



Planning Commission Meeting Agenda

November 13, 2024

Council Chambers Room 308

7:00 PM

Those who wish to watch the meeting online can do so at this link:

<https://us06web.zoom.us/j/87557557305>

Pursuant to the Americans with Disability Act, individuals needing special accommodations during this meeting should notify Stephanie Eastburn, Tooele County Community Development, at 435-843-3160 prior to the meeting.

1. Pledge of Allegiance

2. Roll Call

3. Minutes

A. Minutes from the October 2nd, 2024 Meeting

MOTION AND VOTE

Attachments

1. October 2, 2024 Planning Commission Meeting Minutes Draft.pdf

B. Minutes from the September 4, 2024 Meeting

MOTION AND VOTE

Attachments

1. Planning Commission Meeting Minutes September 4, 2024_DRAFT.pdf

4. Election of Vice Chairperson

A. Motion to Elect Vice Chairperson for the remainder of 2024

MOTION AND VOTE

5. Conditional Use Permits

A. CUP 2024-119; Jo Carpenter is requesting a Conditional Use Permit for a detached Accessory Dwelling Unit (ADU)

PUBLIC HEARING AND MOTION: CUP 2024-119

Attachments

1. October 2, 2024 Planning Commission Meeting Minutes Draft.pdf

B. CUP 2024-133; Todd Hinton is requesting a Conditional Use Permit for a detached Accessory Dwelling Unit (ADU)

PUBLIC HEARING AND MOTION: CUP 2024-133

Attachments

1. CUP 2024-133_Staff_report_final.pdf

6. Rezones

- A. REZ 2024-122 Charles Akerlow is requesting a rezone from MU-40 to M-G

PUBLIC HEARING AND MOTION: REZ 2024-122

Attachments

1. REZ 2024-122_Staff Report_Final.pdf

7. Discussion item

8. Planning Commission Comments

9. Adjournment



Planning Commission Meeting Minutes

October 02, 2024

47 S Main St. Tooele, UT 84074

Council Chambers Room 308

7:00 p.m.

DRAFT MINUTES

1. Pledge of Allegiance

Ron Elton led the group in the Pledge of Allegiance at 7:01 pm

2. Roll Call

Motion by Ron Elton for Toni Scott to serve as acting chair for tonight's meeting. 2nd by Brad Bartholomew. All in favor. The motion passed unanimously.

Toni Scott, acting chair called the meeting to order at 7:02pm. Roll call was taken showing Curtis Beckstrom, Ron Elton, Andy Stetz, Brad Bartholomew and Toni Scott.

3. Minutes

A. Approval of the Minutes from the September 4, 2024 Planning Commission Meeting

Agenda Attachments

1. September 4, 2024 Planning Commission Meeting Minutes_R1.pdf

Ron Elton made a motion to delay the consideration for approval of the minutes of September 4th until such time as they can see the amendments to our policies and procedures. They were significant, and he thinks that it would be appropriate to see how they all fit together. I think we need to look at those before they approve those minutes and amendments. He stated that there was discussion on who could add items to the agenda & he gave a motion that a four-person planning commissioner signature requirement be changed, so only two members of the planning commission could add items to the agenda along with the chair and the development department. He asks the development department to put that item on the agenda again for consideration to change it back to two people. His motion is to delay the consideration of the minutes until the next meeting until he can see the full policy and procedures as they come together. 2nd by Curtis Beckstrom.

All in favor. The motion passed unanimously.

4. Conditional Use Permits

A. CUP 2024-119; Conditional Use Permit for private recreational park and camp or resort, Trish DuClos

PUBLIC HEARING AND MOTION: CUP 2024-119

Agenda Attachments

1. CUP 2024-119_Staff report_final.pdf 2. Planning_Commission_Agenda_Summary_2024-119.pdf 3. Public Notice_Hearing_10 days_AMD CUP 2022-113.pdf

Trish DuClos, Planning Staff, summarized the staff report for CUP2024-119. This is a

conditional use permit request for a private recreational grounds or private park resort which could include accessories supporting dwellings and dwelling complexes. The applicant has requested on his property, which is currently zoned R-5, and he has just under 90 acres that he can do a private camp area. Most of it would be dry camping. He did provide a little section in his plan that would give people electricity small cabins. But just port a potty, no septic hooked up. Just a small section, maybe 2 or 3. A couple of areas with cabins, a couple of areas with tents and possibly RVs. His overall plan is to do a riding arena to do lessons.

