

Action Summary:

Agenda Item	Item Description	Action
#1	Recommendation of the proposed amendments to Chapters 9 the Grantsville Land Use Ordinance.	Tabled
#3	Consideration of an Order to Show Cause regarding the Conditional Use Permit for Green Wheel Tire Recycling, located at 167 Old Lincoln Highway.	Corrective Compliance period Approved
#5	Approval of the minutes from the August 4, 2026 Planning Commission Regular Meeting.	Approved

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON AUGUST 18, 2026 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Chair Sarah Moore, Vice Chair Jason Hill, Commissioner Cameron Moulton, Commissioner Gary Merrill

On Zoom:

Commission Members Absent:

Appointed Officers and Employees Present: Community and Development Director Bill Cobabe, City Planner/GIS Analyst Tae-Eun Ko, Planning and Zoning Administrator Shelby Moore, City Recorder Alicia Fairbourne, Fire Marshal Nicholas Critchlow, City Manager Michael Resare, Finance Director Aspen Clegg, City Attorney Tysen Barker, City Code Enforcement Officer David Cluff, City Council Member Rhett Butler, Planning and Zoning Administrative Assistant Nicole Ackman.

On Zoom:

Citizens and Guests Present: Fred Swedin, Rosario Swedin, Jim Swedin, Unknown, Susan Constreras, John Constreras, Rose Moore, Amy Lawson, Kaitlyn Peterson, rebecca Deutsch, Jessica Perschon, Scotty Perschon, Tynley Bean, Camille Burt, Sherie Stauffer, Unknown, Blue Herbet, Humberto Miranda, Eduardo Miranda Durante, Nicole Cloward, Shane Ault, Shere North, Camille Miller, Unknown, Clyde Charsteden, Cameron Ordalrowski, Matthew Ordakowski, Jenna Jacobs, Bernie Jacobs, Ann Herpich.

Citizens and Guests Present on Zoom: Chance Peterson, Necole Anderson, Scott Perchon II, Rachelle Custer, Unknowns

Chair Sarah Moore called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, August 4, 2026 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

Chair Sarah Moore explained that the Planning Commission had been using a new meeting format for the past couple of months. She stated that each agenda item begins with a staff presentation, followed by a public hearing when applicable, and then Commission discussion and consideration or recommendation.

Chair Sarah Moore clarified that Agenda Item #4, regarding the proposed Advanced Technology and Data Infrastructure Center use, was for discussion only and that no decision or public comment would be taken on that item.

Chair Sarah Moore stated that public comments for applicable agenda items would be limited to three minutes per person. She asked speakers to state their name and address for the record and explained that the Commission would not answer questions or engage in discussion during the public comment period.

1. Recommendation of the proposed amendments to Chapters 9 the Grantsville Land Use Ordinance.

Presentation by Grantsville City Financial Director Aspen Clegg

Aspen Clegg, Grantsville City Finance Director, presented the proposed amendments to Chapter 9 of the Grantsville Land Use Ordinance related to water-wise landscaping. She explained that the amendments would allow Grantsville City residents to participate in the State of Utah's Landscape Incentive Program and stated that the proposed ordinance was not more restrictive than the minimum requirements necessary for participation in the program. Aspen introduced Blue Herbst with the Utah Division of Water Resources to provide additional information regarding the program.

Blue Herbst stated that he worked in the conservation section of the Utah Division of Water Resources and assisted with administering the Landscape Incentive Program. He explained that the State administers the program directly and that the City would not be responsible for processing or administering resident rebates. He reviewed the minimum ordinance requirements,

including no lawn in park strips, no lawn in areas less than eight feet wide, a maximum of 50 percent lawn in residential front and side yards, and a 20 percent lawn limitation for landscaped areas associated with industrial, commercial, institutional, and multifamily developments.

Blue reviewed examples of completed landscape conversion projects and explained that eligible projects may include water-wise plants, mulch, pavers, gathering areas, and other qualifying landscaping. He stated that projects must include plant material and that the program does not rebate projects consisting solely of rock. He also discussed the State's rebate amount, available educational resources, plant lists, landscape design assistance, and irrigation audits. Blue explained that reducing outdoor irrigation is a primary focus because outdoor water use has a significantly higher depletion rate than indoor water use.

Commissioner Moulton asked whether Grantsville was part of a conservancy district that could provide an additional rebate. Blue stated that Grantsville was not within a participating conservancy district and therefore residents would receive the State-funded rebate but not an additional district-funded match.

Public Hearing

Email Received 08/17/2026:

I believe that city codes regarding landscaping need to address safety and visibility. They need to address maintenance standards so that out of control weeds or front yards being used as parking lots can be addressed. I do not believe that they should control the type of vegetation, or the amount. If the city is concerned about what is planted in the park strips, then that strip needs to become city property and city maintained. If the city tears up the landscaping in an established park strip - it needs to be responsible to replace it. Offering incentives to install water-wise landscaping, or competitions could possibly get people excited about landscaping.

Jewels Mack

Camille Burt: Camille Burt was present to comment on this item. She stated that she was unsure whether the proposed amendment was simply to allow participation in the water-wise program or whether it would require xeriscaping in new communities. She stated that she supported water conservation and felt the City should do everything possible to conserve water, especially considering current drought conditions and the lack of rainfall. She stated that any way the community could conserve water, she supported it.

Cameron Ordakowski: Cameron Ordakowski was present to comment on this item. He stated that he was against mandating water-wise landscaping for residential properties. He explained that he has eight children and preferred grass areas where his children could play, rather than rocks or other hard landscaping materials. He stated that he supported water conservation but did

not support requiring homeowners to landscape their yards a certain way. He also expressed concern that artificial turf, rocks, and similar materials retain heat and could increase temperatures within the community. He stated that he supported water-wise landscaping in areas such as medians, park strips, and other areas that are not typically used for recreation, but did not support mandating it for residential yards.

