

# Agenda

# GRAND COUNTY Planning Commission

**Tuesday, May 8, 2018**  
**5:00 P.M. Regular Meeting**  
Grand County Courthouse  
Council Chambers  
125 E. Center St., Moab, Utah

<b>Type of Meeting:</b>	Regular Meeting
<b>Facilitator:</b>	Gerrish Willis, Chair
<b>Attendees:</b>	Planning Commissioners, interested citizens, and staff

<b>5:00 PM</b>	Citizens to be heard	<i>Chair</i>
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<b>Workshop</b>	Discussion on Use Regulations and Use Specific Standards for Section 3.4.11 of the Land Use Code	<i>Staff</i>
	Discussion of the High Density Development overlay	<i>Staff</i>

<b>Action Item</b>	Approval of April 24, 2018 Meeting Minutes	<i>Chair</i>
	Future Considerations	<i>Chair</i>
	Community & Economic Development Updates/Future Considerations	<i>Staff</i>
	County Council Update – Mary McGann/Evan Clapper	<i>Council Liaison</i>

**ADJOURN**

## DEFINITIONS:

**Public hearing** = a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

**Public meeting** = a meeting required to be open to the public pursuant to the requirements of Title 52, Chapter 4, Open and Public Meetings; the public may or may not be invited to participate.

**Legislative act** = action taken by the County Council or Planning Commission; amending ordinances, adopting general plan, Annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community.

**Administrative act** = action taken by the Planning Commission, County Council or staff interpreting ordinances and regulations, conditional uses, approving subdivision, site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code, whichever is stricter.

Use Category	Specific Use	RESIDENTIAL					NONRESIDENTIAL						Use-Specific Standards	
		SLR	LLR	RR	MFR	RG	NC	GB	RC	RS	HC	LI		HI
<b>Industrial Uses (Section 3.4.10)</b>														
Heavy industrial	Railroad facilities, including shops and rail yards					C							C	<a href="#">3.2.4N</a>
	Asphalt or concrete batch plant					C					C	P		<a href="#">3.2.4A</a>
	Food processing					Ⓞ P		Ⓞ P		Ⓞ P	P	P		
	Manufacturing, hazardous/objectionable										C	C		<a href="#">3.2.4L</a>
	Power plant												P	
	Woodworking and cabinet shops					Ⓞ P		Ⓞ P		Ⓞ P	P	P		check building codes
	Production Water Disposal & Recycling Facilities					C							C	<a href="#">3.2.4G</a>
Light industrial Service	Freight, terminal and parking lot											P		
	Fuel product storage										C	P		<a href="#">3.2.4B</a>
	Impound lot									Ⓞ P	Ⓞ P	Ⓞ P		<a href="#">3.2.4C</a>
	Manufacturing and production						C			P	P	P		<a href="#">3.2.4M</a>
	Truck stop											P	P	
	All other light industrial service uses											P	P	
Warehouse and Freight Movement	Warehouse, commercial										P	P	P	
	Stockpiling of sand, gravel, or other aggregate materials					Ⓞ P						P	P	
	All other uses													
Waste Related Services	Junk yard, salvage or auto salvage yard					P					Ⓞ P	P		<a href="#">3.2.4K</a>
	Public land fill					C						P		<a href="#">3.2.4H</a>
	Waste transfer stations					C						C		<a href="#">3.2.4O</a>
	Waste storage, treatment and disposal					C						C		<a href="#">3.2.4O</a>
	Waste transport					C						C		<a href="#">3.2.4O</a>
	All other waste related uses													
Wholesale Trade & Contractor Services	All wholesale trade and Contractor Services							Ⓞ P		Ⓞ P	P	P		<a href="#">3.2.4P</a>

**Mary:**  
review to building code. There are specific codes for commercial shops

**Zacharia Levine:**  
Recently updated

**Mary:**  
review a use specific standard for this use.

**Zacharia Levine:** Is GC ready to consider allowing a truck stop closer to town with very specific use and design standards?

**Zacharia Levine:**  
Add Use Specific Standards

**Zacharia Levine:**  
In each of the use table sections, "all other uses" should be processed in the appropriate process determined by the P&Z Administrator

**Zacharia Levine:**  
Evaluate all Waste-Related Services further with Planning Commission

**Zacharia Levine:**  
In each of the use table sections, "all other uses" should be processed in the appropriate process determined by the P&Z Administrator

### **3.2.4 Industrial Use Standards**

#### **A. Asphalt or Concrete Batch Plant**

Asphalt or concrete batch plants shall comply with the standards of this section.

1. Minimum Lot Area: 2 acres
2. Minimum Setbacks (All Sides): 200 feet from any residential zoning district or lot containing a principal residential use for all activity areas, including driveways and on-site roads.
3. When not proposed in conjunction with an asphalt plant, rock crushing or sorting activities, the above setback may be reduced up to 75 percent where Planning Commission finds adequate screening is provided. In such instances, the applicant shall provide supporting materials demonstrating unique topographical considerations such as a physical buffer and that the emission of noise, heat, glare, smoke and particulate matter, vibration, and/or odor will not be discernible at or beyond the property line as approved by Planning Commission.
4. The County may specify the hours of operation.
5. All internal roads shall be maintained in a dust-free condition. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 100 feet from the rights-of-way of the public road from which access is taken. Provisions shall also be made to remove dust, dirt, mud or other debris from the vehicles before they leave the site.
6. Provisions shall be made for the on-site reduction and containment of dust and other particulate matter.
7. The site shall have frontage on and access to a collector or arterial street, provided the authority with jurisdiction over the subject road may approve alternative access.
8. All such plants shall be subject to the limitations on noise, dust, fumes, odors, etc. Section [6.12](#), Operational Performance Standards.
9. All such plants shall be subject to the limitations on noise, dust, fumes, odors, etc. of Section [6.12](#), Operational Performance Standards.

#### **B. Fuel Product Storage**

Gasoline, petroleum and gas storage sites and uses shall comply with the following standards.

1. Minimum Lot Area: 2 acres
2. Minimum Setbacks (All Sides): 200 feet

#### **C. Impound Lot**

All impound lots or holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition shall be screened in accordance with the requirements of Section 6.4.4F.

