

## 12-1-1804 CONDITIONS

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The Zoning Administrator shall issue a permit for an open pit, a stockpile, or a waste dump only when all of the following are met:

1. The site lies in a zone where such use is a permitted use.
2. The applicant has presented an accurate site plan that shows the topography, utilities, roads and structures on the site at both the pre-permit stage and the stage after completing the excavation and rehabilitation of the pit.
3. There shall be no limit as to the area or portion of a lot that may be disturbed and involved in the extraction process as long as the entire disturbed area has been included in the rehabilitation bond; also there shall be no limit to the time period used to complete the extraction of material.

Exception: upon finding such is necessary to protect the property values of neighboring property interests or to preserve desirable aesthetics, the county commission may require as part of the bond agreement that the extent of the disturbed area at the site of extraction shall be no larger than seven (7) acres at any one time and/or may require that the extraction process shall cease and the site rehabilitated (whether or not all materials have been obtained) within a specific time period, not to be less than 5 years. When limited to 7-acre units, the pit, or portions of it, shall be closed, rehabilitated, and approved by the Zoning Administrator as meeting the standards of this ordinance before further areas are disturbed.

4. The standards for rehabilitating (Reclaiming) the site shall be:
  - a. The side walls of a pit or mound shall be smoothed and evenly contoured, and the floor of a pit or top of a mound shall be flattened and leveled.
  - b. Mounds of fill shall not remain after rehabilitation of an extraction operation, even if utility poles must be relocated at the operators expense; mounds may only be permitted in conjunction with a mine waste dump.
  - c. No depression which lacks a surface outlet, nor pond or intermittent lake on the floor of the pit, shall exist on the rehabilitated site.
  - d. No slope shall be steeper than the critical angle of repose (e.g. 33 degrees for gravel deposits).
  - e. All areas shall be covered with a three-inch or thicker layer of topsoil and reseeded with a hardy plant material having a sufficient concentration to screen at least 25% of the exposed surface from view.
5. When the pit (or mound) and rehabilitation bond are proposed to cover less than the entire area of the lot, the operator shall place clearly identifiable survey markers on the outer boundaries of the bonded area and shall maintain such until the bond is released by Juab County. The county commission may request an annual on-site investigation and report of the County Surveyor to determine whether the terms of the grading plan, rehabilitation plan and bond agreement are being met.
6. Surface mining shall proceed in an orderly manner from the outer boundaries and lower slopes of the property inward and upward so the property can be rehabilitated in the older areas of the pit while new areas are being opened up.
7. Dust generated in the extraction and processing of the earth products shall be kept under control by the operator and contained on-site by paving main roads in the pit, wetting extraction areas and loaded trucks, placing berms or landscape screening for protection from the prevailing winds and other suitable measures.

8. All cuts and fills shall be set back from the property boundary or boundary of the approved extraction site a distance of at least five (5) feet.
9. The applicant shall present an off-site plan of any local public streets which loaded trucks will use in gaining access to state highways and arterial streets. The pit operator shall be liable for any severe damage his operation causes to such local roads.
10. The pit and/or extraction operation shall not constitute a nuisance.