Rose Moore: Rose Moore was present to comment on this item, she stated that she supported conserving water and appreciated the City considering the proposal. She discussed current drought conditions, fires, and concerns regarding available water resources. She stated that communities should consider how water is being used and managed and utilize practices that help conserve water. She asked whether the State's program was intended to help address current water concerns and assist communities with managing water resources responsibly.

Joanne Jacobs: Joanne Jacobs was present to comment on this item, she stated that there may be other alternatives for conserving water, such as requiring or encouraging new homes to have systems that reclaim gray water for landscape irrigation. She stated that this could provide another way to conserve water without requiring homeowners to use a particular type of landscaping.

Discussion and Consideration

Vice Chair Hill asked how the requirements would apply to existing homes and expressed concern that removing turf could result in dirt or weeds rather than improved landscaping. Aspen explained that participation by existing homeowners would occur through the voluntary State rebate program. She provided an example of replacing a five-foot-by-35-foot park strip and stated that the State rebate could cover the cost of qualifying replacement materials for a do-it-yourself project. She clarified that new development would be required to comply with the ordinance as part of the development and landscape review process.

Planning and Zoning Administrator Shelby Moore stated that the City already provides a reduction in outdoor water dedication requirements for qualifying water-wise landscaping. She explained that new subdivisions submit landscape plans identifying plant materials and landscaped square footage for review.

Chair Sarah Moore discussed the requirements for existing homeowners participating in the rebate program, including the inspection of existing turf before removal and inspection of the completed project before payment of the rebate. Blue clarified that existing homeowners could participate in qualifying areas in both front and rear yards and could choose how much eligible turf to convert. He stated that the State verifies that existing turf is living or dormant rather than dead or weed-covered before approving the conversion. Vice Chair Hill stated that the program

provided an opportunity for residents who were already using water for landscaping to voluntarily conserve water and stated that he had no additional concerns.

Commissioner Merrill asked whether secondary water users were eligible. Blue confirmed that they were and stated that the State could provide guidance regarding irrigation systems and considerations associated with secondary water.

Commissioner Merrill expressed concern regarding the heat generated by rock landscaping and questioned why rock would be encouraged instead of materials such as mulch. Blue explained that the State educates applicants regarding appropriate landscaping materials and recommends avoiding darker rock or materials more likely to retain heat. Commissioner Merrill also asked what the City planned to do to lead by example. Aspen stated that the City had considered converting the park strip in front of City Hall and had confirmed that the City itself could participate in the program.

Commissioner Merrill discussed a recently landscaped retention basin in Northstar Ranch that contained a substantial amount of sod and questioned the consistency of encouraging residents to conserve water while large grass areas continued to be installed in new developments. Shelby clarified that Northstar Ranch, rather than the City, maintained the basin and that the proposed requirements were not in place when the development was approved. Community Development Director Bill Cobabe acknowledged the concern and stated that establishing standards would allow the City to address these issues prospectively. Aspen similarly stated that without an ordinance in place, the City had limited ability to require developers to use different landscaping. Shelby explained that retention basins would be included as part of subdivision landscape plans and that water dedication requirements are based upon the amount and type of landscaping proposed.

Commissioner Moulton stated that he supported having standards for developers but was concerned about restrictions continuing to affect individual property owners after purchasing a home. He characterized the proposal as additional government regulation and questioned why the State required cities to adopt an ordinance before existing residents could participate in the rebate program. Blue explained that the State's approach was intended to reduce future water demand while allowing individual municipalities to determine whether to adopt qualifying standards. Commissioner Moulton stated that he believed the State should either make the rebate available to residents regardless of local ordinance adoption or establish the requirement statewide.

Commissioner Merrill similarly questioned whether the State was leading by example and referenced turf at State facilities. Blue stated that legislation passed in 2025 required reductions in turf on State properties and noted that the Department of Natural Resources facility had water-wise landscaping. Bill clarified that Blue administered the program but was not

responsible for establishing State policy and suggested that concerns regarding the underlying policy would be more appropriately directed to State legislators.

Chair Sarah Moore stated that the Planning Commission takes seriously its role in allowing residents to use their property as they choose within applicable standards. She expressed concern that the proposal could restrict landscaping choices for future homeowners and stated that she viewed portions of the requirement as government overreach, while acknowledging the water-conservation goals of the program.

Vice Chair Hill asked whether the City could impose water-wise requirements on developers and common areas without restricting individual homeowners while still qualifying residents for the State rebate. Blue stated that such an ordinance likely would not satisfy the statutory requirements necessary to make the rebate program available but encouraged the City to continue developing standards appropriate for Grantsville.

Attorney Tysen Barker directed the Commission to the applicability provisions of the proposed ordinance and explained that the requirements applied to new development requiring site plan approval, subdivision approval, building permit approval, or landscape plan approval. The Commission discussed how the requirements would apply after a home was constructed and sold. Shelby explained that developers would submit landscape plans for review and that applicable landscaping requirements could also be incorporated into subdivision CC&Rs. She noted that a similar process was already being used in Worthington Ranch.

Cameron Moulton made a motion to table the proposed amendments to Chapters 9 the Grantsville Land Use Ordinance to allow additional time to review and consider the proposal. Jason Hill seconded the motion. The vote was as follows: Jason Hill “Aye,” Gary Merrill “Aye,” Cameron Moulton “Aye,” and Sarah Moore “Aye.” The motion passed unanimously.

2. Discussion of a proposed new use for an Animal Encounters Facility within the R-1-21 zoning designation.

Presentation and Discussion

Planning and Zoning Administrator Shelby Moore presented the proposed new use for an Animal Encounters Facility within the R-1-21 zoning designation. She clarified that the item was for discussion only and was intended to receive direction from the Planning Commission regarding whether an Animal Encounters Facility should be considered as a use within the R-1-21 zoning designation, RR-1, or another zoning designation within the City.

