

Conditional Use Permit 2012-1:
MMSP – OFF-ROAD DRIVING
EXPERIENCE
LOCATED AT: EAST OF & ADJACENT
TO SHEEP LANE, N OF SR-112 ACROSS
FROM MMSP
PARCELS #:
03-038-0-0004, -0009, -0016, -0017;
03-047-0-0005, -0006, -0007

Ent: 366903 - Pg 1 of 4
Date: 03/12/2012 01:11 PM
Fee: \$22.00
Filed By: ce
Jerry M. Houghton, Recorder
Tooele County Corporation
For: MILLER MOTORSPORTS PARK

CONDITIONAL USE PERMIT

Facts

1. The applicant intends to construct, operate, and host an off-road driving experience;
2. This permit will allow the property to host privately instructed off-road driving training;
3. Any public, off-road events that wish to practice, race, and/or operate the facility must submit the appropriate applications to associated County departments;
4. The use is located on the following parcels: 03-038-0-0004; 03-038-0-0009; 03-038-0-0016; 03-038-0-0017; 03-047-0-0005; 03-047-0-0006; and 03-047-0-0007;
5. The property is currently zoned Commercial-Tourism (C-T); and
6. The proposed use is recognized as a conditional use, depicted in the TCLUO Chapter 17, Table 17A-5-3.8(25) Recreational Center, facilities or area that is private and/or commercial.

Applicable Law

1. Tooele County Land Use Ordinance Chapter 7 Conditional Uses
2. Tooele County Land Use Ordinance Chapter 17A Commercial Tourism, Recreation and Racing Sports, and Technology Industries Zoning Districts

Decision and Recommendation

We, the Tooele County Planning Commission, do hereby **GRANT** ~~DENY~~ this Conditional Use Permit for **Miller Motorsports Park** to use the property known as or described as:

Parcel 03-038-0-0004

SE 1/4 SEC 1 T3S R5W, SLM CONT 160 AC 160.00 AC;

Parcel 03-038-0-0009

SW 1/4 OF SW 1/4 SEC 1, T3S, R5W, SLB&M ---LESS 1.30 AC TO GRANTSVILLE SOIL CONSERVATION DISTRICT ---LESS 5.81 AC TO TOOELE COUNTY FOR

SHEEP LANE R/W ACQUISITION-S- CURVE AREA (BALANCE OF 3-38-3 AFTER PT TO 3-38-8 FOR 2006 YEAR.) 30.74 AC;

03-038-0-0016

E 1/2 OF SW 1/4 AND THE NW 1/4 OF SW 1/4 SEC 1, T3S, R5W, SLB&M ---LESS 0.22 AC TO TOOELE COUNTY FOR SHEEP LANE R/W ACQUISITION-S-CURVE AREA (BALANCE OF 3-38-2 FOR 2006 YEAR.) 119.78 AC----LESS 20.866 AC TO MILLER MOTORSPORTS BUSINESS PARK PUD NO. 1. BALANCE OF 3-38-1 AFTER 17-22 AND 3-38-14 FOR 2010 YEAR. 98.914 AC;

03-038-0-0017

S 1/2 OF N 1/2 SEC 1, T3S, R5W, SLB&M, ALSO; BEG AT SW COR NW 1/4 NW 1/4 SEC 1, T3S, R5W, N 893.69 FT. M/L TO RR PPTY, S 84°05'41" E 5310.24 FT, S 347.35 FT, M/L TO SE COR NE 1/4 NE 1/4, W 5280 FT M/L TO BEG. 235.54 AC ---- LESS 11.7995 AC TO TOOELE COUNTY RECORDED AS ENTRY 323769---LESS 119.721 TO MILLER MOTORSPORTS BUSINESS PARK PUD NO.1. BALANCE OF 3-38-10 AFTER 17-22 FOR 2010 YEAR. 115.819 AC;

03-047-0-0005

ALL OF NE 1/4 OF SEC 12, T3S, R5W, SLB&M. 160.00 AC;

03-047-0-0006

COM AT NE COR OF NW 1/4 OF SEC 12, T3S, R5W, SLB&M, RUN TH W 2024.22 FT M/L TO W SI OF R/W OF SHEEP LANE, TH S ALG R/W 2640 FT, TH E 2024.22 FT M/L TO CNTR OF SEC, TH N 2640 FT TO BEG. LESS RAIL ROAD (OUT OF 3-47-4 118.45 AC); and