Ron Elton asked if there would be actual toilets in lieu of port a potties. Trish said that he has an area carved out for that. It would be handled by the health department if they are connected to the septic in that area. He is requesting a couple of areas with cabins, a couple of areas with tents or possibly RVs on his property. His overall plans are to do a riding arena, possibly in the future, where he can do lessons.

Toni asked if this is in addition to the three arenas that he already has. Trish said that the arenas and barns that he has would be part of his business, so if people that come for the weekend or out of state come riding, he would offer lessons. He would let them stay on the property.

Toni asked what they were voting for today. Trish stated that they were voting for the use of his private recreational camp resort, what is on the site plan. Trish stated that they can, up to their discretion, put a cap if he wants to grow larger than that.

Rachelle Custer, Community Development Director, stated that they are voting on the use. Not the site plan. They are voting on the use as to whether he can have a private recreational facility at this location. They can put a cap on the number of spots. But they are not approving the site plan. They are voting on the use.

Toni stated that you can't fit 10 horse trailers on .25 acres that is stated on the CUP. Trish stated that when you do a CUP it encompasses the entire property. It doesn't limit what areas you go to unless you specifically say in your CUP. It is hard to do that because it will be spread out. She doesn't know how you are going to regulate all of that. Her suggestion is to put a cap on how many camp spots he can have on the property. The CUP is for the land. They aren't going to know what part of the land is going to be used for what.

Brad Bartholomew asked if they will be going to be seeing a site plan or are they only approving the use, and the site plan gets approved by staff. Trish said they will not be seeing a site plan. The site plan gets approved by all the other agencies; fire, health, engineering, we do an agency review meeting to make sure all those codes are met with whatever they have. Only the concept plan that he provided is what they're going to see.

Rachelle stated that the Planning Commission has tabled CUP's before, until the site plan is approved if they are really worried about what the site plan is going to look like.

Toni stated that she is worried because the property comes off three different roads. Trish said that this one is kind of tricky. Normally, the site plan would go first, but with this property being so large, the applicant wanted to do this one first so he could adjust and send all the conditions to his engineers to do the sideline stuff. If they have conditions they want to put on the property and things they want to see on the site plan, they can table it until they see it on the site plan. Andy Stetz stated that he is concerned regarding the different wordings on the application. The total acres and parcel is approximately 90 acres and the areas occupied by this use is .25. Trish stated that the CUP would be approved for the entire property. That is just what the applicant put in there, it is just a concept plan.

Toni Scott opened to public hearing. No public comment. Toni Scott closed the public hearing.

Ron said that his condition is that it be centrally located, and a specific footprint. He said that it should be required that it should be centrally located, 2 acres, 5 acres, whatever it is. He knows that .25 is not realistic. He said that Toni's idea of delaying this until the applicant presents a specific site plan is a good idea.

Ron suggested tabling this request until the applicant presents a specific site plan. Come back with a site plan that includes sites that are centrally located as well as the number of sites, including all conditions, quiet hours, as they are going to be occupying this 24 hours a day. The applicant did propose quiet hours but didn't say what they were.

Ron Elton motioned to table this until a site plan has been submitted and requested that a site plan include conditions listed in his application. More specific details are needed in his application, such as no retail sales, access, dustless roads, and quiet hours, as they will be occupying this 24 hours a day. Come back with a site plan that includes all of his conditions specified and our standard conditions. 2nd by Curtis Beckstrom.

All in favor. The motion passed unanimously.

B. AMD CUP 2022-113; Amendment to Conditional Use Permit for private kennel, Trish DuClos

PUBLIC HEARING AND MOTION: AMD CUP 2022-113

Agenda Attachments

1. AMD CUP 2022-113_Staff report_final.pdf
2. Planning_Commission_Agenda_Summary_2022-113.pdf
3. Public Notice_Hearing_10 days_AMD CUP 2022-113.pdf

Trish DuClos, Planning Staff, summarized the staff report CUP 2024-113. This amendment is to have more litters. This already has an approved CUP for this property to have a private kennel that allows them to have 15 dogs at one time with the condition that they have one litter every 2 years, because our current zoning code does not allow a breeding or boarding kennel in that area. This is brought up because of multiple complaints of the dogs barking and causing a nuisance in the area. The complaint that is attached to the staff report was sent in anonymously. They are not compliant with one litter every 2 years. They have exceeded far more than that. There are at least ten to eleven litters per year.

