



Planning and Zoning

47 S. Main Street • Room 208 • Tooele, UT 84074

Phone: (435) 843-3160 • Fax: (435) 843-3252

<https://tooeleco.org>

REZ 2023-113

Rezone Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 17, 2024

Parcel ID: South half of 06-061-0-0007 and all of parcel 06-085-0-0002

Property Address: Not yet given.

Unincorporated: Tooele

Request: Rezone parcels from MU-40 (Mixed use, 40-acre min.) to RR-1 (Rural Residential 1-acre min.).

Planner: Trish DuClos

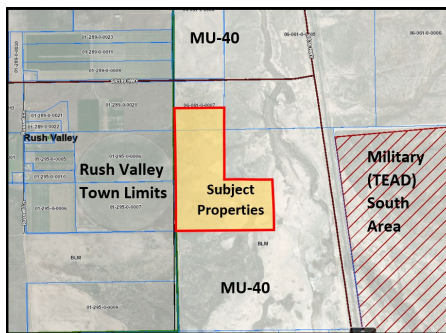
Planning Commission Recommendation: Not yet received.

Applicant Name: Jerome (Jay) Anderson

PROJECT DESCRIPTION

Jerome (Jay) Anderson is requesting a rezone of the Southern portion of parcel 06-061-0-0007 and all of parcel 06-085-0-0002 from MU-40 (Mixed use, 40-acre min.) to RR-1 (Rural Residential 1-acre min.). The acreage amount would be 139.87 acres. The applicant would like to create a subdivision of at least 1-acre lots in the future.

SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located just East of Rush Valley Town limits off of SR199. The subject properties are found on the West side of SR36. The surrounding properties are zoned MU-40.

ZONE CONSIDERATIONS

Requirement	Existing Zone (MU-40)	Proposed Zone (RR-1)
Height	35 Feet	35 Feet
Front Yard Setback	30 Feet	30 Feet
Side Yard Setback	30 Feet (*Accessory building is allowed 10-foot setback if located 10 feet behind main)	15 Feet (*Accessory building is allowed 10-foot setback if located 10 feet behind main)
Rear Yard Setback	Main Building: 60 Feet Accessory Buildings: *10 Feet	Main Building: 30 Feet Accessory Buildings: 10 Feet
Lot Width	660 Feet	125 Feet

Lot Area	40 Acre Minimum	1 Acre Minimum
Maximum Building Coverage	5%	20%
Required Improvements	Street grading; street base; on-site surface drainage facilities; culinary water facilities; wastewater disposal; and street monuments.	Street Grading, Street Base, On-Site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal and Street Monuments
Compatibility with existing buildings/lots in terms of size, scale and height.		Yes

GENERAL PLAN CONSIDERATIONS

According to the future land use map of the Tooele County General Plan Update 2022, the subject property is located in a large geographical area of Agriculture with some residential. The planning commission & County Council should determine whether or not the requested rezone fits the general area and General Plan.

ISSUES OF CONCERN/PROPOSED MITIGATION

There were concerns that were brought up with the future subdivision(s) the rezone could bring. Water quality and availability, wildlife habitats, and how the proposed rezone fit with the General Plan 2022 update were all concerns. The applicant has provided information that addresses these concerns. See the attached documents.

NEIGHBORHOOD RESPONSE

During the last meeting there were many public comments with concerns about water, contamination, wildlife habitats, and traffic. Any other comments that are received from the surrounding neighbors or affected entities received after this staff report is submitted will be addressed at the planning commission meeting.

PLANNING COMMISSION RESPONSE

During the January 17, 2024, planning commission meeting, planning commission requested the applicant provide more information. Commission voted to table the request until the applicant can provide more information regarding "an approved quality of water, a study done on the water availability, and a recent perc test; and shows how this fits within the General Plan."

PLANNING STAFF ANALYSIS

Planning staff expressed concerns about the proposed rezones and how they would affect Rush Valley, given it borders their town limits. The applicant has attended their planning commission meeting and addressed their concerns. In the General Plan Update 2022, staff has identified two zones likely to surround Rush Valley; Agriculture and Residential. There are no culinary water sources near the proposed rezone, the property owner has water rights of 14-acre feet. The state still allows this area to apply for 4.73 acre-feet per parcel as well. The applicant has provided a trip generation study for the proposed rezones. With both the proposed commercial and residential which would significantly affect the traffic in the area. The applicant has been advised to contact UDOT for their permitting and processes during subdivision phases, since the road to the subject properties are off SR199, and the affected intersection is off SR36.

The new information provided by the applicant addresses the General Plan update 2022. As well as the water concerns. Tooele County Health Department has advised that even though the well test on the 1 well at the site showed brackish water it can be remedied with treatments to the water. See attached letter.

Also in the attachments, the applicant quotes the State Engineer's Policy to Northern Rush Valley to open appropriations of 4.73 acre-feet per parcel. Jay stated in an email that, "My current plan is to drill a new well that potentially could accommodate at least 16 one acre lots. Once we have the 16 parcels we can apply for the 4.73 acre ft for each parcel.

Let me know if I need to go back to the State again and ask the regional engineer to write a letter, but they are basically saying the study has been done and their policy says there is water available.

Additional good news is the water from a well just to the west of our property did not test brackish and we believe a new well will likely have the same test results."

All additional information requested by planning commission is attached to this staff report. .

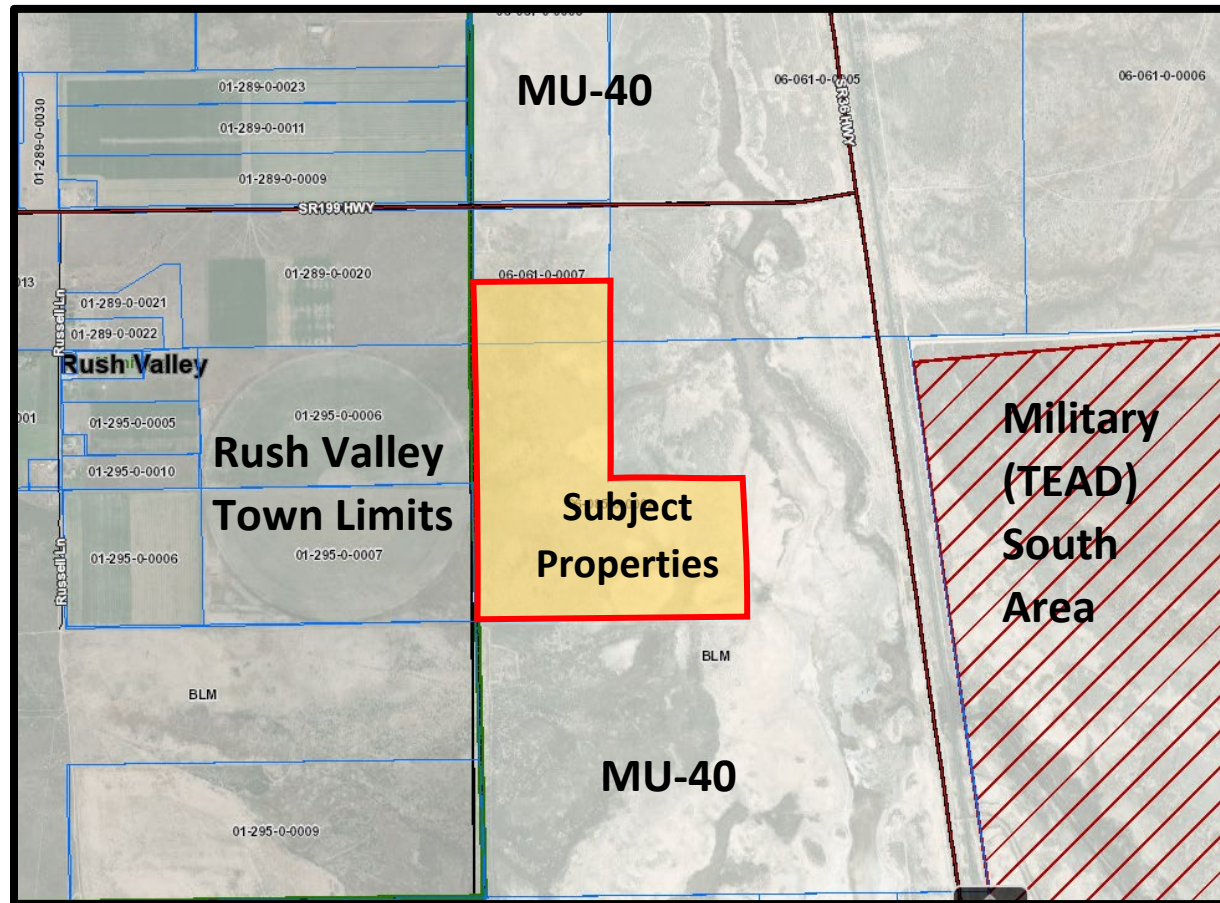
Staff has tried to contact the applicant to see if rezoning only the Southern half of parcel 06-061-0-0007 would be a better fit for his proposed 16-lot subdivision mentioned in a letter. Staff has not heard back at the time this report was submitted. That southern portion legal description is provided in the attachments as "Exhibit "A" South Parcel Boundary Description." Planning commission can determine to rezone the entire original request, more or less land as well.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission analyzes the information provided in this Staff Report to ensure that the proposed rezone request would be compatible with existing residential uses in the surrounding area prior to making a recommendation to the Tooele County Council. Planning commission can also determine to rezone a portion of the proposed 139.87 acres, or more.