Nicole Cloward, applicant, stated that she was requesting an ordinance amendment that would allow an agricultural animal encounter experience where members of the public could visit her

property and interact with miniature cattle by brushing, petting, cuddling, and taking photographs with them. She stated that similar businesses were becoming popular and that there was currently one operating in Spanish Fork.

Nicole explained that her property was approximately 4.57 acres and was currently within the R-1-21 zoning designation. She requested that the proposed use be allowed through a Conditional Use Permit rather than requiring her property to be rezoned. She stated that the property was already agricultural in nature and contained a barn, parking, maintained areas, and restroom facilities that could support the proposed use.

Commissioner Moulton asked what type of cattle would be used. Nicole stated that she had Highland and Dexter cattle and explained that Dexters were a smaller breed of cattle. Nicole stated that people already regularly asked to visit and take pictures with the animals and that the proposed business would help offset the expense associated with keeping them.

Vice Chair Hill asked whether Nicole was requesting that the use be allowed within R-1-21 or whether she was seeking a rezone. Nicole clarified that she wanted the use to be allowed within R-1-21 and that the operation would fall under an agritourism concept. She stated that the operation would be year-round but controlled by appointment only, with approximately one to ten visitors every 30 minutes to one hour.

Shelby clarified that staff was proposing the term Animal Encounters Facility rather than agritourism because agritourism would encompass a much broader category of uses. Vice Chair Hill confirmed that the proposed amendment would be limited specifically to an Animal Encounters Facility and would not include other commercial activities such as social gatherings or wedding venues. Nicole confirmed that she was not requesting those additional uses. Shelby stated that if added to R-1-21, the Animal Encounters Facility would be established as a conditional use available to qualifying properties within that zoning designation.

Vice Chair Hill stated that he had visited Nicole's property and could see how the proposed use could work at that location. However, he expressed concern about broadly allowing the use within R-1-21 because properties within that zoning designation could be as small as one-half acre. Nicole suggested establishing a minimum acreage requirement, such as four acres, for an Animal Encounters Facility within R-1-21. She explained that although her property could potentially be further subdivided, access limitations restricted additional development and she preferred to retain the existing property and zoning.

Chair Sarah Moore and Shelby discussed the existing requirements for keeping animals on residential properties. Shelby clarified that the miniature cattle would still be classified as large animals under the Land Use Ordinance. Chair Sarah Moore noted that properties would still be required to comply with applicable animal-area and setback requirements, which would limit the ability of smaller R-1-21 properties to accommodate the proposed use.

Commissioner Moulton asked why the proposed use was being discussed before an application was submitted. Shelby explained that the use did not currently exist in the Land Use Ordinance and would first need to be added to the code before Nicole could apply for a Conditional Use Permit. Shelby stated that staff had concerns about allowing the use throughout R-1-21 because a significant number of properties within the City carried that zoning designation and many were located adjacent to homes and established subdivisions. Staff had therefore suggested that rezoning the property may be preferable to broadly allowing the use within R-1-21.

Vice Chair Hill asked how rezoning would affect the applicant. Nicole stated that her previous rezone had taken approximately one year and nine months and required a significant financial investment. She stated that another rezone would substantially delay the proposed business and create additional expenses. She explained that the previous rezone was completed to allow subdivision of the property and construction of another home, but further residential development was ultimately limited by secondary access requirements.

Vice Chair Hill stated that he supported the concept but wanted the ordinance written carefully so that allowing the use would not create issues on smaller R-1-21 properties. Nicole again suggested establishing a minimum acreage requirement. Attorney Tysen Barker confirmed that the ordinance could establish a minimum lot size, such as two, three, four, or another number of acres, and could identify the use as conditional within R-1-21 and any other zoning designations the City determined appropriate.

Vice Chair Hill stated that a minimum acreage requirement addressed his concern because an Animal Encounters Facility would also need sufficient space for public access, parking, animals, and other operational needs. The Commission expressed general support for continuing to explore the proposed use with appropriate limitations.

No formal action taken, discussion item only.

3. Consideration of an Order to Show Cause regarding the Conditional Use Permit for Green Wheel Tire Recycling, located at 167 Old Lincoln Highway.

Presentation by Planning and Zoning Administrator Shelby Moore

Planning and Zoning Administrator Shelby Moore explained that the Planning Commission would review evidence from City staff and Green Wheel regarding compliance with the Conditional Use Permit and determine whether the permit should continue under its existing conditions, be modified with additional conditions, or be revoked.

Shelby asked City Attorney Tysen Barker whether the Commission should conduct the public hearing before proceeding with the formal Order to Show Cause hearing and sworn testimony. Attorney Barker confirmed that the public hearing should be conducted first.

Public Hearing

Email Received 08/17/2026:

The Green Wheel Tire Recycling facility is a huge problem waiting to happen. If that monster pile of tires starts on fire, it will be catastrophic for the community. I agree that they should have time to remedy it, but I think they should not be allowed to accept any more tires until they get the number of tires down to or below the 1,000 tires on the ground, and the allowed tires in the trailer. It is unacceptable that they were able to accumulate that many tires in the first place! The name has recycling in it, however the owner stated he will shred the tires and haul them to the dump. That is not recycling!

Jewel Mack

Camille Miller: Camille Miller was present to comment on this item. She stated that she lived near the Green Wheel facility and regularly drove past the property. She expressed concern regarding the large number of trailers on the site and the significant accumulation of tires on the ground. Camille stated that residents had previously raised concerns regarding the growing tire pile and questioned why Green Wheel continued accepting additional tires when the business was experiencing equipment issues and was unable to process the tires already on the property. She questioned why incoming tire deliveries had not been stopped or reduced once it became apparent that the existing stockpile was continuing to increase. Camille stated that she felt Green Wheel should not be allowed to continue accepting additional tires until the existing tire pile had been substantially reduced and the business demonstrated that it could process the tires being received.

