

2024
CONDITONAL USE PERMIT (CUP) APPLICATION:
SILICA SAND PROCESSING & TRANSPORTATION OPERATIONS
COMMUNITY DEVELOPMENT, CITY OF WINONA, MINNESOTA 55987
P.O. BOX 378 507/457-8250 FAX: 507/457-8212

SITE ADDRESS: _____

<u>Property Owner:</u>	
Company/Individual _____	
Contact Person _____	E-Mail _____
Mailing Address _____	Office Phone _____
City/State/Zip _____	Mobile Phone _____
<u>Applicant:</u>	
Company/Individual _____	
Contact Person _____	E-Mail _____
Mailing Address _____	Office Phone _____
City/State/Zip _____	Mobile Phone _____

CUP Applications will not be processed without payment of the \$235.00 fee.

Because of the amount of information needed for the application, at least one pre-application meeting with City staff is required. Contact the City Planning Division at 507-457-8250 to schedule a meeting.

Note that all proposed silica sand processing and/or transportation operations require a complete Transportation Impact Analysis to be submitted with a CUP application.

Additional information required for the CUP application is on following pages. A letter will be sent within 15 business days if more information is required to declare the CUP application complete.

Signature of Applicant

Signature of Land Owner
(If different from applicant)

For Staff Use Only		
Date Received: _____	CUP # _____	EG-INV- _____
Parcel #: _____	Zoning _____	Receipt # _____
LEGAL DESCRIPTION OF PROPERTY: _____		

Planning Commission CUP Application Requirements: Silica Sand Processing and Transportation Operations

This packet provides the information needed to submit a Conditional Use Permit application for a silica sand processing and/or transportation operation to the City of Winona Planning Commission. As stated on the previous page, because of the amount of information needed for the application, at least one pre-application meeting with City staff is required. Contact the City Planning Division at 507-457-8250 to schedule a meeting.

After the pre-application meeting, the following information must be provided for a CUP application. Provide attachments as needed.

Project Narrative

Describe the proposed development, including a description of the proposed machinery, processes, products of the operation, and a conceptual site plan for reference. Also provide a dust control plan per number (7) below. In addition, the following information must be provided:

- A) Proposed hours of operation:
- B) Days of the week:
- C) Months of the year:
- D) Average number of trucks per day:
- E) Maximum number of trucks per day:
- F) Source of trucks/product:
- G) Destination of outbound trucks:

General Performance Standards

As applicable, provide responses to the general performance standards listed below:

1. Fire and explosion hazard. All activities involving and all storage of inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standards in the industry. Burning of waste materials in open fire shall be prohibited. The relevant provisions of state and local laws and regulations shall also apply.

2. Radioactivity or electrical disturbance. No activities shall be permitted which emit dangerous radioactivity at any point or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
3. Noise. In accordance with and measured at locations stated in Chapter 39.
4. Vibration. No vibration which is discernible without instruments shall be permitted at the points of measurement specified in subsection (C) above.
5. Smoke. The emission of smoke by any use shall be in compliance with state statutes and the rules of the Minnesota State Pollution Control Agency, as may be amended.
6. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be offensive at the points of measurement specified in subsection (C) above. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. All activities producing odors shall be in compliance with state statutes and the rules of the Minnesota State Pollution Control Agency, as may be amended.
7. Fly ash, dust, fumes, vapors, gases, and other forms of air pollution. No emission shall be permitted which can cause any damage to health, to animals, vegetation or other forms of property, or which can cause any excessive soiling, at any point; and in no event any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 3/10 grains per cubic foot of the conveying gas at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air. All activities shall comply with applicable state law, rules and local ordinances for dust and Particulate Matter generation, and any stockpiles (including sand and dirt) which produce windblown dust shall be covered. A fugitive dust control plan may be required detailing dust control measures both on-site and off-site. Moisture testing of sand or other materials with the potential to produce Particulate Matter emissions may be required to ensure that moisture levels are above 2.5%.

Moisture testing is not required for fully enclosed processing, stockpiling, equipment, or transportation facilities. A substitute for moisture testing is air quality monitoring completed in correspondence with the MPCA and according to applicable state regulations.

- 8.** Glare. No direct or sky-reflected glare, whether from floodlights, outdoor lights, or from high-temperature processes, such as combustion, welding or otherwise, so as to be visible at the points of measurement specified in subsection (C) above. This restriction shall not apply to signs otherwise permitted by the provisions of this chapter.