#### **D. Mining and Extractive Use**

Mining and extractive uses shall comply with the following standards:

1. An excavation and rehabilitation plan shall be required for any mining or extractive use. Such plans shall contain the following information:
  - a. A detailed description of the method of operation of extraction and rehabilitation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;
  - b. An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit, and other pertinent factors;
  - c. A detailed rehabilitation plan showing proposed rehabilitation with time schedules including, but not limited to, finish contours, grading, sloping, types, placement, and amount of vegetation, after use plans, and any other proposed factors;

- d.** Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;
  - e.** Type, character, and density of proposed revegetation;
  - f.** The operator's estimated cost at each of the following segments of the rehabilitation process, including where applicable, backfilling, grading, re-establishing topsoil, planting, revegetation management, and protection prior to vegetation establishment and administrative cost;
  - g.** A drainage report and drainage plan prepared by a Utah-registered engineer with consideration of natural drainage, drainage during excavation and drainage after rehabilitation such that the proposed rehabilitation and excavation will have no adverse effect in excess of natural conditions;
  - h.** A traffic analysis that reviews road and safety conditions in the pit area and in the vicinity of the pit area -- such analysis shall also include ingress/egress, parking and loading areas, on site circulation, estimate of number of trucks per day on the average and maximum number of trucks per day (ranges are acceptable);
  - i.** Additional information as may be requested by the Zoning Administrator, and
  - j.** Upon approval, the excavation and rehabilitation plans shall be filed with the County Clerk and Recorder and any subsequent change in excavation and rehabilitation plan shall be prohibited unless approved by the County Council.
- 2.** Excavation or deposit of overburden shall not be permitted within 30 feet of a boundary of adjacent property easement, irrigation ditch or rights-of-way unless by written agreement of the owner of such property, easement, irrigation ditch or rights-of-way.
  - 3.** Excavation within 125 feet of a dwelling unit shall be prohibited unless by written agreement of the owner and occupant of the residence. No excavation involving the use of rock crushers, asphalt plant, cement batch plant and other similar equipment shall not take place within 600 feet of a dwelling unit. The County may require the installation of a Landscape Buffer when necessary to control dust and mitigate other adverse impacts on surrounding areas.
  - 4.** All excavation activities shall be set back at least 100 feet from road rights-of-way and watercourses. The watercourse setback may be varied, based on Utah Department of Wildlife comments concerning site-specific factors. Existing trees and ground cover along public road frontage and drainage ways shall be preserved, maintained and supplemented, if necessary, from the depth of the setback to protect against and reduce noise, dust and erosion. The decision-making body shall be authorized to require the installation of disturbance fencing per Section 4.9.9E, along roads and watercourses when necessary to control dust and mitigate other adverse impacts.
  - 5.** The operator shall submit a route plan (haul route) to the County Road Supervisor and receive permission to use for use of public rights-of-way not designated for such haulage by reason of load limit, dust, rights-of-way or pavement width or other relevant factors. The County Road Supervisor may place reasonable restrictions on such rights-of-way use. Alternative haul routes shall be developed where haul route impacts the health, safety and welfare of the local area.
  - 6.** Haul roads within the premises shall be maintained in a reasonably dust-free condition and shall be contained within the pit (after excavation allows) to the maximum extent feasible. This may include, depending on local conditions, watering, oiling, or paving.
  - 7.** Operation shall be limited to the hours of 6AM to 7PM unless longer or shorter hours of operation are approved as part of a Conditional Use Permit.
  - 8.** The operator shall not excavate, store overburden, or excavate materials or dike in such a manner as to increase any drainage or flooding on property not owned by the operator or damage to public facilities.
  - 9.** Prior to starting excavation, where the operation is adjacent to subdivided or developed commercial, residential, or industrial property, fencing may be required to prevent the visibility of the mining operation, and buffering and screening of the entire parcel or areas of excavation may be required. None of these shall be removed until rehabilitation has been completed.
  - 10.** Where the operation is adjacent to subdivided property or to developed commercial or residential property, once mining has been completed, the site shall not be used as an area to stockpile sand or gravel resources. The mining operator is to reclaim those areas as soon as possible.
  - 11.** Operations shall comply with air, noise, vibration, and other standards of Grand County and noise standards enumerated in Section [6.12](#), Operational Performance Standards.

12. All air emissions shall comply with standards established by the Utah Department of Environmental Quality or other appropriate state agency.
13. All water uses and discharges shall conform to standards established by the Utah Department of Environmental Quality or other appropriate state agency.
14. All slopes shall be stabilized and re-vegetated in a manner compatible with the surrounding area.
15. A development schedule shall be submitted describing the life span of the plan in years (ranges are acceptable) and, if applicable, the years per phase. Diligence in meeting this schedule is required.
  - a. Up to a 2-year extension may be granted by the Zoning Administrator if a written request is submitted outlining the factors and reasons for the extension. New conditions, if any, will be considered.
  - b. Requests for extensions up to 5 years and appeals of the Zoning Administrator's decision will be submitted to the County Council at a public hearing.
16. If the use has not operated or if no material has been extracted within 3 years of obtaining the Conditional Use Permit and a request for extension has not been received and approved by the County Council, the Conditional Use Permit shall expire. Extension requests shall provide information concerning the factors and reasons for the request. The County Council will consider these factors and reasons as well as the extent conditions have changed in the area, if any, in granting extensions.

**E. Oil and Gas Drilling**

Oil and gas drilling shall comply with all applicable Federal and State requirements and the County will be a referral agency on all state and federal permitting.

**F. Ore Refining or Processing**

Ore refining or processing shall comply with the following standards:

1. A site plan prepared in accordance with the requirements of Section [9.17](#) shall be approved and filed with the findings of fact as part of the approval.
2. Development plans shall comply with the applicable requirements of Article [6](#), General Development Standards.

**G. Commercial Production Water and Formation Water Disposal and Recycling Facilities ("Disposal Facilities")**

**1. General Requirements**

Disposal facilities may be approved by conditional use permit pursuant to Section [9.11](#), Conditional Use Permits. Drilling muds and tank bottom waste shall not be accepted. Land farms, as defined in Article [10](#), are not permitted. Disposal facilities shall comply with the following requirements:

**a. Site Plan**

A site plan shall be prepared in accordance with Section [9.17](#).