Sherry North: Sherry North was present to comment on this item. She stated that she had concerns regarding the continued accumulation of tires at the Green Wheel property and questioned how the situation had been allowed to reach its current size. She expressed concern that the business continued accepting tires even though the existing tires were not being processed quickly enough to prevent the pile from growing. She questioned the City's oversight and enforcement of the conditions originally placed on the Conditional Use Permit and expressed frustration that the violations had continued for an extended period of time. Sherry also raised concerns regarding the safety of nearby residents and businesses due to the potential for a tire fire, referencing a previous tire fire in Grantsville and the difficulty associated with extinguishing tire fires. She stated that the existing tire pile presented a significant fire and safety concern and felt stronger action should be taken to ensure the property was brought back into compliance.

Order to Show Cause Hearing, Discussion, and Consideration

Chair Sarah Moore reviewed the procedures applicable to the Order to Show Cause hearing under Section 7.16 of the Grantsville Land Use Ordinance. She explained that following the

hearing, the Planning Commission could revoke the Conditional Use Permit, allow the use to continue under its existing conditions, or impose additional terms and conditions. She further explained that the Commission's decision was required to include findings of fact and a ruling based upon the evidence presented during the hearing.

Chair Sarah Moore identified the parties and witnesses intending to provide evidence. Jim Swedin was identified as the property owner. Humberto Miranda and Eduardo Miranda were identified as the owners/operators of Green Wheel Tire Recycling. Shane Ault was identified as a witness for Green Wheel regarding the electrical system. City representatives intending to testify included Planning and Zoning Administrator Shelby Moore, Code Enforcement Officer David Cluff, Community Development Director Bill Cobabe, and Fire Marshal Nicholas Critchlow. No representative from the State was present to testify.

Chair Sarah Moore confirmed whether Green Wheel's representatives required an interpreter. Humberto Miranda and Eduardo Miranda each stated that they did not require an interpreter. Attorney Tysen Barker advised that their statements constituted a waiver of interpreter services on the record. Chair Sarah Moore confirmed their decision and released the interpreter from further participation in the hearing.

Chair Sarah Moore explained that the property owner and responsible parties would be provided an opportunity to present relevant evidence, that all individuals presenting evidence were required to first take an oath or affirmation to tell the truth, and that the Commission could question witnesses. Each party would also have a reasonable opportunity to present evidence and respond to evidence presented by another party.

Chair Sarah Moore then administered the oath. Jim Swedin, Humberto Miranda, Eduardo Miranda, Shane Ault, Shelby Moore, David Cluff, Bill Cobabe, and Nicholas Critchlow each affirmed that the testimony and evidence they provided to the Planning Commission would be the truth, the whole truth, and nothing but the truth. Chair Sarah Moore stated for the record that the individuals intending to testify had taken the required oath or affirmation and that anyone who later chose to testify would also be required to take the oath before providing evidence.

Planning and Zoning Administrator Shelby Moore then provided the City's evidence and detailed history of the Conditional Use Permit. Shelby stated that the Planning Commission approved Green Wheel Tire Recycling on June 19, 2025, to operate a tire recycling collection station at 167 Old Lincoln Highway. The approved operation allowed temporary storage of tires within trailers for resale, recycling, or reuse and prohibited tires from accumulating on the ground or expansion of the use without City approval.

Shelby stated that beginning in December 2025, City inspections documented a substantial accumulation of tires on the ground. During a January 12, 2026 inspection conducted with the Utah Division of Waste Management and Radiation Control, the State estimated that

approximately 60,000 waste tires were present at the facility and documented more than 1,000 tires stored on the ground. The State advised that storage of more than 1,000 waste tires on the ground for more than five days required a waste tire storage facility permit unless an applicable exception or waiver applied. Green Wheel later obtained State waste tire recycler and transportation registrations; however, those registrations did not modify or supersede the conditions of the City's Conditional Use Permit.

Shelby acknowledged that Green Wheel experienced electrical and equipment issues during the period between approval of the Conditional Use Permit and the City's first violation notice. She stated that a building permit had been issued and City staff had been communicating with Green Wheel regarding electrical improvements and installation of the shredding equipment. Shelby stated that the Commission should consider the most current evidence in determining whether the stockpile had been reduced and whether Green Wheel was now capable of maintaining compliance.

Shelby reviewed the conditions alleged to have been violated. Condition 4 required compliance with applicable local, State, and federal tire disposal and recycling regulations. Condition 6 required tires to be stored within trailers and prohibited tires from accumulating on the ground. Condition 7 required trailers to be parked on designated surfaces without obstructing driveways or fire lanes.

Shelby reviewed the City's enforcement history. She stated that on December 1, 2025, Code Enforcement documented a large accumulation of tires on the ground. On December 16, 2025, the City issued a Notice of Violation citing Conditions 4, 6, and 7 and provided 30 days for correction. On January 12, 2026, City and State representatives inspected the property. In March, Green Wheel reported that the shredder was not operating and was scheduled for repair. Subsequent inspections showed some reduction of the pile, however, additional tires continued to be delivered and tires remained accumulated on the ground. On April 6, 2026, staff instructed Green Wheel to discontinue accepting additional tires until the existing pile was substantially reduced.

Shelby stated that Green Wheel submitted a corrective action plan on May 29, 2026, estimating an inventory of approximately 20,000 to 24,000 tires and proposing to process approximately 310 to 370 tires per working day. The plan included weekly inventory monitoring, photographs and progress information, notification of equipment failures, and an anticipated completion date of approximately August 21, 2026. Shelby clarified that submission of the corrective action plan did not amend the Conditional Use Permit or authorize continued storage of tires on the ground.