03-047-0-0007

THAT PART OF SEC 12, T3S, R5W, SLB&M, DESC AS FOLL; COM AT SE COR OF NE 1/4, TH W 4664.22 FT M/L TO W SI OF R/W OF SHEEP LANE, TH S ALG R/W 1060 FT, TH E 4664.22 FT, TH N 1060 FT TO BEG. (OUT OF 3-47-1, 3-47-2, 3-47-4, 3-47-5), LESS 100 FT WIDE UPRR R/W, LESS 100 FT R/4 OF SHEEP LANE 110.30 AC

For the following purpose:

CONDITIONAL USE PERMIT FOR RECREATIONAL CENTER FOR OFF-ROAD DRIVING EXPERIENCE

Due to the unique characteristics of the use of the property or the potential impact on the county, surrounding neighbors or adjacent land, to mitigate or eliminate the detrimental impacts and for protection of adjacent properties and the public welfare (see Sections 7-1 and 7-5 of the Uniform Zoning Ordinance of Tooele County), we hereby find it necessary to and do hereby impose the following conditions, which must be complied with to establish and continue the use:

- 1) In the event fugitive dust generated by the use leaves the property boundaries or becomes a nuisance, that operation will decrease or cease until such time that the condition(s) can be resolved.

- 2) Any proposed enlargements, changes, increases in intensity or relocation of this use shall be amended by the governing land use authority.
- 3) MMP will maintain an adequate water supply during construction as well as for ongoing maintenance and operations of the track in order to comply with all aspects of the Dust Suppression Plan as outlined in the application. Water used from the Grantsville water system will be metered as required by Grantsville City and in the event that Grantsville City cannot provide sufficient water, MMP will use re-use water from Tooele City's Treatment Center. In the event that an adequate water supply cannot be secured all operations will cease until such time that the water issue can be resolved.
- 4) This phase and any subsequent phases of course design will avoid areas of deep silt content.
- 5) MMP will follow proposed capping methods, as outlined in the application, for the initial construction of the track and as needed to continue to limit and prevent dust.
- 6) MMP will provide two (2) watering cycles of the course the night before an event, once during an event, and once after an event or as may be needed to prevent fugitive dust because of the current conditions.
- 7) MMP will provide adequate signage throughout the course for instructional and safety concerns. These signs are to be located entirely on-premise and not in any way advertise a business or commercial activity. Any other proposed signage shall comply with the Tooele County Land Use Ordinance Sign Regulation ordinance.
- 8) Any construction, alteration, repair, removal, or occupancy of any structure or part, permanent or temporary, shall not commence or proceed without a permit from the Tooele County Building Department.
- 9) The Tooele County Department of Engineering, Health, and/or Building Inspector officer or authorized representative may enter the premise at any reasonable time to inspect for compliance with all applicable laws, codes, ordinances, and conditions.

Failure of the permittee to observe any condition specified herein may result in revocation of this permit (Section 7-13). Unless there is substantial action under this permit within one year of its issuance, the permit expires (Section 7-10). The zoning administrator will make periodic inspections to insure compliance with all conditions imposed (Section 7-9).


Any person aggrieved by a decision of the planning commission or the zoning administrator regarding the issuance, denial or revocation or amendment of a conditional use permit may appeal such decision to the board of county commissions within 30 days of the date of the decision appealed from (Section 7-8).

Dated this day of 7th day of March, 2012


Chairman of Planning Commission

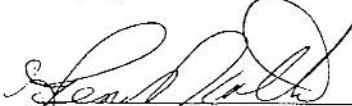
I, the above-Miller Motorsports Park, do hereby accept the foregoing conditions and agree to abide by all of them.

Dated this day of 8th day of March, 2012


Applicants Signature

State of Utah)
)s.s.
County of Tooele)

On the 8th day of March, 2012, personally appeared before me, Miller Motorsports Park, the signer of the Conditional Use Permit, who duly acknowledged to me that they, signed it freely and voluntarily and for the uses and purposes therein mentioned.


Notary residing in Tooele County

My Commission expires on 21 April 2012

