimous in favor (of commissioners present)

31046 – Ryan Linford is requesting a Conditional Use approval for a Water Storage Tank. **Acreage:** 320 acres. **Location:** 5402 South U111 Hwy. **Zone:** A-20. **Planner:** Diana Martinez

Salt Lake County Planning and Development Services Planner, Diana Martinez, provided an analysis of the staff report.

Commissioner Cohen asked if they needed a conditional use to put the first water tank in. Ms. Martinez said she couldn't find one and is iffy who has jurisdiction and went through with building permit. Counsel said Kennecott is exempt from certain county regulations per state law.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Probuild Construction

Name: Tom Jessop

Address: 5495 West Leo Park Drive

Comments: Mr. Jessop said the metal tank there is 60 years old and is for fire protection for their plant and need upgraded and this will be a permanent tank, not for drinking water for fire and tear old tank down and replace it and has exceeded its life expectancy and meets the highest earthquake standards. Fire protection for Northrup Grumman. Kennecott built through Kennecott's guidelines and have results for all the pipeline. Mile and half west of Bacchus highway and maintained roads, branch off the road. Kennecott security requirements and didn't expect this many loops to build.

Commissioner Barbushev motioned to open the public hearing, Commissioner Collard seconded that motion.

No one from the public was present to speak.

Commissioner Barbushev motioned to close the public hearing, Commissioner Collard seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #31046 with staff recommendations.

Motion by: Commissioner Barbushev

2nd by: Commissioner Vance

Vote: Commissioners voted unanimous in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 9:44 a.m.