REZ 2023-113: Rezone from MU-40 (Multiple Use, 40-Acre Min.) to RR-1 (Rural Residential, 1-Acre Min.).

Off of SR199, Just outside of Rush Valley (Parcel ID: South half of 06-061-0-0007 and all of parcel 06-085-0-0002)



Additional Information for the Tooele County Planning Commission on Jay Anderson's is request for approval to Rezone from MU-40-acre min.) to RR-1 (Rural Residential 1-acre min.).

Water

One of the issues raised during the planning commission meeting had to do with the availability of water in this area.

On November 8th, 2018 engineers from the Utah Division of Water Rights held a meeting with Rush Valley Water Users to discuss the groundwater appropriations policy for the Rush Valley Basin. In 2018 Utah was experiencing significant drought conditions. Yet in that meeting it was clear the State Engineer was proposing that the limit for new applications in Northern Rush Valley be increased to 20-acre feet from the current policy of 4.73-acre feet.

In the last 2 years the water situation in Utah has improved some. That being said in the slide presentation for the meeting held in 2018 with severe drought conditions, the State Engineer clearly acknowledged there is unappropriated water in Northern Rush Valley. The State Engineer has the statutory duty to approve applications to appropriate water if there is unappropriated water and they meet the other statutory criteria.

The State Engineer mentioned near the end of the public hearing, he has a responsibility to make decisions based on the best public welfare, and also to put the waters of the State of Utah to their best beneficial use.

There was a fair amount of push back from the Rush Valley water users in that meeting and on July 25, 2019, the State Engineer adopted a new policy to use when considering applications to appropriate and change applications in Rush Valley.

- [State Engineer's Policy Letter](#)

This policy is summarized below:

- Northern Rush Valley remains open to applications to appropriate of up to 4.73 acre-feet.

During that meeting in 2018 the State Engineer shared a slide indicating they estimate Northern Rush Valley has a surplus of 14,700-acre feet of water. This is the slide from the presentation:

	<i>Groundwater Levels</i>	<i>Balanced Recharge/Discharge</i>	<i>Estimated Well Withdrawal</i>	<i>Estimated Water Surplus</i>
<i>Northern</i>	Steady	16,700	2,000	14,700
<i>Vernon</i>	Mostly Steady	10,400	2,900	7,500
<i>Southeastern</i>	Steady	2,300	300	2,000

The applicant spoke with Ryan Hambleton of the State division of Water Resources and he referred him to the slide above.

There is currently a 6 inch well that is 80 feet deep on the 20-acre parcel that borders 199. A preliminary test of that well would indicate it produces over 20 gallons a minute however the water is somewhat brackish. The applicant spoke with the previous owner of the property and he said they had cows and horses on the property for a number of years and the brackish water was not a problem.

The applicant also spoke with a well driller Mike Zimmerman who said there are nearby wells that are not brackish. He also mentioned that there is a development in Vernon that has brackish water and they installed equipment to clean the water.

There seems to be a variety of equipment solutions available on the market for cleaning up brackish water both for individual home sites and larger developments. One of the companies we spoke with is Global Aquatic Solutions Inc. If we find it necessary, we would pursue that option.

However we believe there is a possibility that a well drilled on the 20 acres where we are applying for a zoning change to residential it may not be brackish.

Our plan is to use a studied and methodical approach with this development. We hope to initially develop the 20 acres in parcel number 06-061-0-0007 which would only have 16 one acre lots. We will be reviewing and evaluating a number of available options related to water and septic tanks. One approach would be to have several parcel owners share a well. Another might be for parcel owners to purchase 2 acres to ensure that the well and septic tank are at least 100 ft. apart. A third option would be to drill a well that would support all of the 16 acre lots.

See the following information on the November 8 2018 meeting regarding water in Northern Rush Valley:

PUBLIC MEETING CONCERNING THE GROUNDWATER POLICY FOR RUSH VALLEY BASIN IN TOOELE COUNTY

Who: Rush Valley Water Users
When: November 8, 2018, 6:00 p.m.
Where: Tooele City Hall
90 N Main St
Tooele, UT
Purpose: The purpose of the meeting is to present data and discuss the groundwater appropriations policy for the Rush Valley Basin. Personnel from the Division of Water Rights will be available to take all questions and comments provided by the general public and interested parties.

If you are unable to attend the meeting, but would like to provide input, please send your written comments to:

Division of Water Rights
1594 West North Temple Suite 220
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Agenda: 1. Welcome/Introduction
2. Present hydrogeologic & water right data
3. Discussion on groundwater appropriation policy
4. Public Questions/Comments

Materials: [Agenda](#)
[Attendance List](#)
[Meeting Audio Recording](#)
[Presentation Slides](#)

Public Comments

- [11/19/2018](#) Jonathan and Joy Peters
- [11/24/2018](#) Marlene Thomas - Soldier Canyon Water Company
- [12/03/2018](#) Darrell Johnson
- [12/03/2018](#) Hogan Brothers Inc.
- [12/10/2018](#) Town of Rush Valley
- [12/10/2018](#) Rush Valley Water Conservancy District
- [12/10/2018](#) Bureau of Land Management
- [12/10/2018](#) Utah School and Institutional Trust Lands Administration

- [Public Meeting Materials](#)
- [Policy Boundary and Subbasin Map](#) (placeholder)

The Planning Commission asked for a perc test to be completed. See the results of the perc test below:

W Hwy 199 Rush Valley Ut, 84069 06-61-0-0007 Soil Evaluation

0" – 36" Clay Loam – Granular Dark Brown

36" – 120" Silt Loam – Granular Light Brown

No Ground water anticipated at 120"

Application rate . 45 G/SqFt

Caleb Knoblauch

Utah State Lic. 02966 -OSP -3

Exp. 12.2024

TOOELE VALLEY
PUMPING
SEPTIC SERVICES-PORTABLE TOILETS

How does this application follow the General Plan?

The Planning commission asked applicant to spend more time discussing how this application relates to the Tooele County General Plan. General Plan content is in the small print below:

Page 2 of the General Plan

The plan focuses on the land use and housing elements of Tooele Valley and offers three guiding principles to help direct residential growth in Tooele County:

1. Preserve and enhance Tooele Valley's neighborhoods, creating more distinct places in the process

2. Provide a range of housing types for all demographics and ages, including entry level, family, and senior housing. Currently the Southern end of Tooele County does not have a range of housing types for all demographics. The application for 1 acre lots is denser than the 5 acre lots in the area but would still maintain the rural setting desired for this area.

3. Locate density near cities, communities, services, or gathering places, including schools and city centers. This property borders the town of Rush Valley and is thus consistent with the General Plan goal of building near community Centers.

- Growth and development should be based on available water and protecting the aquifer. The Utah Division of Water Rights currently is of the opinion that this area has a surplus of water and so they are allowing applicants to apply for up to 4.73 acre ft. of water as noted above.

Page 11. Of the General Plan

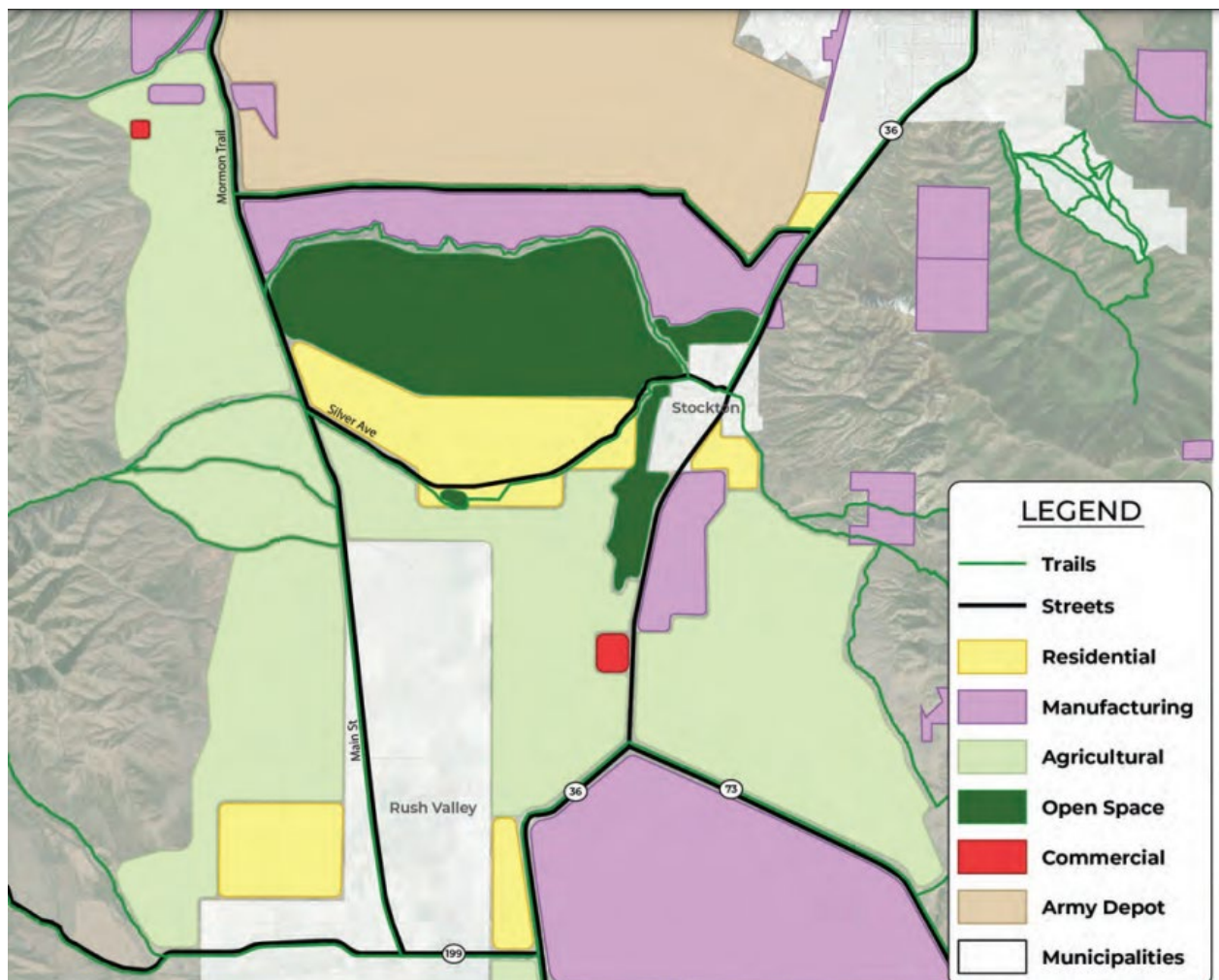
Many younger generations can only afford to live in small lot, townhome, condo, or apartments homes when they first start out. A lack of variety of housing types puts more demand on a limited supply, which drives prices up and makes communities unaffordable. In addition, older generations need for larger lots diminish as their ability to maintain and get around their property decreases. Only allowing large lots will likely cause you and your children to have to leave your community. Planning for you and your family's future in the County, ensures your ability to be a lifetime resident. The one acre lots in this area would be considerably more affordable than the 5 acre lots in the area and would also continue to maintain the desired small-town community feeling.

