

**Adopted Minutes  
Development Review Committee  
December 22, 2004**

The meeting was called to order at 10:05 a.m. by Emil Pierson.

Staff Members Present: Emil Pierson, Planning Director; David Oyler, City Manager; S. Junior Baker, City Attorney; Richard Nielson, Assistant Public Works Director; Seth Perrins, Assistant City Manager; Marvin Banks, Public Works Superintendent; Keith Broadhead, Public Works Inspector; Jeff Foster, Electric Department Superintendent; Ryan Baum, Public Works Inspector; Shawn Beecher, GIS Specialists; Connie Swain, Deputy Recorder.

Citizens Present: Brent Smith, *Geneva Rock*.

**Geneva Rock Conditional Use Permit (Tabled from December 15, 2004)**

Mr. Pierson said this item was tabled due to utility and other concerns.

Mr. Smith said he talked with Mr. Heap concerning the utility hook-ups for water, sewer and power. They are willing to complete the utility hook-ups as required.

Mr. Pierson said if the concrete batch plant is going to be in place for an extended period of time, then the utilities should be installed. Another concern is the bend in the road.

Mr. Nielson said before the permit is finalized a drawing with the curb and gutter layout and the grading needs to be provided and approved.

Mr. Broadhead asked if a storm drain is needed.

Mr. Nielson said sump pumps should be adequate.

Mr. Pierson asked if there are plans for lighting on the property.

Mr. Smith said they will have night lighting for security reasons.

Mr. Oyler asked Mr. Smith if he had concerns in the event that the surrounding property is developed into a residential area in the future.

Mr. Smith said there will be a 20-year lease and negotiations may be needed in the future if the surrounding property is developed. He said he thinks it can be worked out.

Mr. Nielson said a quit claim deed on the roadway area should be obtained to clean up the deeds in the area.

Mr. Baker made a **motion** to approve the Geneva Rock Conditional Use Permit subject to the

following findings and conditions:

FINDINGS:

1. The proposed use is consistent with the policies of the City's General Plan and the purpose of the zoning district in which the site is located.
2. The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, when consideration is given to the character and size of the use and hours of operation.
3. The proposed site is adequate in size and shape to accommodate the intended use, and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met.
4. The proposed site has adequate access to public streets to carry the type and quantity of traffic which may be generated by the use, and that on-site circulation is adequate to permit driveways, parking, pedestrian ways, and loading requirements in a manner which is safe and efficient.
5. Adequate conditions or stipulations have been incorporated into the approval of the Conditional Use Permit to insure that any anticipated detrimental effects can be minimized.

CONDITIONS:

1. Hours of operation for the concrete plant will be 6:00 a.m. to 6:00 p.m. Monday through Friday; and 6:00 a.m. to 4:00 p.m. on Saturdays. No operation will take place on Sundays. Extended and night time hours will be allowed as demanded by circumstance and approved by the City Planner. Night hours to exceed four (4) consecutive nights require approval by the Planning Commission.
2. To ensure that the Spanish Fork Fugitive Dust and Emissions Ordinance (Chapter 9.36) is met for the site, the site owner shall be in compliance with this section. This includes, though is not limited to the following portions of this Chapter highlighted below:
  - a) As per 9.36.010(2), The site owner shall control the site in order to keep dust and other types of particulates to a minimum by such measures as wetting down, covering, landscaping, paving, treating, or by other reasonable terms.
  - b) As per 9.36.010(4), The applicant/plant owner shall maintain control of the establishment premises or plant premises, including fugitive dust and emissions by maintenance of controlled access roads by paving, oil treatment, or other suitable measures.
  - c) As per 9.36.010(5), The applicant shall not cause, suffer, allow or permit operations likely to give rise to airborne dust without taking the following precautions to prevent particulate matter from becoming airborne:
    1. All unpaved roads and other unpaved operational areas, which are used by mobile equipment, shall be water sprayed as needed because of the weather and/or chemically treated to substantially reduce fugitive dust. Records of treatment shall be made available upon request and shall include a period of two years ending with the date of the request.
    2. The truck haul road shall be paved or treated to prevent dust and shall be periodically swept or water sprayed clean as dry conditions warrant. Records of cleaning of paved roads shall be made available upon request and shall include a period of two (2) years prior to the date of request.