Shelby reviewed additional documentation, including inspection records, correspondence with the State, Green Wheel's estimated incoming and outgoing vehicle trips, corrective action plans, photographs, and periodic drone footage documenting the tire pile.

Shelby also reviewed fire safety concerns identified by the Fire Marshal, including the size and height of the tire pile, tires being stored against or immediately adjacent to a building, tires remaining on rims, tires being stored inside a building without an approved sprinkler system, and concerns regarding required emergency access and separation distances.

Shelby reviewed staff's recommended findings and recommended that the Planning Commission find Green Wheel in violation of Conditions 4, 6, and 7. Staff further recommended finding that the violations continued after Green Wheel had been provided notice and an opportunity to correct them. Rather than immediately revoking the Conditional Use Permit, staff recommended allowing an additional compliance period subject to measurable reduction of the tire stockpile, reporting requirements, inspections, and continued compliance with applicable City, State, and fire code requirements.

Humberto Miranda testified regarding Green Wheel's operations and the circumstances that resulted in the tire accumulation. He acknowledged that Green Wheel had not remained in compliance with the Conditional Use Permit. He explained that after the shredding equipment arrived, the business discovered that the existing electrical service was inadequate to operate the equipment. A new transformer and additional electrical improvements were required, which delayed operation of the shredder while tires continued to be received. Humberto stated that Green Wheel had been working from behind since that time.

Humberto stated that Green Wheel had since become fully operational and had purchased a larger 48-foot open-top dump trailer. He explained that the smaller dump truck previously used could haul approximately six to eight tons per load, while the larger trailer could transport approximately 25 to 30 tons. He stated that the increased hauling capacity had resulted in a noticeable reduction of the stockpile.

Vice Chair Hill asked Humberto what prevented Green Wheel from completing its original corrective action plan and what had changed to give the Commission confidence that the updated plan would be successful. Humberto stated that transportation capacity had been a significant limitation. He explained that processed material was being transported to the Intermountain Regional Landfill because Tooele County was not accepting the material and that each trip required approximately three hours. He stated that the larger trailer could haul substantially more material and would significantly improve Green Wheel's ability to remove processed material from the property.

Chair Sarah Moore asked how approximately 20,000 tires had accumulated on the ground when the original Conditional Use Permit required tires to be stored within trailers. Humberto explained that the shredding equipment could not initially operate because the existing electrical service was inadequate. He stated that breakers continued to trip, Rocky Mountain Power determined that a new transformer was required, and additional electrical work was necessary. He acknowledged that Green Wheel continued receiving tires during that period. Eduardo

Miranda added that Green Wheel planned to operate double shifts to increase processing capacity.

Vice Chair Hill then directed questions to Shane Ault, the electrician who worked on the facility. He asked Shane to explain the electrical issues and confirm whether the electrical system was now capable of supporting the load required by the shredding equipment.

Shane testified that his company was initially contracted in early November to connect the shredding equipment. Upon inspection, they determined that the equipment required more power than the existing electrical service could support and that the existing system did not have an adequate main distribution panel. His company worked with Rocky Mountain Power to complete the necessary service improvements, and the process experienced several delays.

Shane further testified that after adequate power was provided, the shredding equipment still would not operate properly. He explained that the older equipment had been transported from out of state, disassembled, shipped, and reassembled, and his company spent approximately three weeks troubleshooting it.

Vice Chair Hill specifically asked whether the electrical system was currently adequate and capable of maintaining operations under the required load. Shane confirmed that the system was operational. Shane also stated that he had recently visited the property and observed that the tire pile remained substantial and had been located against the building. He later received a photograph showing that Green Wheel had created separation between the tires and the building and stated that the business appeared to be making progress. Vice Chair Hill again clarified that his primary question was whether the electrical system itself was operational, and Shane confirmed that it was.

Commissioner Moulton questioned whether obtaining a State waste tire storage facility permit would allow Green Wheel to store tires on the ground despite the conditions of its City Conditional Use Permit. Humberto discussed the State permitting process and associated surety bond.

Commissioner Moulton stated that regardless of the electrical and equipment problems, Green Wheel had control over whether additional tires were accepted. He expressed concern that the business continued accepting tires while it was unable to process the existing inventory and after the City had directed the business to reduce the pile. He stated that Green Wheel should have stopped accepting additional tires when it became clear that the business could not keep up and favored stopping incoming tire deliveries until the existing stockpile was brought under control.

Humberto requested consideration because accepting tires represented a significant portion of Green Wheel's revenue. He stated that the business had invested substantial funds in the

shredding equipment, electrical improvements, and hauling equipment and that the owners were not currently paying themselves.

Commissioner Merrill asked how Green Wheel's proposed 100-day corrective action plan accounted for additional tires that would continue to be received. Humberto stated that Green Wheel anticipated processing substantially more tires than it received and that the reduction could be verified through reports, receipts, inspections, and visual documentation. Green Wheel also presented disposal receipts documenting processed material removed from the property.

Vice Chair Hill questioned how the revenue generated from accepting tires had been used during the period when tires were accumulating rather than being processed. Humberto stated that substantial funds had been reinvested into the business, including approximately \$250,000 for the shredding equipment and additional funds for hauling equipment.

Vice Chair Hill again questioned what assurance the Commission had that Green Wheel would complete the updated corrective action plan when the previous plan had not been completed. Eduardo stated that the larger trailer and double shifts would allow the business to shred and transport substantially more material.

Commissioner Merrill asked how shredding would continue while the larger trailer was transporting material to the landfill. Humberto and Eduardo explained that Green Wheel would use its dump truck while the larger trailer was away so processing could continue.