It is clear from the statements below the General Plan is encouraging smaller lots in an attempt to increase affordability. If the planning commission is serious about following the State's guidance on building more affordable homes, the applicant will work with them to make that happen. The applicant has talked with a builder that specializes in affordable homes.

As for cost of development within large lot communities, the burden of open space amenities and infrastructure gets pushed to the few, making the large lots even more expensive, and commercial development impossible. The reason for this is, large lot communities increase the distances between properties, adding significant, often unsustainable costs to infrastructure (utilities and road development and maintenance; public services providers like fire and police; water use needs access; etc.). For government agencies to be able to service a community, a mix of unit types is required, with the more intense development often subsidizing less intense development.

In addition, more intense development requires significantly less water use than less intense development.

This is a map from the General Plan Preferred Scenario for the South Area concept plan.



In the preferred concept plan above, the property north of 199 and across the road from our application property is zoned residential. That property was in the past

included as part of the 40- acre parcel we are applying to have the zoning changed to residential. It would be consistent to change the zoning on the south parcel to residential as well.

Page 16 of the General Plan

There are no set densities for the low, medium, and high intensity residential areas as density should be established based on the surrounding context at the time of submittal,

Housing Element

The County has a projected need for more moderate-income housing over the next five years and has a shortage for the current demographics. The biggest gap in demographics is young adults aged 20-29 – those who are starting their careers and families.

Page 27 of the General Plan

A variety of housing options are also important to ensure that housing needs are met in all stages of life. The application would add a little more housing variety to the southern part of Tooele County.

Page 29 of the General Plan

Often, elderly couples and new families look for similar housing types, implying that the County has a need of smaller houses that support both age groups

Housing Affordability Utah State Code and recent legislation requires municipalities to plan for moderate income housing. The County must outline a plan to “facilitate a reasonable opportunity for a variety of housing... to meet the needs of people of various income levels living, working, or desiring to live or work in the community.” And the plan must “allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life.” This plan is designed to meet these requirements.

Page 39 of the General Plan

Projected Housing Needs Population growth is rapid throughout Utah. Across the state of Utah, the median house price has climbed to \$450,000. Combined with slow wage growth, rising material costs and a shortage of skilled construction workers, any measures the County can take to actively work towards providing a diverse range of housing units will help residents and families dramatically. As the population and number of households continues to rise, the County will have greater need to provide housing that meets the needs of residents and those interested in moving to the County. Additional job growth should encourage an increase in the population of younger people... There is currently an estimated shortage of 1,658 units for households with 30 percent of AMI or less. This number is expected to grow to 1,953 by the year 2025. At this level, it becomes much harder for public entities to provide housing for those in need. As such, it becomes important to make sure that those earning low incomes can work close to home. Our other application for a zoning change of 20 acres to commercial was an effort to

allow some individuals to have work close to home as encouraged in the General Plan.

Page 41 of the General Plan

Implementation 1. Provide a range of housing types

- Strategy: Encourage developers to provide varied housing types in growing areas through zoning and permit approvals that allow for entry-level housing, family, and senior housing
- Strategy: Continue to provide affordable housing that meets the needs of low-to-moderate income families, especially in light of rising home prices

4. Zone or rezone for higher density or moderate-income residential development in commercial and mixed-use zones, near major transit investment corridors, commercial centers, or employment centers – The Tooele County General Plan Update 2022 promotes the creation of “development nodes” along SR-36, SR-138, and in other appropriate areas throughout the Tooele Valley. These “development nodes” would be appropriate locations for moderate income housing. Tooele County should establish a mixed-use zone that would further promote a mixture of commercial and residential uses with the potential for moderate-income housing.

(Implementation Timeline 1–2 Years)

It is evident from the General Plan sections above a major goal is to provide a variety of housing types, allow for entry level housing and senior housing. Continue to provide affordable housing. Establish a mixed-use zone that would further promote commercial and residential uses. The applicant was attempting to create what would have been a mixed-use zone with the commercial and residential applications that were submitted. If the county is successful in establishing a mixed-use zone the applicant is willing to work with county to assist in accomplishing the above-mentioned goals from the General Plan.



151 N. Main Street
Environmental Health, Suite 140
Tooele, Utah 84074
Phone (435) 277-2440 • Fax (435) 277-2444
www.tooelehealth.org

May 24, 2024

Trish Duclos, Community Development
& Tooele County Planning Commission
47 S. Main St.
Tooele, UT 84074

Re: Jay Anderson proposed rezone/subdivision, Rush Valley

This letter is written regarding the proposed Jay Anderson rezone and subdivision project located west of Hwy 36 and south of Hwy 199 in Rush Valley. The Health Department has received one soils report from this property that would indicate that individual septic systems could work in this area. We have also received the results of a well sample that was taken from an agricultural well in this area, which indicate that the water here has less than desirable drinking water quality. However, with the development of a community water system the water could be treated to meet the state drinking water quality requirements. And with the number of proposed lots in this subdivision a community water system would be required to be developed.

Please note: This is not an official Health Department subdivision feasibility review, as that requires perc tests on each lot and the approval of a community water system, which normally comes at the subdivision phase of a project.

If you have any questions regarding this statement, please contact me at 435-277-2440 or bryan.slade@tooeleco.gov.