Toni asked if the breeder was staying with the 15 dogs. She said that it says that they are keeping one from every litter. If that is the case, it is 12 dogs. Trish states that the response letter states that they don't always keep a dog from every litter. It explains that a lot of the dogs when they get tested, they are not fit for certain things, they have a lot of different categories they put their dogs in and a lot of them are not fit. They don't keep one from every litter. They also do get them from other places, to keep their show dogs up. It is online, and they do register the dogs online. The older dogs seem to come and go depending on certain conditions or aspects. Her request isn't to just keep a higher dog number, it is to have more litters. Trish said that her opinion is that the applicant is running a commercial operation. They are selling these dogs. They have many litters a year. They are not complying with the law of every two years and so that is a condition we placed on them. Trish said that we were trying to allow them, if a dog died, they could keep up those numbers. That is what they had requested, but it is still breeding, which is not allowed in that zone.

Ron Elton asked how the conditional use permit allows breeding if the ordinance doesn't. Trish stated that there wasn't a clear definition of what breeding would be, to keep their private dog numbers up instead of letting them all pass away. At the time, the Planning Commission felt that it was a fair compromise. Trish said that it could still be considered breeding.

Toni said they looked at the definition on the internet and personal was a litter every couple of years. Ron Elton asked if it was specified that this was for personal. Toni and Trish both confirmed that yes, this was for personal uses only. Trish said that they can only have four in that zone right now, so to exceed those four numbers, that is what a private kennel would allow them to have.

Ron said that Trish indicated that they were selling them. He asked if they acknowledged that they were selling them. Trish said yes, they do say in their letter that they sell them. They are claiming the sale of the dogs isn't recouping the cost of what it costs to keep them.

Toni asked if Trish had gone out, if she is code enforcement. Trish said that yes, she is still code enforcement. Over the course of the two years that they have been there, she has gone

out many times, she would say at least 10 times in the past 2 years, because she has gotten complaints about the dogs. She states that the property is very clean, there are no piles of poop anywhere. She has only seen the dogs one time. When she went out, she would go in the afternoons, which was the hottest part of the day. One time when she was there, the dogs were outside in their kennel by the street, and she heard them barking. The applicant did suggest that they would move the kennel around the back. Trish said that she didn't know if that would help. The applicant has stated that the dogs' bark boxes have been removed. Trish said that you can still hear a very dark barking that they have. Trish stated that the sheriff had also gone out because they handle the nuisance side of things. They have talked to the owners and have heard the dogs barking on multiple occasions too and have reached out to Trish to find out how many dogs they actually have.

Toni states on page 33, item 18 that it says pregnant as June 3rd, so if she has two dogs, which she assumes there are seventeen dogs down below, she thinks she has more. She asked Trish if that was correct. Trish states she doesn't know and couldn't verify how many dogs they have there because they are usually not home when she goes around. Toni says puppies we give them until 12 weeks. Trish confirmed four months.

Ron asked what they were specifically asking for, because they already have a kennel permit. Trish said that they want that condition of one litter every two years amended. It doesn't specify how many litters they would like to have. She would want the whole condition to be taken off. The applicant's request would be to do away with that condition, but our code does not allow breeding kennels in that zone. Trish did explain this to the applicant. Trish said that she doesn't know if their next request is to change the zoning code, but that is the option the applicant has, to change that to allow breeding in that zone. They just wanted to exhaust this section first.

Curtis Beckstrom said that after reading the statement, which was 3 1/2 pages, he saw a lot of contradictions. The applicant has already not followed the rules in the past and has had Trish and others go out in the past to see what was going on. He stated that he was not inclined to approve this.

Toni Scott opened public hearing. No public comment. Toni Scott closed public hearing.

Toni asked if there were any other discussions.

Brad Bartholomew said that in the letter she says next door there is another kennel. He asked Trish if she had complaints about them. Are they following the same procedures? Trish said that Rush Lake Kennel, which is there, had been there a long time, way before her. They are a boarding kennel. She doesn't know what the code was before that. She doesn't know how they got that, but right before this last one was approved, the first time there was one just up the street from Rush Lake, even, that asked the same thing so they could keep more dogs, because they do hunts and things, so they needed more than four dogs allotted. She has not received any complaints regarding them. She hasn't ever seen the dogs out.

Toni Scott made a motion to deny CUP 2022-113 amendment. 2nd by Curtis Beckstrom. All in favor. Motion passed unanimously.