Commissioner Merrill questioned the length of the proposed 100-day corrective action plan. Vice Chair Hill clarified that the plan referred to 100 operating days, rather than 100 calendar days, meaning the plan could extend approximately 20 weeks if Green Wheel operated five days per week. Humberto confirmed that the timeframe was intended to provide flexibility for maintenance and other contingencies.

Commissioner Moulton reiterated that he favored stopping incoming tires until the existing pile was brought under control. Commissioner Merrill stated that he understood Commissioner Moulton's concern but did not want the corrective action to force the business into bankruptcy and potentially leave the tire pile for the property owner to address. He supported allowing incoming material provided Green Wheel demonstrated that the amount of material leaving the property consistently exceeded the amount being received.

Vice Chair Hill stated that the existing accumulation could not be undone and that his primary concern was establishing measurable progress going forward. He stated that he was not comfortable waiting until the end of the corrective action period to determine whether Green Wheel had been successful and supported regular inspections and verification of the information provided by Green Wheel.

Code Enforcement Officer David Cluff discussed the need for documentation comparing the number of tires being received with the amount being processed and removed. Commissioner Merrill recommended weekly reporting rather than daily reporting and discussed using the City's drone documentation to assist staff in verifying whether the pile was consistently decreasing.

Vice Chair Hill recommended that Green Wheel and City staff establish a reporting format that allowed staff to compare incoming material with outgoing processed material. Humberto stated that Green Wheel had hired an administrator to assist with reporting and communication. Vice Chair Hill stated that the reporting format should be reviewed by City staff so the information could be consistently evaluated.

Chair Sarah Moore expressed concern that Green Wheel had allowed the situation to reach its current scale without adequately communicating with the City. She stated that earlier communication with City staff could have prevented the issue from becoming as severe and emphasized the amount of staff time required to address the violations. Chair Sarah Moore stated that Green Wheel needed to maintain regular communication with the City and document its corrective efforts. She also emphasized that the original requirement prohibiting tires from being stored on the ground would remain in effect after the corrective period. Humberto acknowledged the communication issues and apologized.

Fire Marshal Nicholas Critchlow testified regarding the fire and life-safety concerns associated with the tire stockpile. He stated that tire storage piles were required to maintain at least a 50-foot separation from lot lines and buildings. He expressed concern regarding surrounding industrial businesses containing flammable or hazardous materials and the limited number of hydrants within the immediate area. He stated that a significant tire fire could rapidly deplete available water resources and that the Fire Department remained very concerned about the existing conditions.

Vice Chair Hill asked how the 50-foot separation should be measured. Fire Marshal Critchlow reviewed the applicable code language, and Vice Chair Hill clarified the measurement for purposes of inspection. Shelby recommended that the final conditions reference applicable NFPA and International Fire Code requirements. Vice Chair Hill asked who would verify compliance, and Fire Marshal Critchlow stated that he would conduct the inspection.

Chair Sarah Moore and Vice Chair Hill asked Green Wheel how quickly the required separation could be established. Humberto estimated that approximately 15 to 20 feet of separation had already been created.

Commissioner Merrill asked whether Green Wheel could simply relocate tires to immediately create the required buffer. Fire Marshal Critchlow cautioned that moving the tires into a larger pile could create additional violations because the fire code also regulated maximum pile dimensions and required emergency access around the pile. He explained that tire fires burn at

extremely high temperatures and that the required separation was intended to address radiant heat and other fire hazards.

Vice Chair Hill again asked how quickly Green Wheel could establish the full 50-foot separation. Humberto stated that processing enough tires could take approximately three to four weeks, while physically establishing the required buffer could potentially be accomplished sooner. Vice Chair Hill recommended requiring verification within approximately one month. Fire Marshal Critchlow agreed to conduct an in-person inspection and stated that he would also verify that tires were not being stored inside the building.

Chair Sarah Moore asked whether staff could provide monthly updates regarding Green Wheel's progress. Shelby confirmed that staff would provide updates to the Planning Commission.

Chair Sarah Moore also confirmed that obtaining a State waste tire storage facility permit would not supersede the City's Conditional Use Permit. Humberto stated that once the existing stockpile was corrected, Green Wheel's intended operation was to process tires as they were received and avoid storing tires on the ground.

Jim Swedin, the property owner, testified that he had been out of the country during the winter and was surprised by the size of the tire pile when he returned in April. He stated that the pile had approximately doubled and that he told Green Wheel not to bring additional tires onto the property. He also stated that the Order to Show Cause hearing was the first notice he personally received regarding the enforcement matter.

Commissioner Moulton stated that the Commission would also rely on the property owner to assist in ensuring that the property was brought back into compliance. Jim stated that he had been pushing Green Wheel to address the pile and acknowledged that the situation had gotten out of hand.

Hearing no additional relevant evidence, Chair Sarah Moore closed the evidentiary portion of the Order to Show Cause hearing and stated that the Planning Commission would deliberate based upon the evidence entered into the record.

Chair Sarah Moore asked the Commission to consider each alleged violation separately. The Commission found that Condition 4, requiring compliance with applicable local, State, and federal tire disposal and recycling regulations, had been violated based upon the evidence contained in the staff report and presented during the hearing.

The Commission found that Condition 6, requiring tires to be stored within trailers and prohibiting tires from accumulating on the ground, had been violated based upon the staff report, photographs, inspections, and testimony presented during the hearing.

The Commission found that Condition 7, requiring trailers to be parked on designated surfaces without obstructing driveways or fire lanes, had been violated based upon the evidence contained in the staff report and presented during the hearing.