**b. Transportation Plan**

Selected transportation routes shall not result in a significant degradation of the level of service; "significant" shall be defined as a change in letter grade of the level of service. Where the level of service is unknown the applicant shall be responsible for the cost of traffic studies performed by a Utah-licensed engineer to establish such information. Traffic studies shall include an analysis of the traffic mix. Route selection to and from facilities shall consider the following:

- (1) Methods by which production water and formation water will be transported,
- (2) Road types, design, and service capacity, including future maintenance needs and costs,
- (3) Extent to which weather renders such roads and/or highways hazardous,
- (4) Load capacities, including during saturated inclement weather conditions,
- (5) Accident rates, to determine if proposed transportation routes are more or less hazardous than the average for similar types of roads and/or highways. The applicant shall mitigate any increased risk to such roads and/or highways, the traveling public, and any increased future maintenance and repair costs to Grand County or the state of Utah,

- (6) Number and proximity of residences, schools, hospitals, and pedestrian routes,
- (7) Noise and traffic disruption,
- (8) Number and frequency of intersections per linear mile, or other measure as determined by Grand County during the application process, between the entrance of a facility and the nearest federal, state or county highway or road,
- (9) Where roads are inadequate, as determined by Grand County, to support the additional proposed traffic, road and/or highway improvements shall be provided at the applicant's expense, consistent with applicable County, state, and/or federal standards,
- (10) A road maintenance agreement accepted and signed by the County Road Department and approved by the County Council,
- (11) Additional bonding may be required to adequately cover road maintenance costs during operation, and
- (12) A UDOT highway access permit shall be approved for each facility with direct access to a state highway. Turn lanes, frontage road(s), and curb and gutter shall be provided by the applicant if required by UDOT.

**c. Operation**

- (1) Disposal facilities shall be fully operational and have all applicable County, state, and federal permits prior to accepting production water or formation water. At a minimum, appropriate permits are required from Utah Division of Air Quality, Utah Division of Water Quality, Utah Division of Oil, Gas and Mining, and Utah Division of Waste Management and Radiation Control.

An operational certification letter shall be issued by the Community Development Department prior to receiving any production water or formation water. This operational certification letter must document the appropriate state agency permits.

- (2) An operator shall be on site during commercial operations.
- (3) Sites shall be used solely for production water or formation water disposal, condensate holding and hydrocarbon recovery tanks, and related structures. Injection or dumping into an injection well of any class, or holding at the site, of any other substance, waste or chemical is strictly prohibited without the necessary permits and prior approval of federal, state, and County entities.
- (4) Federal, state, and County officials shall be allowed on the premises for the purpose of conducting site visits without prior notification.
- (5) Federal, state, and County documents shall be maintained on site and made available for federal, state, and County review.
- (6) Signs providing emergency contact information shall be provided at the facility entrance and receiving areas.
- (7) The applicant shall submit information regarding the proposed facility, wildlife protection measures, and type and height of perimeter fencing to the Utah Division of Wildlife Resources. The applicant's letter and agency response shall be provided to the County.
- (8) Perimeter fencing shall be installed to keep wildlife and agriculture stock off the premises.

**d. Water Supply, Sewage Disposal, and Fire Protection**

Prior to approval the applicant shall demonstrate water supply, sewage disposal, and fire protection that is sufficient in terms of quality, quantity, and dependability for the proposed facility.

**e. Drainage Plan**

A drainage report and drainage plan, prepared by a Utah-licensed engineer, shall demonstrate compliance with Section [6.7](#), Drainage, with consideration of natural drainage and drainage during construction.

**f. Surface Discharge**

No production water or formation water shall be discharged to the ground for any purpose including construction, dust control, or agricultural use without prior written approval from the Utah Division of Oil, Gas, and Mining, the Division of Water Quality, and Grand County. No other fluids from such facilities shall be discharged onto the ground, sold for off-site use, nor allowed to contaminate waters of the U.S. without prior written consent from all applicable local, state,

and federal authorities. The applicant shall provide written copies of all approvals to the County prior to commencing any such activity.

**g. Waste Management Plan**

A detailed waste management plan shall describe the plans for handling and disposal of the expected wastes to be generated as a part of facility operations. This includes such items as hydrocarbons, concentrated brine, accumulated solids, treatment chemicals, and treatment media.

**h. Reclamation Plan**

A detailed reclamation plan shall demonstrate that upon cessation of operations restoration of the site shall be completed to a condition as natural as practical, or to the site's original or other beneficial condition as approved by the County Council and consistent with Section [6.9.9F](#), Restoration. At a minimum the reclamation plan shall include the following:

- (1) Removal of structures,
- (2) Removal and disposal of remaining waste including contaminated soils and liners,
- (3) Regrading of the site to the approximate original contour or approved beneficial condition,
- (4) Erosion control and revegetation of disturbed areas, and
- (5) Conformance with state reclamation requirements.

**i. Bonding**

The applicant shall be financially capable of constructing, operating, and properly closing the site, including reclamation and any required post-closure monitoring to the satisfaction of the County. Final reclamation shall be accomplished within one year of the cessation of operations.

Each applicant shall post sufficient security based on a cost estimate to be prepared by a licensed engineer and approved by the Community Development Department. The cost estimate shall include all costs associated with facility closure and site remediation. The method of security shall be approved by the County Clerk, County Attorney, and County Council prior to the issuance of a Conditional Use Permit. Such security shall be in accordance with state requirements found in Utah Administrative Code R649-9 Waste Management Disposal. Estimates shall be recalculated every five years and shall account for the value of bonds held by the state of Utah for a particular facility.

**j. Referral Agency**

Applications shall be referred to such agencies and persons as the Zoning Administrator deems appropriate, including, but not limited to, the Utah Department of Environmental Quality (Division of Air Quality, Division of Waste Management and Radiation Control, and Division of Water Quality) and the Utah Department of Natural Resources (Division of Oil, Gas, and Mining and Division of Wildlife Resources) for review and comment.

**k. Notification**

The applicant shall supply a list of all property owners within a one-half mile radius of the proposed project site and an affidavit certifying that a copy of the application has been made available to said property owners.

**l. Operational Status**

Grand County shall be notified in writing at least 30 days prior to any change in ownership or operator status. Grand County shall be notified of any permit revisions, equipment upgrades or downgrades, and/or process changes integral to the operation of the facility.