Rachelle Custer addressed chairman Scott after the motion passed and stated that we can notify the applicant, and we can revoke her CUP if they are not following the conditions. Ron asked if enforcement by the county attorney's office would work. Rachelle stated that it would possibly be the notification, but she thinks that we should revoke the CUP first and then, if she continues to violate, we go that route. Trish stated that she sent the applicant code enforcement letters, and that is what triggered this, so the applicant could try to come into compliance. There is already a case that is ongoing. If she doesn't comply, then we will move forward.

5. Planning Commission Comments

6. Adjournment

Motion to adjourn by Toni Scott.
Time of adjournment 7:30pm.



Planning Commission Meeting Minutes

September 04, 2024

Emergency Operations Center

15 E 100 S Tooele, UT 84074

7:00 p.m.

1. Pledge of Allegiance

Tim Gillie, member of the public, led the group in the Pledge of Allegiance.

2. Roll Call

Chairman Blair Hope called the meeting to order at 7:00 pm. Roll call was taken showing Michael Dow, Brad Bartholomew, Toni Scott, Blair Hope, Andy Stetz, Curtis Beckstrom, and Ron Elton. It was noted that Commissioner Knudson has resigned from the Planning Commission.

3. Minutes

A. June 19, 2024

Agenda Attachments

1. June 19, 2024 Planning Commission Meeting Minutes_Draft_R1.pdf

Motion to approve the June 19th 2024 minutes by Toni Scott. 2nd by Michael Dow. All in favor.
The motion passed unanimously.

B. August 7, 2024

Agenda Attachments

1. August 7, 2024 Planning Commission Meeting Minutes_DRAFT.pdf

Motion to approve the August 17th, 2024 minutes by Ron Elton. 2nd Andy Stetz. All in favor. The motion passed unanimously. *[Editor's note: Brad Bartholomew and Toni Scott later stated they need to abstain from this motion, due to not being at the meeting]*

4. Rezone

A. Doug & Matt Hogan are requesting to rezone a property from MU-40 to RR-1, Trish DuClos

PUBLIC HEARING AND MOTION: REZ 2024-109

Agenda Attachments

1. REZ 2024-109_Staff Report_Final.pdf
2. REZ 2024-109 Planning_Commission_Agenda_Summary .pdf
3. REZ 2024-109_PUBLIC NOTICE.pdf

Trish DuClos, Planning Staff, summarized the staff report for REZ 2024-109. This is a rezone request for a large property just west of the South Rim subdivision for 307.66 acres. The request is to rezone from MU-40 to RR-1. South Rim is an RR-5 zone, but there is a development agreement, so the lot sizes range from 1 to 3 acres. This is consistent with the General Plan update from 2022. There is concern with water. The applicant hasn't turned in proof of water, but it isn't required at the rezone phase. He does have water rights he could transfer over. They will do a water system similar to South Rim.

Trish stated the applicant turned in a detailed traffic study. The biggest concern for staff is the intersection where Connor Avenue and Grant Avenue intersect. They propose that in 2029 at full build out, they request that Stockton City improve that intersection. It increases the traffic substantially in that area.

Ron Elton asked about the smaller lot size. Trish stated that the South Rim subdivision was created through a different subdivision code that allowed them to cluster the lots and provide open space. We now have a conservation subdivision they could go through, but it would require them to have a sewer and water system. They will have a water system, but not sewer; they will have septic systems.

Motion to open public hearing by Toni Scott. 2nd by Brad Bartholomew. All in favor.

Trish read a letter received by Planning Staff sent in by John and Charlotte Dravick, residents of the South Rim subdivision. Their concerns are density, light pollution, water access, septic impact, utilities and traffic.

Yvonne Morris- My property is adjacent to this property. My concerns are water, road wear and tear, septic, sewer, light pollution. I think there is a better way to zone this. I too would love to see it zoned RR-5 with green spaces. We're not opposed to progress, we are opposed to that density. This morning, we watched a herd of elk travel across this property. It would be a shame to lose that along with all the protected raptors that nest out there. There is more to consider than just profit. Water is one of them. I would love to see a study done on traffic.

Michael Lucas- My biggest concern is water. They've put restrictions on us this summer to make sure we have enough water for fire suppression, etc. but now you have enough for 250 homes. It seems contradictory to me. In the 8 years I've been out there, watching the growth, all the trucks take more than half of their lane. On my motorcycle I've been forced to the far side of my lane. You give us a minute to talk to the 142-page report. Most of us aren't ever going to understand that impact study. The impact to that road is far greater than the data for an impact study on traffic. I watch accidents all the time on Silver and Mormon Trail. You need to do better on your research.