General Plan Land Use Map – South Section 2022

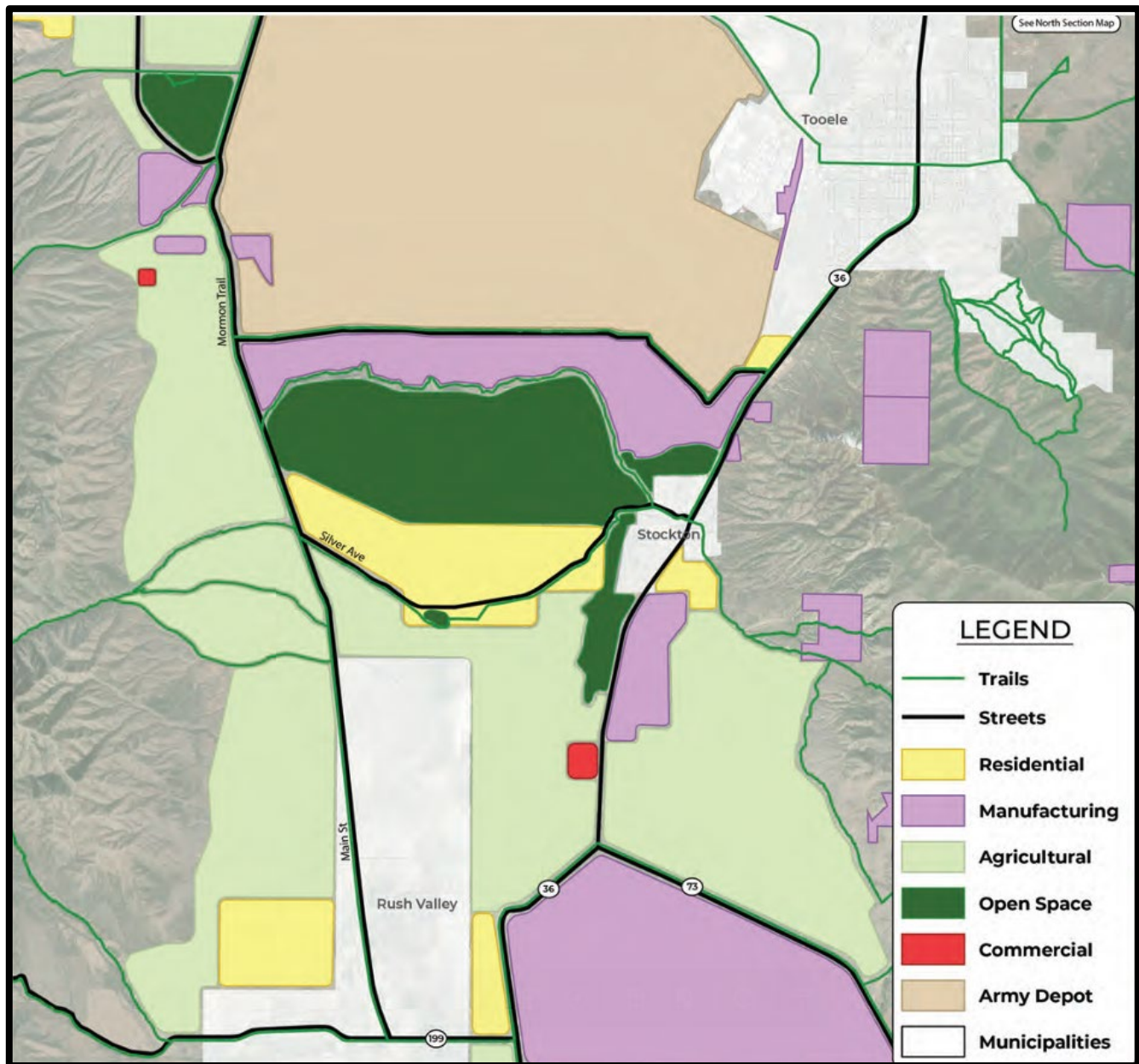


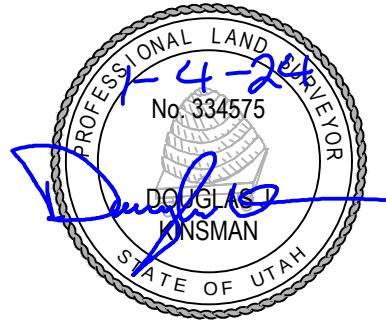
EXHIBIT "A"
SOUTH PARCEL
BOUNDARY DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 33, Township 5 South, Range 5 West, Salt Lake Base and Meridian, said parcel also being located in Rush Valley, Tooele County, Utah, more particularly described as follows:

Beginning at the Northwest Corner of Section 4, Township 6 South, Range 5 West, Salt Lake Base and Meridian, and running:

thence North 0°25'33" East 580.06 feet along the West Section Line;
thence South 89°34'25" East 301.67 feet;
thence South 80°18'27" East 60.79 feet;
thence Northeasterly 23.38 feet along the arc of 15.00 foot radius non tangent curve to the right (center bears South 89°34'25" East and the long chord bears North 45°05'04" East 21.09 feet through a central angle of 89°18'58");
thence North 89°44'33" East 574.15 feet;
thence North 86°55'57" East 75.29 feet;
thence South 89°38'06" East 301.69 feet to the 40 acre Line;
thence South 0°21'54" West 575.24 feet along said 40 acre line to the South Section Line;
thence South 89°29'10" West 1328.23 feet along said South Section Line to said West Section Line and to the Point of Beginning.

Contains 766,557 square feet, or 17.60 acres.



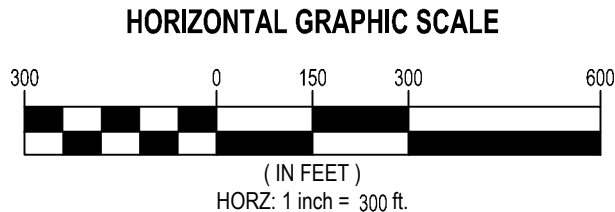
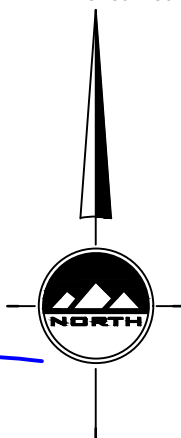
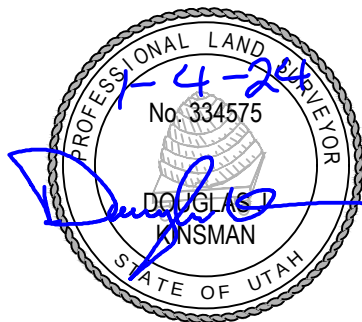
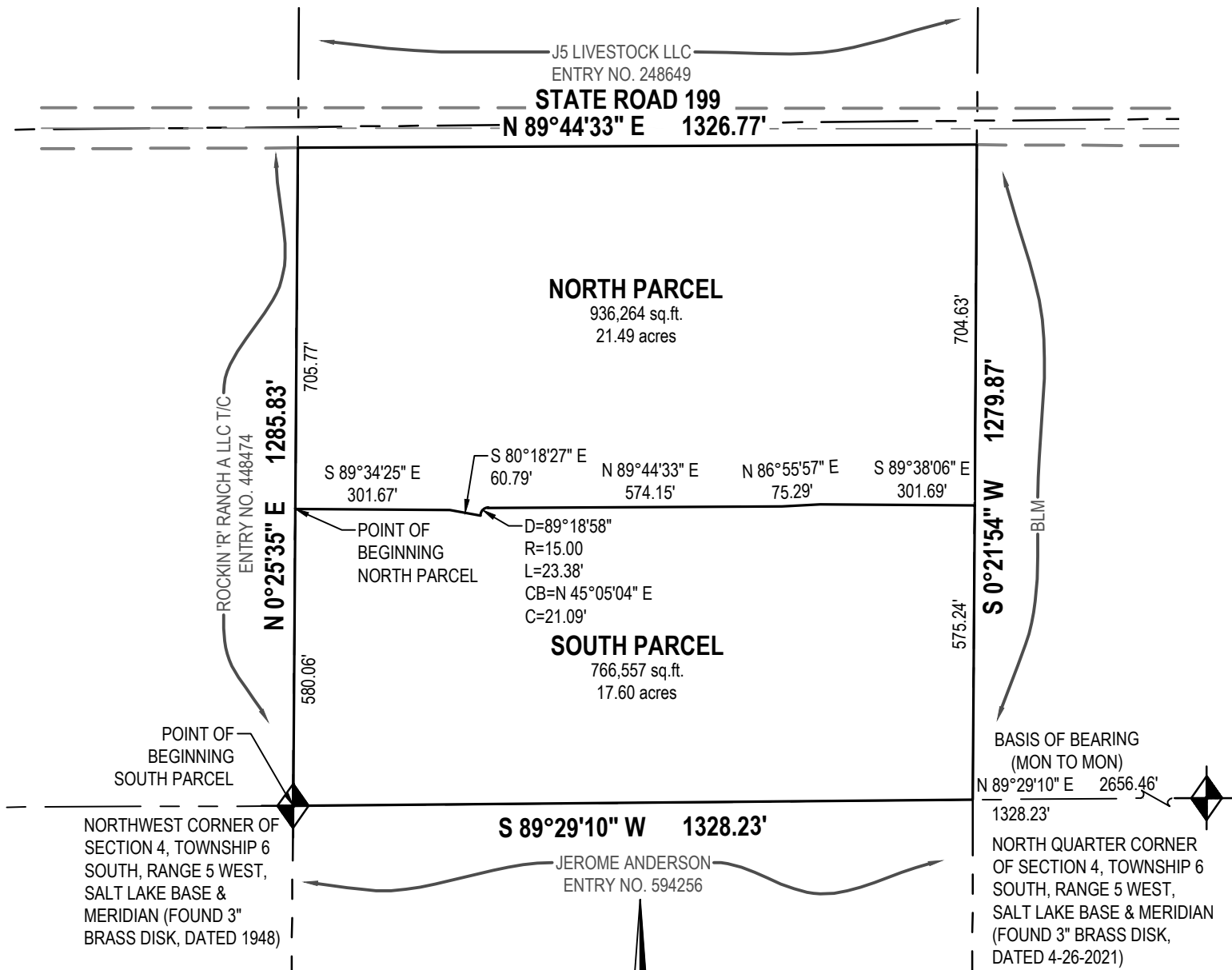


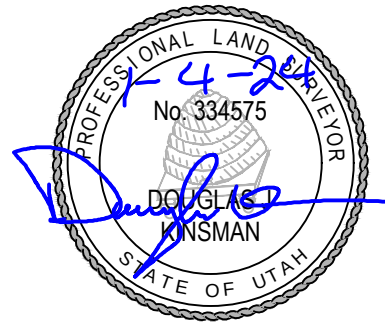
EXHIBIT "A"
BOUNDARY DESCRIPTION
REMAINDER PARCEL