**m. Technical Review**

If County staff does not have the technical expertise or the practical ability to devote the necessary time and effort for technical review, as determined by the County Council, the County may engage such additional expertise and/or consultants to assist the County and/or to provide technical review of an application under this section, including assessing the accuracy of technical reports and studies. The applicant shall reimburse the County for the cost of such assistance prior to approval of applicable County permits and before commencement of the activity. The County shall require that the applicant provide cash or equivalent security to guarantee that the costs of such consultants and expertise are borne by the applicant.

**n. Best Available Control Technology (BACT)**

Applicants shall install and operate emission control technology according to requirements of all applicable permits and orders issued by the state of Utah.

Applicants that are required by the state of Utah to provide best available control technology documentation to the Department of Air Quality shall furnish a copy of the proposed best control technology documentation to the County.

Commercial operations shall be suspended and Grand County notified within four hours any time the BACT equipment fails to operate properly for longer than one hour. In such cases, commercial operations shall not resume until the BACT equipment is operating properly.

**o. Existing Facilities**

Existing facilities shall not be deemed to be in noncompliance due to actions taken by adjacent landowners.

**p. Fees**

In addition to application fees, the applicant shall pay fees in accordance with the Grand County fee schedule as updated annually.

- (1) Each disposal facility shall submit to the Office of the County Clerk a monthly summary report of barrels received by the fifth business day of the following month. Billing invoices for the monitoring fee shall be subject to a standard 30-day payment term.
- (2) If the monthly summary report is not received by the Office of the County Clerk within 30 days of the due date, the Clerk shall bill the owners of the disposal facility based on the average of the 12 most recently submitted monthly reports.
- (3) Accrued late fees of 1.5 percent per month for past due balances will be billed upon receipt of the annual statement from the disposal facility or on the due date of the annual statement, whichever is earliest.
- (4) If the total barrels reported in the annual statement shows that less fees were due than were billed, the Office of the County Clerk will calculate the difference and issue a credit against future monitoring fees. If the total annual barrels reported in the annual statement shows that more fees were due than were billed, the Office of the County Clerk will bill the facility for any additional fees due, including any additional late fees due.
- (5) Grand County may file a lien against the disposal facility for unpaid fees that are still past due on April 30th of the following year.

**q. Permit Review**

The applicant shall provide an annual statement of compliance to be reviewed by the County Council. Such statements shall include a detailed and specific report on steps taken in the prior year to comply with applicable local, state, and federal requirements and laws. This statement shall be due to the County by January 31st of each year.

**r. Permit Expiration**

If the facility has not been in operation within one year of obtaining the conditional use permit and a request for extension has not been received and approved by the County Council the conditional use permit shall expire. Additionally, if the facility shuts down at any time for a period of one year and a request for extension has not been received and approved by the County Council, the conditional use permit shall expire and site restoration shall be completed by the owner of the property or bond holder.

**s. Liability and Mitigation**

The permittee and property owner are legally liable for all environmental damage, including but not limited to health hazards, resulting from the construction, operation, use, and maintenance of any disposal facility. If such damage occurs, the County, in addition to pursuing all other remedies available to it, may summarily require the permittee and property owner to develop and implement with due diligence a mitigation plan, including requirements of state and federal agencies, to remedy all such damage. Implementation of the plan will be required regardless of whether the County also revokes the permit.

**t. Contingency Plan**

The applicant shall provide a contingency plan, including material safety data sheets, to be maintained on site and at the appropriate offices of the emergency service providers listed below for the purpose of describing what actions shall be taken in the event of unintentional release and/or exposure. The plan shall provide, at a minimum,



communications protocol, including emergency responder notification. Copies shall be provided to the following service providers: sheriff's department, fire department(s), local hospital(s), and emergency medical services (EMS).

#### **u. Compliance with State and Federal Requirements**

The operator shall assure through appropriate sampling, testing and controls as required by applicable permits and regulations that all conditions in state and federal permits are met. The operator shall report to Grand County Community Development within 48 hours of discovery any exceedance of the pertinent state and federal limits (as defined by EPA) for radionuclide or heavy metal content.

### **2. Commercial Evaporation Pond Facilities**

In addition to complying with the general requirements of subsection G.1 of this section, commercial evaporation pond facilities for production and/or formation disposal water shall comply with the following:

#### **a. Control of Air Emissions**

Facilities that do not meet the "de minimis" air quality standards, as defined by the Utah Department of Environmental Quality (Division of Air Quality), shall be required to install and operate emission control technology as specified in all applicable permits and orders issued by the State of Utah.

#### **b. Location**

Disposal facilities shall only be considered on sites identified on the attached map entitled "Evaporation Pond Facilities Overlay Map." In addition, the following shall apply:

- (1) Sites shall be a minimum of 40 acres in size;
- (2) No site shall be located within a mile of an existing residence, RR, SLR, LLR, or MFR zone district, irrigated farm land, or national or state park;
- (3) No site shall be located within one-half mile of a perennial or intermittent stream, as identified by USGS, surface waters, or regulatory wetlands;
- (4) No site shall be located within a sole source aquifer designated area;
- (5) No site shall be located within sight of scenic by-way Highway 128;
- (6) All ponds shall be located a minimum of 500 feet from the down gradient property line to allow additional monitoring wells to be placed on the site if deemed necessary by the Community Development Department; and
- (7) Site soil and subsurface permeability shall be less than  $1 \times 10^{-5}$  centimeters per second, to a depth sufficient to span a 10-year saturation period.

#### **c. Baseline Data**

The applicant shall collect and submit baseline data to be approved by the Community Development Department prior to the issuance of a zoning development permit and/or building permit. Baseline air and water quality sampling plans shall be completed by an independent and state certified lab and, at a minimum, include:

- (1) Depth to groundwater,
- (2) Groundwater flow rates,
- (3) Direction of flow,
- (4) Soil and subsurface permeability to a sampling depth sufficient to span a 10-year saturation period,
- (5) Wind patterns reflecting diurnal and seasonal changes,
- (6) Location of abandoned and/or active wells and surface water within a one-half mile radius of the proposed site,
- (7) Air quality sampling for sulfur containing compounds, volatile organic compounds (VOCs), and hazardous air pollutants,
- (8) Water quality sampling for sulfur containing compounds, VOCs, total extractable petroleum hydrocarbons, pH, conductivity, total dissolved solids (TDS), total suspended solids (TSS), radionuclides and heavy metals.