Ridgeline Road Resident [Name unintelligible]- A couple concerns I have- one is the fire suppression system. It's a voluntary system. Right now they're building a new fire house. And the lack of police presence we have. There is no police out there. The people getting pulled over out there are from highway patrol that lead them to local area. Another concern is the amount of water that come out of the canyons and rushes down Silver Avenue. It's dug a 12-foot trench down through that area. It's definitely a flood zone. We have water that comes up over Ridgeline. We are out there shoveling to clear the mud. Being in a floodplain these new developments will be required to have flood insurance. They've dug a ditch back there as well behind Ridgeline to prevent that. When we get a lot of rain up there, the 18-inch drainage pipes we have flood over. A lot of basements have flooded.

Michael Lucas- There was a development growth study from 2022 that mentions the Mormon Trail as a major road from the Salt Lake Valley to Rush Valley. That is one of the worst roads in this county. To think that you're going to put 250 more homes out there and have half the people go that direction to get to I-80 is absurd. That road is horrible. I refuse to take my motorcycle down there because it is in that bad of shape. I watch horse trailers go down these roads and they're garbage. The extra traffic is a big concern.

Jim Johnson- The one concern that hasn't been mentioned is the lawsuit we have with the gravel pit. No where on my closing documents when I bought my house did it say that there is a commercial gravel pit across the street. It is 50 yards from me. Are the Hogan brothers prepared to put a disclosure comment to all these new possible owners that there is a huge gravel pit across the street? No one is going to buy a home out there.

Emily J (Online)- My concerns mirror what everyone else said. I'm concerned with the water issues, with the increased lighting for the birds out there. I also saw the elk and I worry where they're going to go. Increased traffic that's brought to the area and the possibility of that gravel

pit coming back to out here. I am not opposed to progress. I think the lots should be done a bit differently.

Charlie Chadwick- My concerns are the traffic and the curves- traffic is tight going through there; the sewage problems and water issues. Traffic, coming through Tooele is even pretty bad. The post office will be overrun with all the new things.

Lori Paige – I am disheartened. It seems the only ones who were notified are us on Ridgeline. This affects all of South Rim. A lot of people were upset that they never heard any of this was taking place. It affects the people in Stockton as well. It sounds like a shady deal. We are concerned about water. We have been told not to water on some days during the summer. We ask that you consider larger lots. The light pollution and traffic. We left Tooele to be out in the country so we didn't have to deal with light pollution or traffic.

Becky McCormick- My concern is where the aquafer is and what happens when you add 300 more septic systems out there. I have concerns with the county road crews can't get out there during the snowstorm. To add another subdivision will tax the county. During the flooding, the snow and getting our kids safely to school. I love growth and I know that it's going to come but I would request larger lots.

Val Griffith- I've lived all my life where there have been septic systems. It seems like if you put 307 lots on one acre lots you'll have trouble fitting the leach fields and septic tanks. The way it is now, the RR-5 there's enough room for that for the houses that are there. That is my biggest concern- septic, propane, you need enough space for those things. We were also not notified of the gravel pit. We are concerned that everyone knows about it. I don't oppose having houses there. It seems it would be better the RR-5.

Blair Hope stated the code is written that people that live within a certain amount of feet of the petitioned property are notified. That's why only some people were notified, and not all of South Rim and Stockton.

Rachelle Custer, Community Development Director, stated that is our code. State law says only neighboring properties.

Motion to close public hearing by Curtis Beckstrom. 2nd by Toni Scott. All in favor.

Doug Hogan, co-applicant, stated that Commissioner Elton asked why we are asking for RR-1 The PUD code was repealed. We can't apply for the same thing as The Benches at South Rim. There are no 5 acre lots in South Rim. It's RR-5 zoning with a PUD. There are a lot of 1-acre lots in The Benches at South Rim.

Doug explained as far as the water question that was asked, there are two issues- one is source and the other is storage. The concern about when water can be used is a storage issue. The current system has two wells and one tank. What's proposed is that there would be additional storage. There is no problem with the source. There's adequate water in the well. The benefit is that there would be multiple tanks. We believe our proposal fits in with the General Plan.

Doug explained about the state's process for granting water to property owners. Doug explained that they are planning for one acre lots, with small deviations that will be a bit smaller. There is open space accounted for, for trails, but no plan for a park. There are costs to maintain the park.

Blair hope asked about adding two-acre lots. Doug stated that can be discussed at the subdivision stage. The issue is economically will you be able to recoup your costs and sell them.