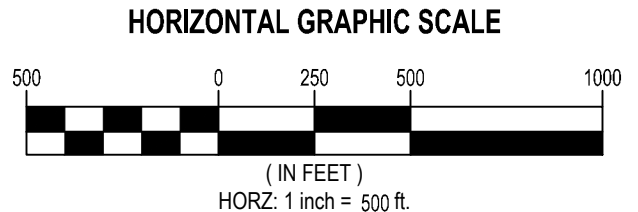
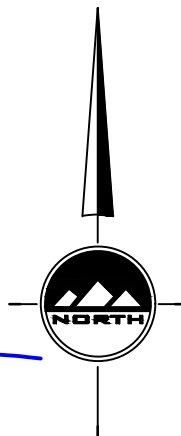
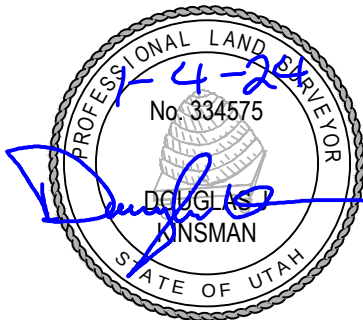
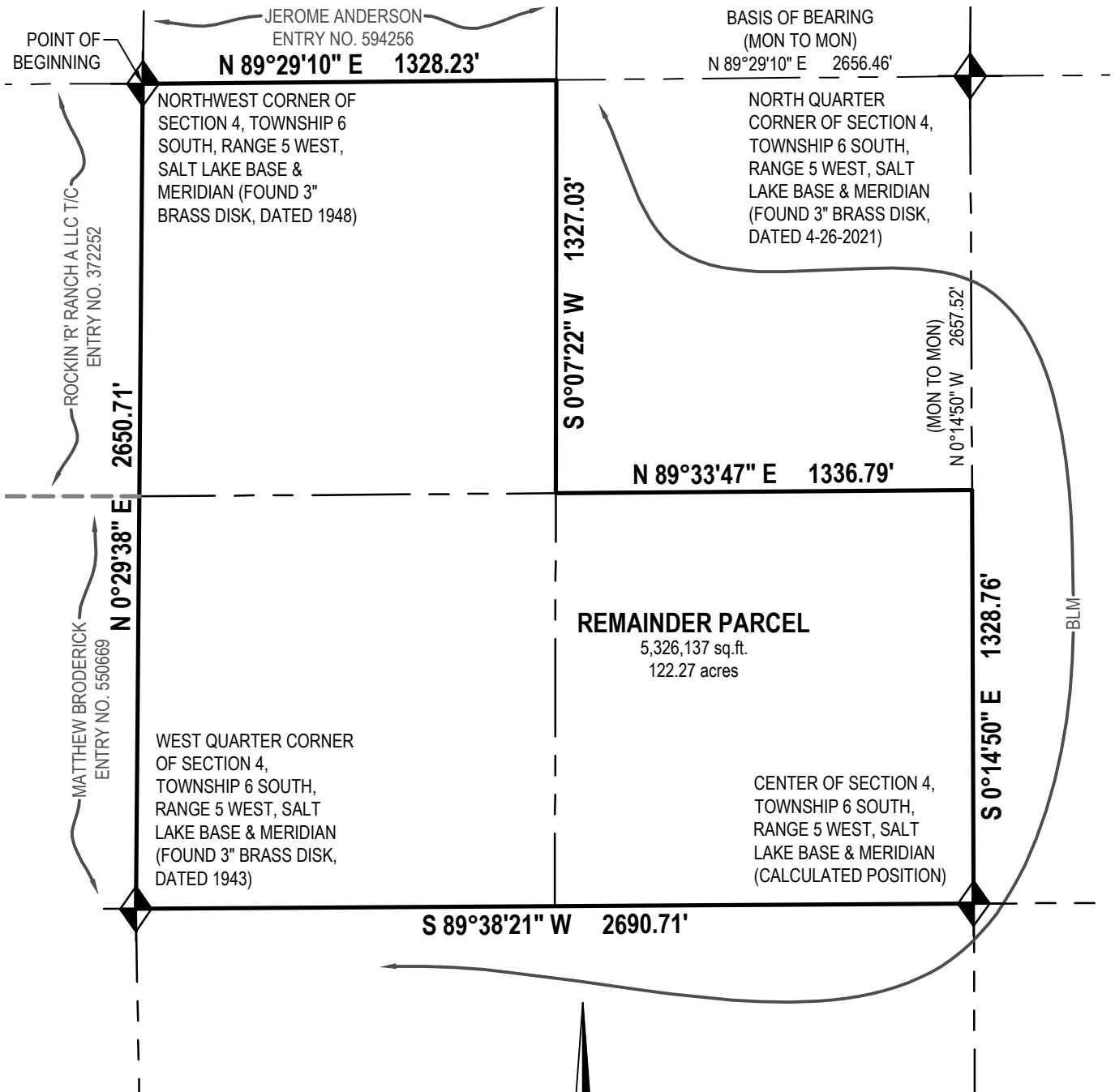
A parcel of land, situate in the Northwest Quarter of Section 4, Township 6 South, Range 5 West, Salt Lake Base and Meridian, said parcel also being located in Rush Valley, Tooele County, Utah, more particularly described as follows:

Beginning at the found monument representing the Northwest Corner of Section 4, Township 6 South, Range 5 West, Salt Lake Base and Meridian, and running:

thence North 89°29'10" East 1328.23 feet along the North Section Line to the 40-acre line;
thence South 0°07'22" West 1327.03 feet along said 40-acre line to a 40-acre line;
thence North 89°33'47" East 1336.79 feet along said 40-acre line to the Quarter Section Line;
thence South 0°14'50" East 1328.76 feet along said Quarter Section Line to the Quarter Section Line;
thence South 89°38'21" West 2690.71 feet along said Quarter Section Line to the Quarter Section Line;
thence North 0°29'38" East 2650.71 feet along said Section Line to the Point of Beginning.

Contains 5,326,137 square feet, or 122.27 acres.





PROJECT NUMBER
12752

PRINT DATE
1/4/24

PROJECT MANAGER
D. KINSMAN

DESIGNED BY
M. SANDOVAL

1 OF 1

RUSH VALLEY CONCEPT PLAN
REMAINDER PARCEL
SR 199
RUSH VALLEY, UTAH 84071
EXHIBIT "B"



SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

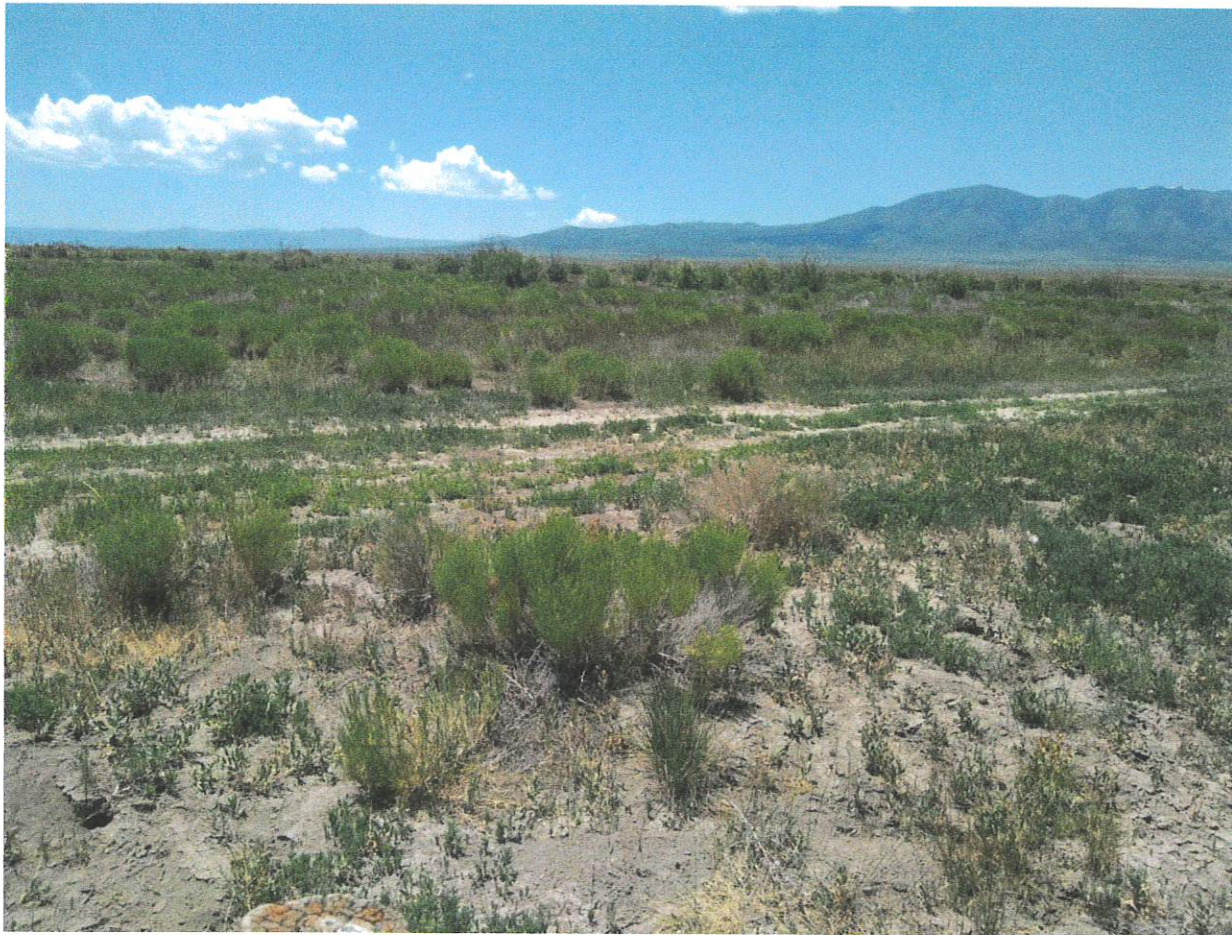
TOOELE
169 N. Main St. Unit 1
Tooele, UT 84074
Phone: 435.843.3590
WWW.ENSIGNENG.COM

Request to re-zone ½ or 20 acre portion of a 40 acre parcel at 200 West Highway 199 from MU-40 to C-G.

The general existing site characteristics including ownership, topography, soils, drainage, vegetation and other physical characteristics of the area proposed to be changed are as follows.