#### **d. Operation and Safety**

- (1) Any measurable or visible layer of hydrocarbons that accumulates on the surface of an un-netted evaporation pond shall be removed daily, weather permitting.
- (2) Spray evaporation systems shall be operated such that all spray-borne suspended or dissolved solids remain within the perimeter of a pond's lined area.
- (3) Smoking shall be allowed in designated areas only and appropriate signs shall be maintained.
- (4) Signs providing emergency contact information, stating nonpotable water, and warning of potential drowning hazards shall be posted adjacent to all ponds.
- (5) Ropes, ladders, and/or other means of escape shall be provided along the perimeter of the ponds to allow a person to climb out of a pond in the event of an accident.
- (6) Ponds permitted for formation water shall have separate receiving and distribution systems and shall not be used for produced water from oil and gas production.
- (7) Pits or ponds intended to have hydrocarbon products on the surface shall be netted to prevent wildlife access. Netting structures shall be constructed so that the netting is prevented from sagging into the pit fluids and perimeter netting shall extend to the ground to prevent wildlife entry. Netting shall be monitored by the on-site operator to ensure proper working order. Hydrocarbon accumulation on the surface of any netted pond shall be removed at least once each month, weather permitting.
- (8) A wildlife deterrent device, such as a "hazing canon," shall be placed on site at strategic locations to keep wildlife away from open ponds.
- (9) All ponds shall have a two-foot minimum freeboard.
- (10) The applicant shall provide calculations demonstrating adequate on-site pond volume for emergency emptying of any pond. Facilities shall provide a written emergency repair plan that clearly indicates the procedure for emptying a pond.
- (11) The applicant shall provide for prevention of loss of any production water or formation water from the ponds via wave action.
- (12) All holding tanks for materials associated with operations shall be constructed completely above ground and within a curbed or bermed containment area to provide a volume equal to 1.5 times the largest tank volume. No open top tanks shall be permitted.
- (13) Ponds shall be double lined in accordance with state regulations. Additionally, the top liner shall be synthetic and a minimum of 60 mils thick.
- (14) If a pond specific leak is detected, the water level in that pond shall be lowered immediately below the level of the leak and the source of the leak repaired.
- (15) If contaminants are found to exceed permissible levels in perimeter monitoring wells or allowed volumes in any area of the facility are exceeded, the facility shall cease accepting new waste immediately and direct customers to another regional/state approved facility. The Community Development Department shall be notified within one working day of the occurrence and the cause shall be corrected to the satisfaction of the Community Development Department and applicable state agencies prior to resuming operations.

**e. Ongoing Monitoring**

The applicant shall conduct air and water monitoring as required by all applicable state of Utah permits and orders. Monitoring shall include testing for the presence and level of radionuclides.

**3. Commercial Injection Wells**

In addition to complying with the general requirements of subsection G.1 of this section, commercial injection wells for production water or formation water disposal shall comply with the following:

**a. Location**

Commercial injection wells shall not be permitted within the boundaries of the Valley Aquifer impact zone as defined in Section [7.10.3](#) (Valley Aquifer Impact Zone map) or within any sole source aquifer zone. Injection wells shall be located to ensure that underground sources of drinking water (USDWs) and surface waters are not being endangered.

**b. Underground Injection Control Permit**

The applicant shall submit copies of underground injection control (UIC) permit application materials in order that the County may participate through written comment in the Utah Division of Oil, Gas, and Mining (UDOGM) permitting process.

**c. Operation and Safety**

Injection wells shall be completed, equipped, operated, and maintained in a manner that will prevent pollution and damage to any underground source of drinking water (USDW), or other resources and will confine injected fluids to the target injection zone approved by UDOGM.

**d. Monitoring**

A sampling port shall be provided post-treatment, prior to injection. The applicant shall provide continuous read total dissolved solids (TDS) monitoring during pumping operations in 15 minute minimum intervals (with digital record copies of output) for each well in conjunction with daily manual water samples for purposes of comparison. The applicant shall submit quarterly reports providing TDS raw data and averages for each well displayed in a graphic format with a text summary. Access to the sampling port and the entire facility shall be provided to all regulatory agencies without prior notification.

**e. Injection Well Disposal of Formation Water**

Only permitted Class I injection wells may be used for disposal of formation water, and only with prior approval by Division of Oil, Gas and Mining. Class I injection wells may not be used for production water. A copy of such approval shall be provided to Grand County prior to beginning commercial disposal of formation water in the injection well.

**f. Injection Well Disposal of Production Water**

Only permitted Class II injection wells may be used for disposal of production water, and only with prior approval by Division of Oil, Gas and Mining. Class II injection wells may not be used for formation water. A copy of such approval shall be provided to Grand County prior to beginning commercial disposal of formation water in the injection well. [Ord. 542, 2016.]

**H. Public Land Fill**

Waste materials management facilities and public land fills shall comply with the standards of the latest Grand County Waste Materials Management ordinance.

**I. RV and Boat Storage**

All RV and Boat Storage shall be fully screened from view off site by an 8-foot sight obscuring fence.

**J. Self-Storage Facility**

Self-service storage facilities shall comply with the following standards.

1. All structures, including any rental office, must be set back a minimum of 25 feet from the rights-of-way or the district minimum setback, whichever is greater.
2. Where such sites abut residentially zoned properties, buildings adjacent to the perimeter must face inward with their doors away from such areas.
3. To ensure ease of access for emergency vehicles, no building shall exceed 300 feet in length. Spaces between ends of buildings shall be at least 30 feet.
4. Use of the facility and its individual storage units shall be limited to storage purposes only.
5. Electrical service to any individual storage unit shall be limited to a single 20-amp circuit, with no more than one duplex outlet providing single-phase electrical service of no more than 120 volts.
6. Each individual unit shall be directly accessible from an apron that is improved to the same standards generally required for off-street parking areas, and the apron shall include an extension to the pavement on an adjoining street.

**K. Junk Yard, Salvage or Auto Salvage Yard**

Junk yards, salvage or auto salvage yards shall comply with the standards of this section:

1. A wrecking or auto salvage yards shall be enclosed in a building or within an enclosure surrounded by a sight obscuring fence or wall not less than 8 feet in height, or by raised or mounded landscaping or sight obscuring landscaping or any combination of landscaping, mounding or fencing to effectively screen stored materials.