3. Water sprays or chemical dust suppression spray shall be installed at the following points to control fugitive emissions (if necessary): all conveyor transfer points. The spray shall operate whenever dry conditions warrant.
4. Storage piles shall be watered or chemically treated to minimize generation of fugitive dust as dry conditions warrant.
3. To ensure that the Spanish Fork Fugitive Dust and Emissions Ordinance (Chapter 9.36) is met by the proposed concrete plant operations, the site owner and operator shall be in compliance with the fugitive emissions and fugitive dust standards as set by the Utah Air Quality Board. To ensure this, the following is required:
  - a) A current Division of Air Quality (DAQ) Approval Order shall be maintained by the operations at all times. A copy shall be at the site during operations.
  - b) The operator must maintain compliance with the conditions of the Approval Order. A violation of the Division of Air Quality regulations will result in the Conditional Use Permit being reviewed and possibly revoked.
4. An initial visible emission observation (VEO) compliance inspection shall be performed on the concrete plant within 60 calendar days of approval by the Planning Commission of the plant equipment at the project site. The testing for VEO's will follow EPA 40 CFR Part 60, Appendix A, Method 9. A copy of the testing shall be submitted to the City for review.
5. As per the operator's Division of Air Quality Approval Order, visible fugitive dust emission from haul-road traffic and mobile equipment in operational areas shall not exceed 20% opacity. Visible emissions observations for traffic sources shall use procedures similar to Method 9. The normal requirement for observations to be made at 15-second intervals over a six-minute period, however, shall not apply. Six points, distributed along the length of the haul road or in the operational areas, shall be used. An opacity reading shall be made at each point when a vehicle passes the selected points. Opacity readings shall be made  $\frac{1}{2}$  vehicle length or greater behind the vehicle and at approximately  $\frac{1}{2}$  the height of the vehicle or greater. The accumulated six readings shall be averaged for the compliance value. These six readings shall make up a single report.
6. A violation of the City Noise Ordinance will result in the Conditional Use Permit being reviewed and possibly revoked.
7. The conditional use permit will be reviewed annually by the City Planner to ensure all conditions are being met.
8. All buildings located on the site will meet the requirements of the International Building Code.
9. Roads into and out of the concrete plant operation will be sprinkled by water trucks to control dust. A road shall be installed and maintained from the entrance way around the batch plant area to be either asphalted or layered with asphalt grindings for dust control. No dirt or mud shall be tracked onto public streets. Concrete plant operations shall use the east entrance only.
10. The buildings and facilities on the site will connect to the city utilities (services) at the applicant's expense.
11. That the sight triangle from Del Monte into the site be increased as per the Engineering Department.
12. That the concrete operation's signs be approved by the City Planner and a sign permit is

- obtained from the City.
13. All testing required by the City shall be at the expense of the applicant with the selection of the testing firms at the sole discretion of the City.
  14. Spanish Fork City municipal code, zoning ordinances, and construction and development standards must be met.
  15. The applicant is to install curb, gutter and sidewalk on the south side of Arrowhead Trail with UDOT's approval and Del Monte also to have curb and gutter installed on the west side of the road as per city standards.
  16. That the applicant bond for any off-site improvements.
  17. Provide a quit claim deed to the city for the proposed westerly public right-of-way.
- Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

### **Other Business**

Mr. Banks asked concerning an issue at Dave's Storage located on 500 South. An extension has been built on one of the units and could be a fire hazard.

Mr. Pierson said he will visit the area.

### **Adjournment**

Mr. Baker made a **motion** to adjourn. Mr. Nielson **seconded**, the motion **passed** unanimously, and the meeting adjourned at 10:25 a.m.