The land is owned by Jerome Anderson who lives in Boise Idaho.

The subject property is fairly flat with native vegetation that has been used as horse property in the past. The dominant native vegetation is shadscale, also known as saltbrush, Indian ricegrass, black greasewood and bottlebrush squirreltail. There are no trees, the soil is a fine sandy loam and native brush is about 3 feet high or less. See the attached pictures below:







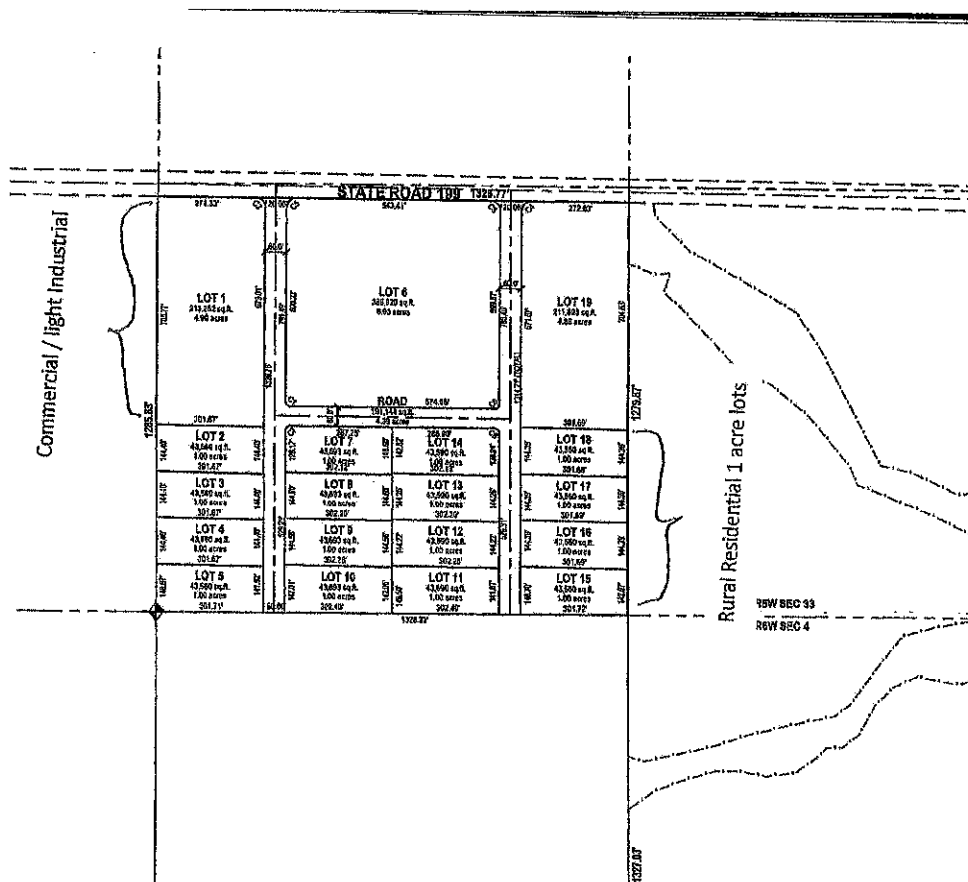
(b) The legal description of the area to be zoned is as follows:

The North one half of the SW 1/4 OF THE SW 1/4 of SEC 33, T5S, R5W, SLB&M, TC, UT LYING S OF STATE ROAD 199, excepting the .91 acreage that became part of State Road 199, a total of 19.09 acres.

This property has 1328 ft of frontage along Highway 199.

See the maps on the next page:





(c) The types of land uses permitted, conditional or prohibited in the current zoning district and the proposed zoning districts are as follows:

The property is zoned agricultural MU-40, which allows for one single-family home to be built on the property. Most of the homes in the area are on land that is one acre or more in size. The nearest homes are in the incorporated area of the town of Rush Valley.

The proposed zoning change would allow for light industrial or commercial utilization of the property. The types of businesses we hope to attract may include; a Service Station/convenience store, charter School, tire store, farm nursery, Office warehouse units, a cabinet shop, or similar type businesses.

(d) existing transportation patterns including public and private roads and internal and external circulation patterns, rights-of-way, easements and parking?

There are no existing transportation patterns on the property. Any easements and/or right-of -ways will be created after the subdivision has been approved. The property includes 1328 ft of frontage on State Road 199 which is utilized by many Tooele Army Depot employees who commute to work on a daily basis.

(e) existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities;

The present use of the property is agricultural with no streets or parking. There is a single structure on the property, which is a farm shed that will probably be demolished in the future.

There are no storm-water drainage facilities on the property at the present time.

(f) existing and proposed utilities and infrastructure;

The property currently has 1328 feet of frontage facing North on Highway 199. Electricity is nearby. A cable line runs along the front of the property. The property includes water-rights of a little over 14-acre feet. The state will allow owners to apply for additional water if they are able to show beneficial use. There is no infrastructure currently built on the property.

Electrical service would be brought to the various parcels and to the buildings. There is a major natural gas line that runs parallel to State Highway 36 that would likely be used to bring that utility service to the property.

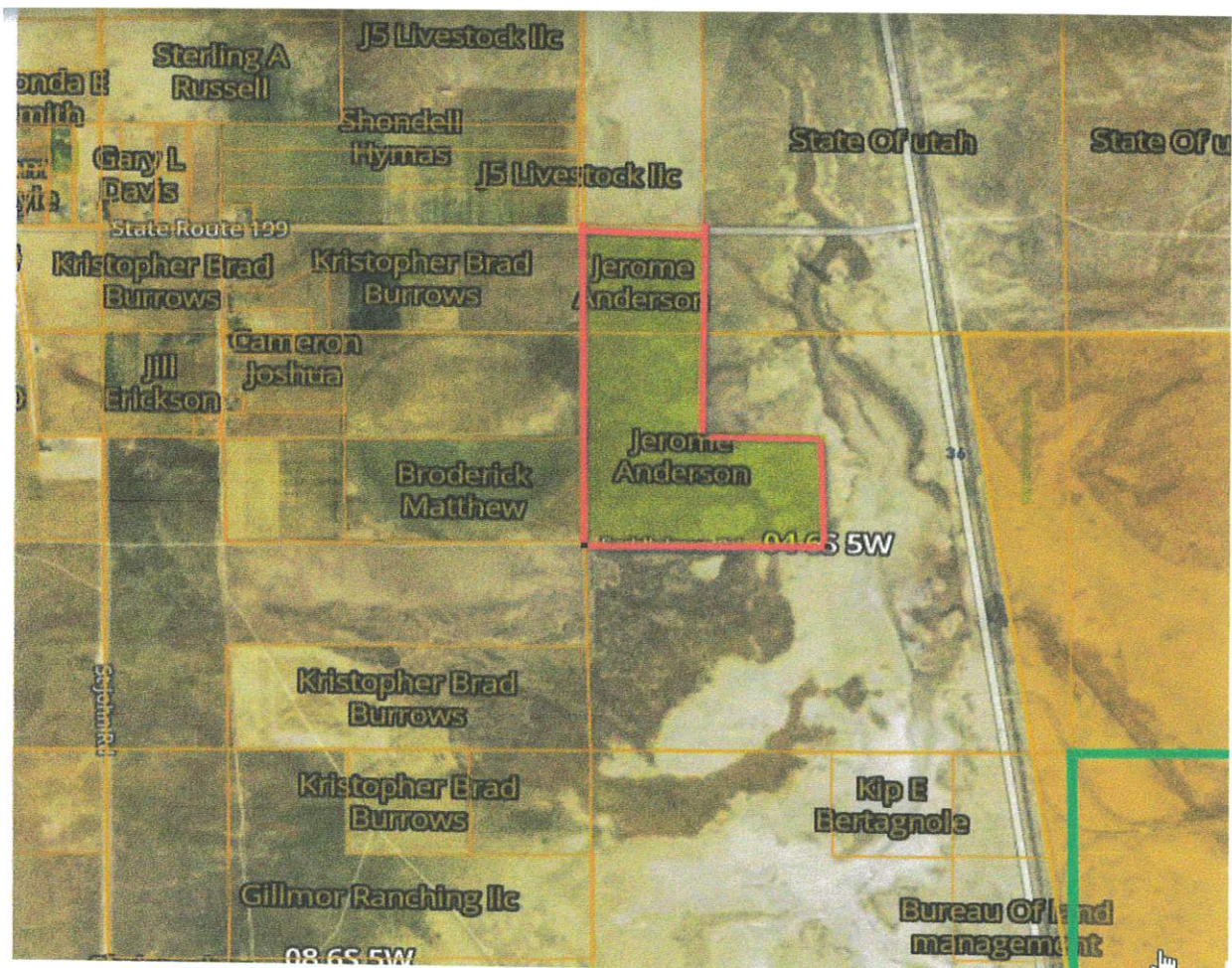
(g) relationship of proposed zone change with Tooele County General Plan and how specifically the proposed zone change would conflict, conform, complement or otherwise affect the Tooele County General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area;