2. No material or merchandise shall be stored to a height of more than the height of the effective screening.

#### **L. Manufacturing, Hazardous / Objectionable**

##### 1. Lot Design Standards:

- a. Minimum Lot Area: 2 acres
- b. Minimum Setbacks (all sides): 200 feet
- c. The above setback may be reduced, up to 75 percent, where Planning Commission finds adequate screening is provided. In such instances, the applicant shall provide supporting materials demonstrating unique topographical considerations such as a physical buffer and that the emission of noise, heat, glare, smoke and particulate matter, vibration, and/or odor will not be discernible at or beyond the property line as approved by Planning Commission.

2. The site shall have frontage on and access to an arterial street, provided that the authority with jurisdiction over the subject road may approve alternative access.

3. Applications shall be referred to such local and state referral agencies and persons as the Planning Commission deems appropriate.

4. The applicant shall demonstrate water and power supply, sewage disposal, and fire protection that is sufficient in terms of quality, quantity, and dependability for the proposed use.

##### 5. Building and Site Design Standards

a. Uses shall occur within a completely enclosed building with the exception of self contained storage tanks and loading and unloading operations. No open tanks shall be permitted.

b. Utilize non-reflective siding materials on all structures.

c. Landscaping and screening shall be provided in accordance with Section [6.4](#).

d. Outdoor storage areas shall be screened from the street.

e. The owner is responsible for site safety and security, including perimeter fencing.

##### 6. Dust

a. All internal roads shall be maintained in a dust-free condition. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 100 feet from the rights-of-way of the public road or as otherwise approved by the authority with jurisdiction over the subject road from which access is taken. Provisions shall also be made to remove dust, dirt, mud or other debris from the vehicles before they leave the site.

b. Provisions shall be made for the on-site reduction and containment of dust and other particulate matter.

7. The applicant shall post sufficient security based on a cost estimate to be prepared by a licensed engineer and approved by the County Engineer. The cost estimate shall include all costs associated with facility closure and site remediation. The method of security shall be approved by the County Clerk, County Attorney, and County Council prior to the issuance of a Conditional Use Permit. Such estimates may account for the value of bonds held by the State of Utah for a particular facility.

##### 8. Operational Standards

a. The County may specify the hours of operation.

b. Uses shall be subject to the limitations of Section [6.12](#) Operational Performance Standards of Section [6.12](#).

9. Warehousing and/or disposal of material not used in the process of which the site is approved are prohibited. Excluding the warehousing of raw materials used for the on-site manufacturing process.

10. Applicant shall provide an emergency response plan to include material safety data sheets, to be maintained on site.

11. The County may impose any further reasonable conditions necessary to protect the health, safety, or welfare of the public.

#### **M. Manufacturing and Production**

Manufacturing and production shall comply with the following standards.

1. No vibration shall be produced which is transmitted through the ground (and is discernible without the aid of instruments) at or beyond the lot line.
2. All noise shall be muffled so as to not be objectionable due to intermittence, beat frequency or shrillness.
3. Visible emissions of air pollutants of any kind at ground level, past the lot line of the lot on which the source of emissions is located, are prohibited.
4. No person shall cause or permit any materials to be handled, transported or stored in such a manner which allows or may allow particulate matter to become airborne.
5. No direct glare from high temperature processes such as combustion or welding, which is visible at the lot line, shall be permitted.
6. There shall be no emission or transmission of heat or heated air so as to be discernible from the lot line.
7. Any condition or operation which results in the creation of odors of such intensity or character as to unreasonably interfere with the comfort of the public shall be removed, stopped or modified so as to remove the odor.

#### **N. Rail Facilities, including shops and rail yards**

A site plan prepared in accordance with the requirements of Article [6](#) and Section [9.17](#) of the Grand County Land Use Code shall be approved and filed with the findings of fact as part of the approval. A rail facility shall comply with the following standards prior to Grand County Planning Commission approval.

1. Applicants shall secure all necessary railroad approvals, including Union Pacific rail access approvals based on a conceptual track plan that meets the agency guidelines and includes the requirements of the use specific standard for Rail Facilities, including shops and rail yards.
2. Dimensional Standards for Rail Facilities, including shops and rail yards;
  - a. Minimum lot size shall be 20 acres;
  - b. Maximum height of structures shall be 35 feet. If the applicant can provide grounds for need of additional height, (i.e. silo heights) the Planning Commission may negotiate height limits.

#### Dimensional Standards for Train Passenger Terminal

- a. Minimum lot size shall be 5 acres;
  - b. Maximum height of primary structures shall be 35 feet.
3. A project boundary buffer shall be identified on the site plan in compliance with the following requirements;
  - a. The minimum width of the project boundary buffer shall be 50 feet;
  - b. All project boundary buffers shall be landscaped in accordance with the requirements of Section [6.4](#) Landscaping and Screening.
4. There is adequate off street parking and circulation areas and direct access to the property and rail line from a major roadway where heavy equipment or truck traffic will not travel through established residential neighborhoods.
5. Public services to the property can be provided at adequate levels to serve the demands of the rail facility without negatively impacting the level of service to adjoining uses.
6. The property does not contain sensitive lands that cannot be mitigated if negatively impacted by the railroad industrial use. If the property contains sensitive land that may be negatively impacted by the railroad use, the Grand County Planning Commission may impose reasonable conditions to mitigate these impacts prior to approval.
7. Additional proposed uses including, but not limited to storage, distribution, warehouse and waste related services, require separate review and permit in accordance with the Specific Use and Use-Specific Standards as outlined in Article [3](#), Use Regulation.
8. The applicant shall provide a traffic study demonstrating the existence of adequate roads and bridges. The applicant shall be responsible for the cost of traffic studies to establish an analysis of the traffic mix, performed by a Utah-licensed engineer.

9. All dust and noise impacts of the use shall be reviewed and evaluated with the conditional use application and shall be in compliance with Union Pacific or other applicable railroad agency, county, state and federal regulations.
10. Any associated staging or storage area for the use shall be identified and shall be buffered or screened from all public roadways or uses to the extent practical and reasonable if not provided on the Union Pacific or other agency conceptual track plan.
11. Railroad crossings shall be kept to a minimum and are subject to approval by the County and rail agency with consideration given for safety and maintenance.
12. A site plan including architectural drawings and an operational management plan shall be required in order to fully address potential impacts to neighboring uses or the community at large.
13. The County Sheriff and Emergency Manager shall review and approve an on-site security plan.
14. The offloading, on-loading and storage of radioactive material is prohibited.
15. A reclamation plan, approved by the County, shall be required sufficient to ensure restoration of the site to a reasonable state should the use cease in the future for any reason.
16. The applicant shall be financially capable of construction, operation, and properly closing the site, including reclamation and any required post-closure monitoring to the satisfaction of the County. Final reclamation shall be accomplished within one year of the cessation of operations. Applicant shall post sufficient security based on a cost estimate to be prepared by a licensed engineer and approved by the County Engineer. The cost estimate shall include all costs associated with facility closure and site remediation. The method of security shall be approved by the County Clerk, County Attorney, and County Council prior to the issuance of a permit.