The Planning Commission discussed allowing Green Wheel to continue operating during a corrective compliance period rather than immediately revoking the Conditional Use Permit. The following additional conditions were established:

- Green Wheel could continue receiving and processing tires only if documented outgoing material exceeded incoming material and the existing stockpile demonstrated a consistent and measurable net reduction.
- The stockpile could not increase in height, area, volume, or estimated tire count.
- Green Wheel would provide weekly reports and supporting documentation to City staff showing incoming versus outgoing material.
- Green Wheel would provide City staff with a draft reporting format by August 21, 2026, showing the amount of material received compared with the amount processed and removed. City staff would review the reporting format and advise Green Wheel of any necessary revisions.
- Material equipment failures affecting operations were required to be immediately reported to City staff. If processing or outbound transportation was interrupted, incoming deliveries were to be correspondingly reduced.
- Fire lanes and emergency access were required to remain unobstructed.
- Green Wheel was required to comply with applicable NFPA and International Fire Code requirements.
- Green Wheel was required to establish a 50-foot buffer between the tire pile and any building by September 17, 2026, with compliance to be verified by the Fire Marshal.
- Green Wheel was required to obtain and maintain all required State approvals.
- Staff would provide monthly progress updates to the Planning Commission, conduct an interim review at approximately three months, and conduct a final review at six months.
- Failure to demonstrate substantial progress could result in suspension of incoming material, additional conditions, compelled removal, or revocation proceedings.
- Green Wheel could operate additional days as necessary to meet its corrective action schedule.

Commissioner Moulton reiterated that he did not support allowing additional incoming tires during the corrective period and preferred that Green Wheel stop accepting additional material until the existing stockpile was corrected.

Attorney Tysen Barker advised the Planning Commission that because the Commission had found Green Wheel out of compliance with the Conditional Use Permit, the Commission could stay a decision regarding revocation during the corrective period. He explained that this would

allow the tire pile to be reduced in the interest of the health, safety, and welfare of the community while preserving the Commission's ability to determine at the end of the corrective period whether the Conditional Use Permit should be revoked or whether Green Wheel had achieved and could maintain compliance.

Vice Chair Hill made a motion to allow Green Wheel Tire Recycling to continue with its proposed corrective action plan, stay a decision regarding revocation of the Conditional Use Permit during the corrective period, and review the Conditional Use Permit at the conclusion of the corrective period to determine whether Green Wheel had achieved and could maintain compliance, subject to the additional conditions established by the Planning Commission.

Jason Hill made a motion to stay the decision regarding revocation of the Conditional Use Permit for Green Wheel Recycling, located at 167 Old Lincoln Highway, and allow the business to continue operating during the corrective compliance period, subject to the following conditions:

- 1. Green Wheel may continue receiving and processing tires provided that documented outgoing material exceeds incoming material and the existing tire stockpile demonstrates a consistent and measurable net reduction.**
- 2. The existing tire stockpile shall be substantially reduced and shall not increase in height, area, volume, or estimated tire count.**
- 3. Green Wheel shall make consistent progress toward compliance with Condition 6 of the Conditional Use Permit and shall provide weekly reports and supporting documentation to City staff showing incoming versus outgoing material.**
- 4. By August 21, 2026, Green Wheel shall provide City staff with a draft reporting format showing the number of tires received versus the amount processed and removed. City staff shall review the reporting format and advise Green Wheel of any necessary revisions.**
- 5. Green Wheel shall demonstrate that incoming tire volume can be managed within the facility's actual processing and removal capacity. Any equipment failure affecting processing or removal of tires shall be immediately reported to City staff. If processing or outbound transportation is interrupted, incoming deliveries shall be correspondingly reduced.**
- 6. Green Wheel shall resolve the deficiencies identified by the Fire Marshal, keep all fire lanes and emergency access unobstructed, and comply with all applicable NFPA and International Fire Code requirements.**
- 7. Green Wheel shall establish a 50-foot buffer between the tire pile and any building by September 17, 2026, with compliance to be verified by the Fire Marshal through an on-site inspection.**
- 8. Green Wheel shall obtain and maintain all required State approvals.**

9. City staff shall provide monthly progress updates to the Planning Commission, with an interim review at approximately three months and a final review at six months.
10. Failure to demonstrate substantial progress may result in suspension of incoming tire deliveries, additional conditions, compelled removal, or revocation proceedings.
11. Green Wheel may operate additional days as necessary to meet the corrective action schedule.

Sarah Moore seconded the motion. The vote was as follows: Jason Hill “Aye,” Gary Merrill “Aye,” Cameron Moulton “Nay,” and Sarah Moore “Aye.” The motion passed by majority vote, 3–1.

4. Discussion of a proposed use for Advanced Technology and Data Infrastructure Center.

Presentation and Discussion

Community Development Director Bill Cobabe presented the proposed use for an Advanced Technology and Data Infrastructure Center. He clarified that the City had no current or anticipated applications for a data center and that data centers were not currently allowed within any zoning designation. He stated that the purpose of the discussion was to proactively establish standards before an application was received.

Bill reviewed the proposed definitions for Tier 1 and Tier 2 facilities. Tier 1 facilities were proposed as smaller facilities of less than 25,000 square feet, while larger facilities would be classified as Tier 2. He explained that certain circumstances could also cause a smaller facility to be classified as Tier 2. The proposed standards included definitions for closed-loop cooling systems and low-frequency noise, with closed-loop cooling proposed as a requirement for data centers regardless of size. Bill asked the Commission to review the proposed standards over the next several weeks before the item proceeded to a public hearing.

Bill asked for direction regarding the zoning designations in which the use should be considered. He explained that staff had discussed allowing Tier 1 facilities within the MD zoning designation while limiting larger facilities to MG. Shelby referenced the zoning map to show the Commission the areas currently designated MD and MG. Bill stated that the Commission should consider the potential impacts if the use were ultimately developed throughout all eligible properties within a zoning designation.

Commissioner Merrill stated that he preferred limiting data centers to the MG zoning designation rather than allowing Tier 1 facilities in MD. He stated that MG areas were generally located farther from developed portions of the City and would provide greater separation for potential noise, lighting, and buffering impacts.