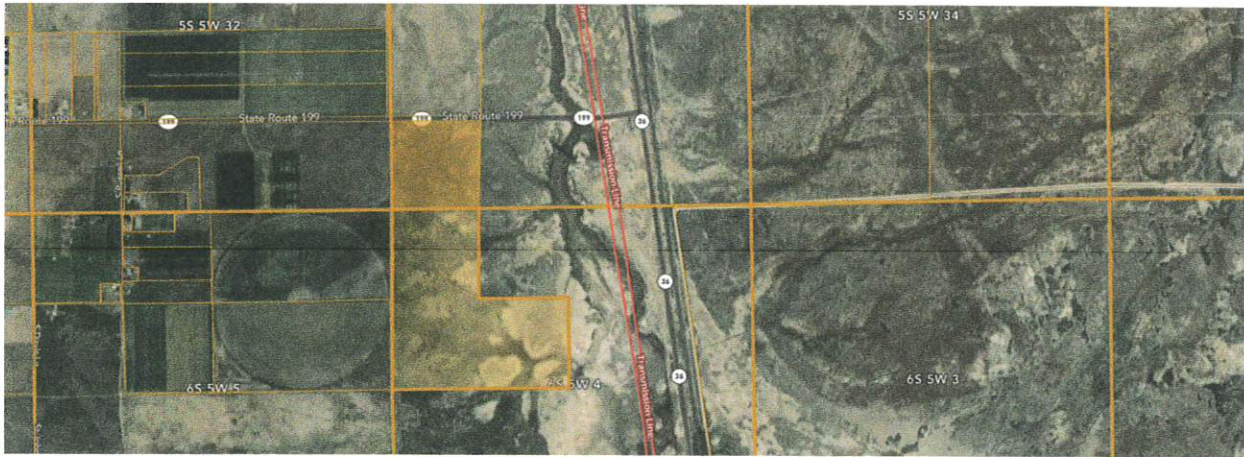
This property borders the town of Rush Valley and is within the Rush Valley planning district. The Rush Valley Planning District document states that more dense development should be directed into incorporated areas. While Rush Valley Town did not express an interest in annexing this property at this time, that may change in the future when the need for a broader tax base becomes evident.

The Rush Valley Planning District document also includes a survey where the respondents to the Survey expressed a strong desire for more employment opportunities in Rush Valley. Changing the Zoning on this property to commercial/light industrial would provide nearby employment opportunities for Rush Valley citizens. As such this zoning change would be consistent with the desires of many Rush Valley citizens. Another major concern for citizens in that part of the county is the distance they need to travel for services. For example, it's 9 miles to the nearest service station/convenience store for Rush Valley residents.

(h) an area map showing adjacent property owners and existing land uses within 500 feet of the area proposed to be rezoned;

As is evident from the map below the property to the West and north of our property is currently used for farming. The property east and south of our property is for the most part vacant land owned by the State of Utah and the Bureau of Land Management.





(i) the location, description and acreage of land uses;

BLM land is on the South side of the property and is typical brush and grasses that are indigenous in the area.

On the East side of the property, State of Utah owns the North quarter, quarter. BLM owns the property South of the State owned property.

(j) approximate location and number of residential units along with approximate square footage, density and height?

There are presently no residential housing units on the property. There is a farm to the West that abuts the property and grows alfalfa hay. *1 acre Single Family dwelling in back zone. Possibly 3 lots for Commercial uses. 75' Height Restriction. Future commercial lots*

(k) approximate location and square footage of non-residential buildings;

There is a single shed on the property that is about 400 square feet. It is open on the South side with no wall or door. The shed sits about 100 feet South of Highway 199 and about 180 feet from the West property line.

(l) calculation of approximate amount of open space both before and after buildout construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas;

It will be difficult to calculate the amount of open space until we identify the future light industry commercial entities that show an interest in the property.

(m) if the site has unusual or unique natural features, a demonstration of how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption

of natural draining patterns, and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability;

Maintaining part of the natural grasses and some shrubs would be encouraged, but would be up to the individual owners. Currently there are no trees on the property, property owners would maintain their own yards. *Nothing unusual or unique in this area.*

(n) a description of the availability of culinary and irrigation water, community facilities such as schools, fire protection services and other types of facilities that would serve the re-zoned area and how these facilities are affected by this proposal;

Except for the existing well on the property, all culinary and irrigation water will come from one or more new wells to be drilled in the future. There is an existing permit to drill another well. The land owner currently owns 14-acre ft of water rights with the property. In addition, the land owner has the option to purchase an additional 26 acre ft of water. This property is also in a location where the State of Utah will allow property owners to apply for additional water rights.

In addition we are considering Utilizing a company named WillowStick to conduct groundwater flow analysis. This is some information on the company:

Background

Since 2004, Willowstick has specialized in identifying, mapping and modeling preferential groundwater flow paths and patterns and has completed nearly 500 major groundwater mapping projects worldwide. The name "Willowstick" is synonymous with mapping and characterizing groundwater. In times past, dowsers often used "willow sticks" to locate groundwater. Although there is no scientific basis behind dowsing, the name "Willowstick" was selected to describe the business's focus on groundwater characterization. Groundwater investigations performed by Willowstick range from applications in source development, mining, dams, municipal, environmental, geothermal and other applications. Willowstick utilizes three different and unique geophysical exploratory methods to provide unrivaled insight regarding groundwater flow paths and seepage patterns. The three methods include:

1. Willowstick Method (an active electrical based technique)
2. Resonance Acoustic Profiling (RAP) method (a passive seismic method)
3. Radiometric Scintillation Counter or Gamma (also a passive method specifically tuned for water sensitivity).

Willowstick has worked with many of the cities and counties in Utah to assist with locating the best possible targets to achieve the goal of drilling a well with high-yield production. They have completed these investigations with Cedar City, Enoch City, Gunnison City, Hildale City, Logan Fish Hatchery, SITLA, Central Iron County Water Conservancy District, Kanosh City and approximately 50 other Utah property owners. Willowstick conducts on-the-ground geophysical studies to narrow down potential targets and

to estimate depths for precision drilling. A brief description of each of these geophysical techniques is provided below.

1 Radiometric Gamma Ray Scintillation Counting

This passive system measures the aggregate gamma emissions from subsurface rocks and soil. Most importantly, the signal is attenuated where water occurs in permeable (fracture) zones beneath the sensor, making it an excellent tool to use in conjunction with the RAP system to locate highly permeable (fracture) zones with high water content.

2 Resonance Acoustic Profiling Passive Seismic Method

This method rapidly detects structural weakness in rocks and can locate fracture zones with high accuracy down to depths of 3000 feet or more. What most people don't realize is that the earth's crust is always flexing due to the gravitational pull of other planets and the rotation of the earth—similar to how ocean tides are constantly in motion (rising and falling daily). The flexing of the earth's crust creates resonances that can be measured and interpreted to help identify structural weakness in rocks allowing for the location of fracture zones where groundwater is likely most concentrated and where groundwater preferentially flows through the subsurface. Prospective areas are narrowed down to final targets using this rapid seismic system that provides 2D and 3D acoustic profiles of the lithology to reveal structures highly prospective for groundwater (see the figure below).

RAP/Gamma Deliverable Examples

The fieldwork portion of a Willowstick investigation is non-intrusive and can be completed in a relatively short time – we can cover the field work on 25-30 acres in 1 day with one field technician at a cost of \$3,000 which includes field work, mob/demob costs, processing/analysis/interpretation/modeling and summary report. The report will be delivered 1-2 weeks after the field work. I'm attaching an example of a summary report we deliver to our clients upon completion of the project which highlights the coordinates for the top drilling locations on the property. This client has already drilled with excellent results.

Bryan Slade with the Tooele County Health Department sent an email to Trish DuClos, the county planner, stating that a one-acre lot subdivision with conventional septic systems could work in this area if there are shared individual wells (up to four residences per well) or development of a community water system.

The owner has had several discussions with Justin Huffman, Fire Chief for the Stockton Fire Department. He explained that his fire department along with the Rush Valley fire department have current contracts with Tooele County to cover fire protection for the property applying for a zoning Change. Justin Huffman has had conversations with the Rush Valley Fire Department and has committed to emailing Trish DuClos a statement basically saying the two fire departments

would have fire protection jurisdiction for the properties applying for a zoning change.

This property is in the Stockton Fire Department jurisdiction.

(o) approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land;

The property does not currently have any storm water detention or retention areas.

(p) an indication of the construction schedule of any project proposed;
Construction would begin within a month of approval of the project.

(q) for multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase. *will be addressed at Subdivision Stages*

Approximately 20 acres are proposed to be rezoned light industrial Commercial

(r) a detailed traffic study showing the vehicle trips per day on average at buildout and a determination how the project would significantly alter existing traffic patterns or volume;

The traffic study performed by A-Trans Transportation Engineering is on the following pages.

December 26, 2023



RE: Rush Valley Planned Development on SR – Traffic Impact Study Proposal– Rush Valley, UT

The following is a trip generation memo for the proposed development located along SR 199 in Rush Valley and is approximately 2400 feet west of the SR 36 and SR 199 intersection. The site has approximately 1,400 feet of frontage. The proposed development includes commercial, industrial and residential land uses and is proposing to access SR 199 at two locations. The complete property is a 160 acres and is planning to include 20 acres of commercial and industrial along the SR 199 frontage and the remaining 120 acres of single family home development. The specific land uses for the commercial and industrial have not been determined but a potential commercial pad for a gas station and the remainder as industrial is the most likely development plan according to the land owner.

Figure 1 identifies the site location for the development.