- 9.** Liquid or solid wastes. No discharge at any point into any public sewer, private sewage disposal system or stream or into the ground, except in accord with standards approved by the department of health of the state or standards equivalent to those approved by such department for similar uses of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

- 10.** Drainage designs. Runoff water from parking lots, roofs and driveways shall not be allowed to cross sidewalks or to run onto private property that is not a part of the site unless easements have been obtained; surface runoff waters shall be directed into municipal facilities; where municipal facilities are not available, a drywell or drainage area owned or controlled by the owner or developer shall be provided; sanitary sewage shall be directed into municipal facilities where such facilities are available; where municipal facilities are not available and approval of the city engineer is secured, a septic tank shall be provided; retaining walls shall be constructed where necessary for land stabilization.

General CUP Requirements

Provide responses to the general CUP requirements listed below:

- 1) The extent, location and intensity of the conditional use will be in substantial compliance with the Winona Comprehensive Plan.
- 2) The conditional use will conform to all applicable zoning regulations for the district in which the property is located.

- 3) Considering existing circumstances and potential uses under existing zoning, the conditional use will not substantially impair the use and enjoyment of other property in the neighborhood.
- 4) The conditional use will not impede the normal and orderly development and improvement of the surrounding property.
- 5) Considering existing circumstances and potential uses under existing zoning, the conditional use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.
- 6) The conditional use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.
- 7) The conditional use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.
- 8) A conditional use located on property having significant historical and architectural resources shall preserve such resources, and a conditional use shall not substantially diminish other neighboring property having significant historical and architectural resources.
- 9) The conditional use shall either preserve or not significantly negatively affect natural and environmental resources.
- 10) The conditional use will comply with other applicable city, county, state, and federal regulations, as applicable.

In addition to the above mandatory criteria that must be met to grant a CUP, the Planning Commission will also consider whether the proposed use will substantially diminish property values in the neighborhood. While this criterion is not mandatory, the Planning Commission may impose additional conditions on conditional uses as it deems reasonable and necessary to mitigate negative effects on neighboring property values through screening, fencing, or buffer zones.

Specific CUP Requirements

Provide responses to the specific CUP requirements listed below:

1. **Hard Surfacing.** Asphalt or concrete surfacing shall be required in any truck or equipment maneuvering area. Truck Washing Equipment and/or Tracking Pads. Truck washing equipment or tracking pads, or a combination of both, shall be required at each facility.
2. **Truck Route Designation.** All trucks entering and leaving such facilities shall enter and exit Winona on designated truck routes. Such routes shall avoid residentially zoned property to the greatest extent possible.
3. **Transportation Impact Analysis.** All silica sand facilities shall complete a Transportation Impact Analysis (See Unified Development Code Article 6 Division 6).

4. **Maximum Permitted Daily Trip Volume.** A maximum number of daily truck trips shall be established for each facility.
5. **Enclosure and Covering of Processing Equipment and Stockpiles.** Processing equipment (including dryers, washers, screeners, and loading/unloading equipment) and stockpiles within 500 feet of any adjacent property shall be enclosed by a structure. Stockpiles greater than 500 feet from an adjacent property and undisturbed for more than one week shall be covered.
6. **Setback.** All silica sand processing or transportation uses including access drives shall be located a minimum of 500 feet from a residential property.
7. **Stockpile Watering.** Uncovered stockpiles shall be watered regularly to prevent surface areas from drying out and becoming susceptible to wind erosion.
8. **Hours of Operation.** Hours of operation for truck traffic and equipment/ machinery with back-up alarms shall be limited to 7 a.m. – 7 p.m.
9. **Landscaping and Screening.** Sufficient landscaping and screening, including but not limited to fences, earthen berming, walls and/or vegetative screens, as approved by the City of Winona, shall be provided to mitigate visual impacts of a facility on adjacent properties.
10. **Contact Information.** Facility operators shall provide current contact information to the City of Winona to facilitate response to concerns.
11. **Permits and Reports Obtained and Placed on File.** Any applicable state or federal permits shall be obtained and placed on file with the City of Winona. Any reports generated to fulfill permit requirements shall be submitted to the City of Winona.

Attachments

- A) State Environmental Regulations Summary
- B) Moisture Testing Procedure
- C) Fugitive Dust Control Plan Requirements