Commissioner Moulton asked about the City's ability to impose conditions when a use was designated as conditional. Bill explained that while the City had discretion to establish conditions, a conditional use was considered a permitted use when the applicant could meet the standards established in the code. He stated that if the City imposed restrictions that effectively eliminated all practical ability to establish the use, it would be more appropriate to prohibit the use rather than allow it subject to unattainable conditions.

Chair Sarah Moore stated that she supported establishing parameters before an application was received and was not opposed to data centers as a use if their impacts could be appropriately mitigated. Bill discussed potential impacts including water and power use, emergency generators, noise, and building appearance and stated that the proposed standards were intended to address those impacts.

Commissioner Merrill recommended removing the provision allowing non-potable, secondary, or reclaimed water systems and requiring closed-loop cooling systems. He stated that he preferred a closed-loop system because of its significantly lower ongoing water demand.

Vice Chair Hill stated that all data centers should require a Conditional Use Permit regardless of size so that each proposal would receive review and provide an opportunity for public involvement. Bill explained that Tier 2 facilities would also require a development agreement, including provisions addressing matters such as decommissioning and financial assurance if a facility ceased operating. Vice Chair Hill stated that he supported the proposed financial assurance requirements.

Vice Chair Hill expressed concern with the proposed 300-megawatt maximum power limitation. He stated that Grantsville City did not operate the electrical utility and that grid capacity was regulated by the utility and applicable State agencies. Bill explained that the power limitation was also intended as a method of controlling the overall scale of a facility and asked whether the Commission preferred another method, such as establishing a maximum building size. Shelby clarified that the proposed megawatt limitation was intended to regulate facility size regardless of whether the facility generated its own power.

Vice Chair Hill questioned whether a maximum facility size was necessary if a proposal was located within an appropriate zoning designation and met all applicable standards. He stated that larger facilities could potentially operate more efficiently than several smaller facilities. Commissioner Merrill agreed that the language regarding electrical grid capacity should be reconsidered because the City did not control the electrical grid. Bill stated that he would research the issue further and bring additional information back to the Commission.

Vice Chair Hill also discussed the proposed noise, lighting, and air-quality provisions. He suggested that noise and lighting standards may be better addressed through City-wide ordinances rather than standards applicable only to data centers. Shelby noted that City-wide

noise and lighting ordinances had previously been considered but were not supported by the Planning Commission at that time. Vice Chair Hill stated that he supported limiting generator testing to specified times and supported the financial assurance requirements. Regarding air quality, he questioned whether the City needed to duplicate State requirements. Bill explained that requiring compliance with State DEQ emission standards through the City's development agreement would provide the City with an additional enforcement mechanism if a facility failed to remain compliant.

Commissioner Moulton discussed the significant public interest surrounding data centers and stated that when the item proceeded to public hearing, the Commission could receive substantial opposition to allowing the use at all. He asked whether the City could prohibit data centers now and reconsider the issue in the future if circumstances changed. Bill confirmed that the ordinance could be revisited and stated that the purpose of the current process was not necessarily to adopt regulations immediately, but to have the discussion proactively and ensure that any decision was made carefully and with appropriate consideration.

Vice Chair Hill stated that he had reviewed information submitted through public comments and emphasized the importance of relying on verifiable information when evaluating the potential impacts and benefits of data centers. He stated that he had not reached a final position on whether data centers should be allowed but believed there could be potential economic benefits if impacts could be effectively addressed.

Bill discussed potential economic benefits associated with larger data centers, including taxable personal property and additional revenue that could support City services. The Commission discussed balancing those potential benefits against community concerns regarding water, power, and other impacts and emphasized the importance of evaluating factual information rather than making a decision before the issue had been fully studied.

Bill encouraged residents with questions or concerns to contact him directly and stated that staff welcomed public input as the proposed standards continued to be developed. He stated that staff had also reviewed proposed regulations being developed by Tooele County and incorporated relevant concepts into the City's draft.

Chair Sarah Moore discussed the proposed noise standards and noted that the decibel limits in the draft appeared more restrictive than the standards she had reviewed. Bill confirmed that the proposed standards were intended to be more restrictive.

The Commission discussed when the proposal should return for a public hearing. Commissioner Moulton stated that sufficient agenda time should be reserved because of the anticipated level of public interest. The Commission agreed that the item should not be rushed and supported bringing it back at a later meeting after additional review and refinement of the proposed standards.

No formal action was taken.

5. Approval of the August 4, 2026 Planning Commission Regular Meeting Minutes.

Cameron Moulton made a motion to recommend approval of the minutes from the August 4, 2026 Planning Commission Regular Meeting. Jason Hill seconded the motion. The vote was as follows: Sarah Moore “Aye,” Jason Hill “Aye,” “Gary Merrill “Aye” and Cameron Moulton “Aye.” The motion was passed unanimously.

6. Report from City Staff.

Community Development Director Bill Cobabe reminded the Commission of the upcoming APA Fall Conference scheduled for September 9–10, 2026.

7. Open Forum for Planning Commissioners.

Commissioner Merrill asked about a situation raised by a friend who serves on another city committee. He asked whether, on a five-member board with two members absent, a 2–1 vote would fail because it did not constitute a majority of the full Commission.

City Attorney Tysen Barker stated that the outcome would depend on the applicable rules, but explained that for the Planning Commission, the vote is based on the Commissioners present once a quorum has been established. Therefore, if three Commissioners were present and constituted a quorum, a 2–1 vote would represent a majority of those present.

8. Report from City Council.

City Council Member Rhett Butler advised the Commission that the City was in the process of filling the vacant Planning Commission seat.

9. Adjourn.

Gary Merrill made a motion to adjourn. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Jason Hill “Aye,” “Gary Merrill “Aye” and Cameron Moulton “Aye.” The meeting adjourned at 10:50 p.m.