## **O. Waste Material Management**

All waste material management uses shall comply with the following requirements.

### **1. General Requirements**

All waste materials management facilities and uses shall comply with the following requirements:

#### **a. Site plan**

A site plan shall be provided in accordance with the requirements of Section [9.17](#), Site Plan Review.

#### **b. Transportation Plan**

Transportation routes selected shall utilize roads and/or highways within Grand County with sufficient capacity, as determined by Grand County as a part of the review process, and shall not result in a significant reduction or degradation in the service level of such roads or highways. Where the service level of affected roads and highways is unknown, the applicant shall be responsible for the cost of traffic engineer studies performed by a Utah-licensed engineer to establish such service levels. "Significant" means a change of 10 percent or more of the traffic on such road and/or highway. Route selection to and from such sites and facilities shall consider the following factors:

- (1) Methods by which waste materials will be transported to and from such sites;
- (2) Road types, and design and service capacity (including future maintenance needs and costs) of such roads and/or highways;
- (3) Extent to which weather renders such roads and/or highways hazardous;
- (4) Accident rates, to determine if proposed transportation routes are more or less hazardous than the average for similar type roads and/or highways. It is the applicant's duty to mitigate any increased possible risk to such roads and/or highways, the traveling public, and any increased future maintenance and repairs costs to Grand County or the State of Utah;
- (5) Number and proximity of residential, school and hospital structures, and pedestrian ways, along proposed routes;
- (6) Safety, noise and traffic disruption;
- (7) Number and frequency of intersections per linear mile, or other measure as determined by Grand County during the application process, between the entrance of a facility and the nearest federal, state or county highway or road;

**(8)** Where roads are inadequate, as determined by Grand County, to support or absorb the additional proposed traffic, road and/or highway improvements shall be provided at the applicant's expense, consistent with County standards, if available, and/or satisfactory to the County Engineer based on national or State standards; the County Engineer may rely on standards adopted by the Utah Department of Transportation.

**c. Need**

Need for the facility or use shall be demonstrated by evidence that the proposed activity has a proven market or serves a public need, as determined by the County Council, including information on the source, quantity and price of potential waste materials, if applicable, and a review of other existing and proposed facilities that could compete for the waste materials and activity.

**d. Reclamation Plan**

A detailed reclamation plan detailing the plans for reclaiming disturbed sites at the end of its use that will result in restoration of such sites to a condition that is as natural as practicable, or to their original or other substantially beneficial condition consistent with local plans, as determined by the County Council in its reasonable discretion

**e. Financial Capability**

Each applicant shall be financially capable of constructing, operating and properly closing each site, use and/or affected land, including proper post closing and/or demobilization, and reclamation to the satisfaction of the County. Each applicant that is not a government shall post sufficient security, as deemed reasonably necessary by the County Council, to guarantee that the final reclamation shall be accomplished within one year of the cessation of the permitted activity/facility and/or use. A surety bond approved by the County Attorney may be acceptable.

**f. Technical review**

In the event that County staff does not have the technical expertise or the practical ability to devote the necessary time and effort, as determined by the County Council the County may engage such additional expertise and/or consultants to assist the County and/or to provide technical review in reviewing an application under this Section [3.2.4O](#), including assessing the accuracy of technical reports and studies. The applicant shall reimburse the County for the cost of such assistance prior to approval of applicable County permits and before commencement of the activity. The County may require that the applicant provide cash or equivalent security to guarantee that the costs of such consultants and expertise is borne by the applicant, especially where the permit is not granted, or is granted with conditions to which the applicant objects.

**g. Referral Agency**

Applications for such uses shall be referred to such agencies and persons as the County Council deems appropriate, including the Board of the Grand County Solid Waste Management Special Service District, No. 1 (Solid Waste District), for review and comment.

**2. Waste Recycling Facilities**

In addition to complying with the general requirements of Section [3.2.4O.1](#), waste recycling uses and/or facilities accepting waste from off the permitted site, including any part of the waste stream entering a recycling facility and subsequently returned to a waste stream or otherwise disposed of, shall comply with the following standards:

**a.** If a waste container or portion of a facility permitted hereunder, as defined in this LUC, holding waste at a recycling facility is reasonably likely to leak or spill, based on applicable industry standards and/or applicable federal or state law, or begins to leak or spill, the owner/operator must immediately transfer the waste from that container or facility to a container or facility that is in good condition or the permittee shall manage the waste as a waste spill.

**b.** Any recycling facility storing materials outdoors for the purpose of recycling shall: be considered to be disposing of waste; secure a waste facility permit from the State of Utah; and, be subject to all requirements of Section [3.2.4O.5](#), below.

**c. Exception**

The provisions of this subsection do not apply to household waste or to individual recycling containers used for collecting such materials.

### **3. Waste Transport and Transporters**

In addition to complying with the general requirements of Section [3.2.4O.1](#), waste transport and transporters shall comply with the following standards:

#### **a. Hazardous Waste**

Transporters of waste as defined herein shall comply with [40](#) CFR Part [262](#) and applicable requirements of the state of Utah.

#### **b. Special Requirements for Waste Spills and Discharges**

In the event of a discharge, release or spill of waste during transportation, the waste transporter shall: take appropriate immediate action to protect human health and the environment, including but not limited to, notifying the Grand Council Administrator and Solid Waste District; contain the discharge, release or spill; devise and implement a cleanup plan; and provide such cleanup plan to the Administration and the Solid Waste District.

#### **c. Exception**

The requirements of this Section [3.2.4O](#) shall not apply to lawfully permitted waste transporters who are only passing through Grand County on railroads and/or on state, federal or County roads and/or highways and who are not engaged in any waste activity in Grand County other than such passage; such "through traffic only" is exempt from the provisions of this subsection O.

