

3.2.4 Industrial Use Standards

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 right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch or right-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, and 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 drainageways 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 disturbance fencing per Sec. 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 road) to the County Road Supervisor and receive permission to use for haulage in public right-of-way not designated for such haulage by reason of load limit, dust, right-of-way or pavement width or other relevant factors. The County Road Supervisor may place reasonable restrictions on such right-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 may be required if deemed necessary by the Zoning Administrator, subject to appeal to the County Council. The operator may fence, buffer or screen the entire parcel, or fence only areas of excavation as it proceeds. None of these shall be removed until rehabilitation has been completed.
- 10.** Where the operation is adjacent to subdivided property or to developed commercial, residential property, once mining has been completed, the site shall not to 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 Sec. 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 will 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.