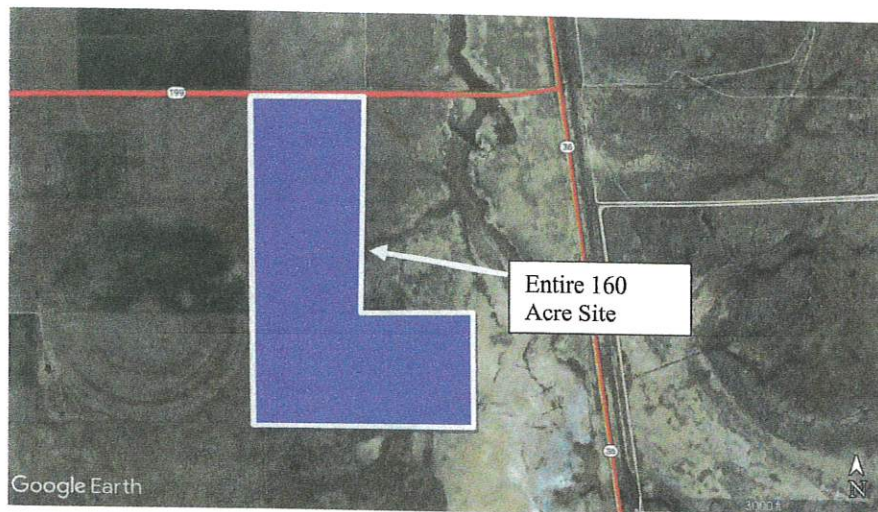


Figure 1: Site Location

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 atrans@comcast.net

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Trip Generation

Trip generation rates for different types of land uses come from the Institute of Transportation Engineers (ITE) *Trip Generation* Manual. Based on the land use assumption type and size of the building, the projected traffic generated by the site is determined. Table 1 identifies the projected site traffic for the proposed development. This includes a 1 acre gas station with 16 fueling positions, 19 acres of industrial development at 10,000 sf per acre (190,000 sf) and the remaining 120 acres are assumed to support 100 single family homes.

Table 1: Site Trip Generation

ITE 11th Edition	Size	Land Use	Trip Rate					Trips		
			AM	PM	Saturday Peak	Daily	Saturday	AM	PM	Daily
Single Family Homes	100	210	0.70	0.94	0.93	9.43	9.54	70	94	943
Commercial - Gas Station	16	945	16.06	18.42	17.01	265.12	0.00	257	295	4242
General Light Industrial	190,000	110	0.74	0.65	0.00	4.08	0.69	141	124	775
Total								468	512	5960

The proposed development is projected to generate 468 AM peak period trips and 512 PM peak period trips with a projected 5,960 daily trips. Keep in mind that these number are based on the ITE Trip Generation Manual and can vary widely in rural areas. It is highly unlikely that the gas station will generate 4,242 trips a day in this remote area until Rush Valley has substantially more development. The gas station alone is 71% of the projected traffic for the site.

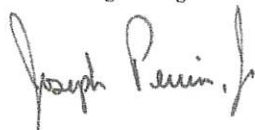
This section of SR 199 is a two-lane rural arterial and has a capacity of 19,500 Average Daily Trips (ADT). In 2019, UDOT recorded 1,200 ADT on the roadway indicating that this road has more than available capacity to accommodate the projected development traffic.

Access

The site will be served by two proposed accesses on the northern boundary of the site along SR 199. This will have to be permitted by UDOT through the application process of UDOT Region Two. A Level II traffic study will likely be required by UDOT for the access application and since this is a Category 4 roadway, a variance may also be needed. Since SR 199 is posted at 50 MPH, the likely improvements will include the development of westbound left turn lanes at both the proposed development accesses to allow westbound left turn vehicles to move from the westbound through traffic lane and not impede the flow of traffic.

Please let me know if you have any questions.

Sincerely,
A-Trans Engineering



Joseph Perrin, PhD, PE, PTOE
Principal

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 atrans@comcast.net

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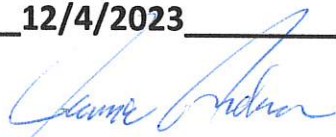
(s) for applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone; and

Not applicable, there are no plans for a Planned Unit Development

(t) any other study or information required by the planning commission or zoning administrator.

We are attempting to comply with all requests from the County.

Date submitted. 12/4/2023


Signature of owner Jerome Anderson

HYMAS SHONDELL TRUSTEE
01-289-0-0009
R025351

JS LIVESTOCK LLC
06-061-0-0008
R021499

Municipal
KRISTOPHER BRAD BURROWS JT
01-289-0-0020
R013610

ANDERSON JEROME
06-061-0-0007
R014294

STATE OF UTAH
06-061-0-0005
R007954

MU-40

ROCKIN' R' RANCH A LLC T/C
01-295-0-0006
R014610

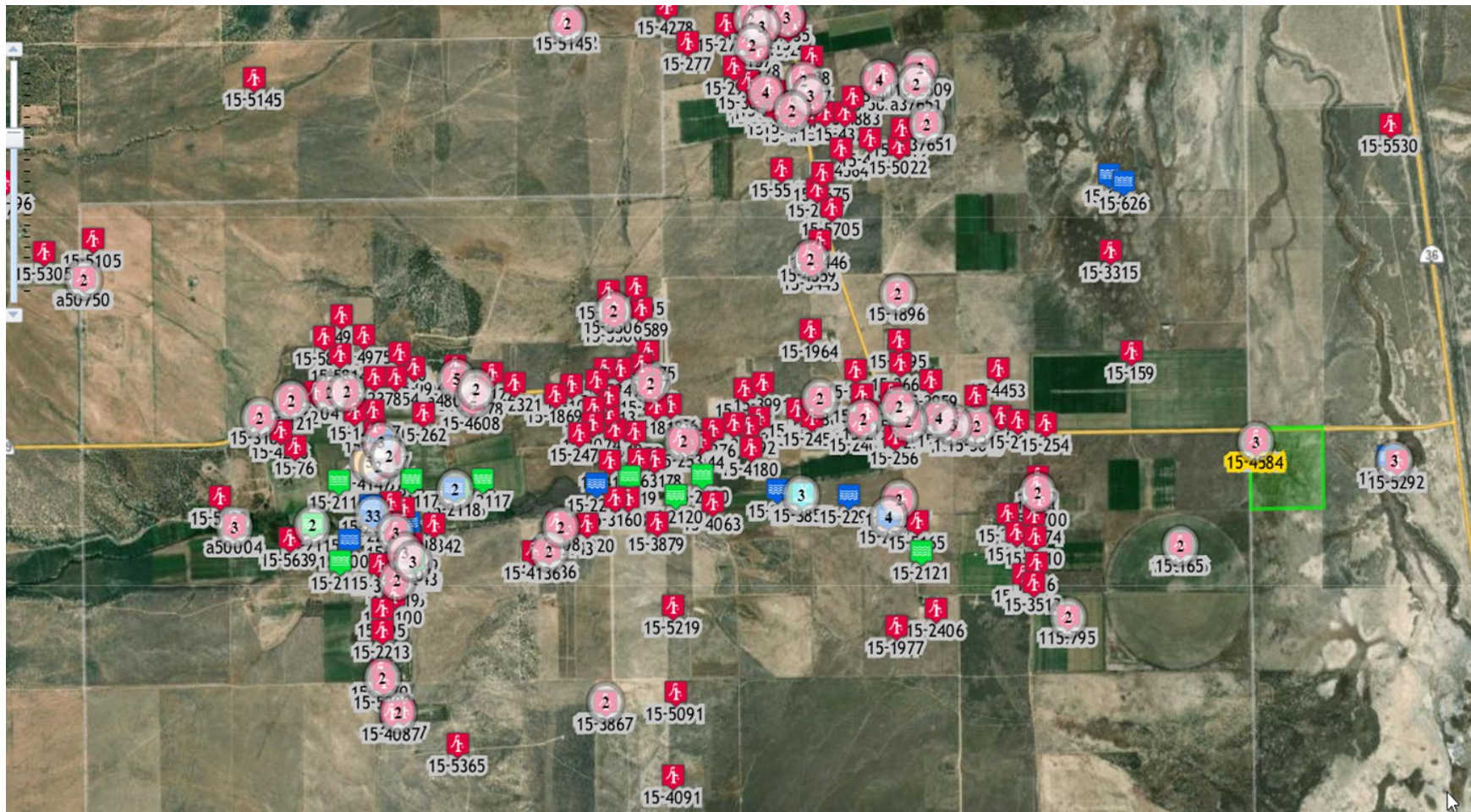
ANDERSON JEROME
06-085-0-0002
R026471

BLM

Trish,

I have gathered some additional information on water availability.

This is a map showing many of the wells currently in Rush Valley. A number of these wells have been in place for a long time. And the State continues to say additional water is available.



I looked up the well logs for two wells nearest our property. One is owned by Rockin "R" Farm, LLC, they own water right 15-165 and have a 20 inch well that is 105 ft deep. The quantity of water for that well is 4.011 CFS which translates to 1800 gallons per minute.

Water right number 15-159 has a large well near our property. This well is owned by the state and two private parties and has a flow of 505 acre ft.

The information above is from the Utah Division of Water Rights website. As I mentioned in a previous email I plan to use a company called Willowstick to assist in identifying the best places on the property to locate water. After doing a fair amount of research we plan to initially focus on the 16 lots and possibly drill one well that would provide the water for all of those lots. As I have mentioned in earlier emails each parcel owner can apply for 4.73 acre ft of water. Since the subdivision will have more than 8 lots the State will likely require a community water company.

Hopefully this additional information is helpful.

Jay