#### **d. Responsibility for Waste**

Each applicant, upon acceptance of a permit under this Section [3.2.4O](#), agrees to indemnify and hold harmless Grand County (and Grand County's elected officials, officers, employees, agents and consultants; collectively "Grand County") regarding any claims, whether frivolous or not, stated in any court or administrative proceeding relating to any spill, release, improper handling, improper disposal of any hazardous or other regulated substance or waste, to the extent not prohibited by law. Further, each applicant agrees to release Grand County from any liability associated with or claimed to be related to the adoption or enforcement of this Section [3.2.4N](#), including but not limited to any failure of Grand County to enforce any regulation hereunder. Each applicant, by acceptance of any permit hereunder irrevocably acknowledges that it is responsible and liable, and Grand County is not, for all damages and injury to person and/or property related to its waste, its activities and for its failure to abide by any and all state, local and/or federal laws and regulations; and each applicant by acceptance of any permit from Grand County, whether or not such applicant agrees that such permit is proper or lawful, releases Grand County regarding any liability or responsibility relating to the applicant's activities and/or waste.

### **4. Waste Transfer Stations**

In addition to complying with the general requirements of Section [3.2.4O.1](#), Waste Transfer Stations shall demonstrate compliance with all applicable Federal and State waste and waste management laws and regulations, including but not limited to: UAC [315-313](#) "Transfer Stations and Drop Box Facilities" of the Solid Waste Permitting and Management Rules.

### **5. Waste Storage, Treatment and Disposal**

Waste treatment, storage and/or disposal facilities or uses (TSD), including all contiguous land in the same ownership and including structures, appurtenances and improvements on the land used for treating, storing and/or disposing of waste, shall comply with the following requirements. The "same ownership" means the contiguous land and/or facilities are owned or controlled by persons and/or entities with 50 percent or more ownership and/or control of the land in question.

#### **a. Federal and State Laws and Regulations**

Such uses shall demonstrate compliance with all applicable Federal and State waste and waste management laws and regulations, including but not limited to:

- (1) National Environmental Policy Act (NEPA) review, or the Federal Land Management Policy Act (FLMPA);
- (2) Utah Department of Health Resource Conservation and Recovery Act (RCRA) and the analogous federal RCRA, review;
- (3) Utah Administrative Code (UAC) [R315-301](#) through [320](#) Solid Waste Permitting and Management Rules;
- (4) Federal toxic Substance Control Act (TSCA);



- (5) Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and the SARA amendments thereto;
- (6) Low Level Radioactive Waste Policy Act (P.L. 96-573);
- (7) Federal legislation and regulations applicable to mill tailings;
- (8) Wastes classified as "hazardous wastes" under either Section 26-14-2(6) of the Utah Solid and Hazardous Waste Act or federal laws and regulations; and
- (9) The federal Clean Water Act.
- (10) The laws and regulations referred to in the definition of "waste."

**b. Location**

Sites selection for such facilities and uses shall consider the following guidelines:

- (1) Regulatory wetlands, aquifer recharge zones and 100-year floodplains shall be avoided.
- (2) Impacts on the protected waters of the State and/or the United States, pursuant to the Clean Water Act or otherwise, and specifically:
  - i. Distance from waters of the State and the United States so that an unintentional release or discharge of waste will not contaminate such waters;
  - ii. Hydrological characteristics of the site and surrounding land, i.e., soil type, groundwater table (aquifers), geology, topography, etc.;
  - iii. Quantity, quality, and direction of flow of groundwater;
  - iv. Proximity to and withdrawal rates from nearby wells as determined through consultation with public water suppliers and State Engineer's office;
  - v. Availability of alternative water supplies; and
  - vi. Type and permeability of soils and depth to bedrock.
- (3) Exceptions to the provisions of the preceding Location, may be granted by Grand County on a case-by-case basis, based on the evidence presented by the applicant; if the evidence is technical or voluminous, or if the County staff does not have the time or resources to fully evaluate the request, the applicant shall pay for the County's costs incurred in obtaining such third-party expertise as the County reasonably deems necessary. Such exceptions may be approved based on a consideration of the following:
  - i. Protection of public health and the environment;
  - ii. Type of waste activity, i.e., transportation, treatment, storage or disposal;
  - iii. Types and volumes of wastes to be managed, and the risks to persons and/or property, as determined by the County; and
  - iv. Other information that may be submitted to or required by the County.
- (4) Such facilities and uses shall be located to avoid agricultural lands that are available for crop production.
- (5) The location of such facilities and uses shall comply with state and federal wildlife regulations.
- (6) Historical significance of the location and aesthetics, including visual and noise level aspects, shall be considered. Areas which the County determines to have County, state, regional or national significance due to their recreational, historical, educational, or aesthetic value or importance as a natural resource or value to the economy shall be avoided.
- (7) Such facilities and uses shall not be established, constructed or operated on an active geologic fault line or within a recognized zone of deformation along such fault.
- (8) The economic and environmental impact of the proposed facilities and uses upon local governments and the public shall be considered.
- (9) Compatibility with existing and proposed land uses that are or will be adjacent to, in the general area, as determined by the County, of the site or that reasonably could be affected by such facilities and/or uses. Waste

facilities and uses shall not be located closer than one (1) mile from any dwelling or residential subdivision/development.

**c. Exceptions**

- (1) Publicly owned treatment works (POTWs) are exempt from the requirements of this subsection.
- (2) The Moab Landfill owned by the City of Moab and Grand County, and the Klondike Landfill, owned by the Solid Waste District, are exempt from these regulations.

**P. Wholesale Trade and Contractor Services**

A site plan prepared in accordance with the requirements of Section [9.17](#) shall be approved and filed with the findings of fact as part of the approval. Wholesale Trade and Contractor Services shall comply with the following standards:

1. The screening standards outlined in Section [6.4](#) shall apply to all parking and storage areas.
2. All parking areas shall be hard-surfaced and dust-free.
3. Improvements shall be designed and constructed in a manner that audibly insulates and eliminates any emission of odor offensive to persons owning, occupying or patronizing properties adjacent to the use. The operational performance standards of Section [6.12](#) shall apply to all operations.
4. A permanent screening fence not less than 8 feet in height shall be provided along any property line which abuts a residential district. Planning Commission may waive this requirement if another site-specific method (such as mounded landscaping, utilization of existing topography, or any combination of landscaping, berming, and fencing) is deemed effective.