Toni Scott asked about Hickman Wash, and whether this is in a flood zone. Doug stated I know the engineer has accounted for that in this plan.

Blair Hope asked about the costs for the development for the new subdivision. Doug stated the

new development will pay impact fees to pay for itself.

Ron Elton stated that the traffic study was fairly narrow in scope. Do you know why it didn't consider the s curves and the state of Mormon Trail Road? It's interesting they looked at the intersections in Stockton.

Doug stated I'm not sure why the traffic engineer didn't consider the s curves. Doug compared it to the developments in canyons and the narrow roads that lead there. There is a 5 way intersection at the gas station that may need to be addressed.

There was discussion regarding the infrastructure, roads and the repealed subdivision code.

Brad Bartholomew stated that Utah is a non-disclosure state, so it's not required (to disclose things like the gravel pit). Blair stated that is part of the due diligence of the buyer.

Brad stated that this is a rezone application, and the plans are just a concept at this point. Brad asked what the next step is. Trish stated the next step will be to go to Council Meeting, where Council will vote on it. They will take your recommendation into consideration. If it's approved, the applicant can apply for the subdivision. That's when we'll get into the details of the roads and lot sizes, etc.

Rachelle stated as part of the rezone, you could make a condition that they have a traffic study done to analyze certain areas like the s curves. Doug stated that there have been multiple offers to fix the s curves. They made the road wider. The county said they don't want it straight road because people would drive too fast.

Ron Elton made a motion to recommend to the county council a denial of this request for rezoning, based on all the concerns raised for REZ 2024-109, but we recommend a rezone to RR-5 which is consistent with the designation and the General Plan, if the applicant consents. As a side note I would ask to consider a PUD to allow for a subdivision to allow for a subdivision consistent with the adjacent subdivision. The motion failed for lack of 2nd.

Andy Stetz made a motion to recommend approval for (REZ 2024-109) the rezone parcel from MU-40 to RR-1, one-acre minimum. 2nd by Curtis Beckstrom.

Roll call vote: Michael Dow – aye. Brad Bartholomew – aye. Toni Scott – aye. Andy Stetz- aye. Curtis Beckstrom- aye. Ron Elton- nay, I believe the subdivision should be consistent with the existing subdivision. I think the county should be able to accommodate that. I don't think the RR-5 would be consistent with that, but that's what we have left. We've got a lot of concerns. We do have the ability to mitigate the impacts to the community. The roads are inadequate. I drive the s curves multiple times a week and have people coming into my lane. People who down the Mormon trail road say it isn't well maintained. We have the ability to regulate, and the only way we can do that is make the subdivision consistent with the adjoining property. Blair Hope- aye. The motion passed 6-7.

Ron Elton made a motion to take a 5-minute break. 2nd by Toni Scott.

5. Land Use Ordinances

A. Text amendment to Tooele county Land Use Chapters 2, 15 and 16, Trish DuClos

PUBLIC HEARING AND MOTION: TCLUO 2024-114

Agenda Attachments

1. TCLUO 2024-114 Planning_Commission_Agenda_Summary.pdf
2. TCLUO 2024-114_staff report_Final.pdf
3. TCLUO 2024-114 Public Notice_Hearing_10 days.pdf

Trish summarized the staff report and explained the difference between home-based business, cottage industry, home occupation, and the ag industry. Trish stated our current code contradicts itself. There are two different home occupations one is permitted, and one is reviewed by staff. The other is the home-based businesses are larger than that. The table

addresses those.

Trish explained some of the issues staff has faced with the contradictions in the ordinance and the lack of clarification between the home businesses.

Motion to open public hearing by Blair Hope. 2nd by Brad Bartholomew. All in favor.
No public comment.

Motion to close public hearing by Toni Scott. 2nd Brad Bartholomew. All in favor.

Motion to recommend the 2024-114 amendments by Ron Elton. 2nd by Toni Scott. All in favor.
The motion passed unanimously.

B. Amendment to Tooele County Planning Commission's Policies and Procedures, Trish DuClos

PUBLIC HEARING AND MOTION: TCLUO 2024-115

Agenda Attachments

1. TCLUO 2024-115 Planning_Commission_Agenda_Summary_2024-115.pdf
2. TCLUO 2024-115_staff report.pdf
3. TCLUO 2024-115 Public Notice_Hearing_10 days.pdf

Motion to go through Commissioner Knudson's proposal and vote section by section made by Ron Elton. 2nd by Andy Stetz. All in favor. The motion passed unanimously.

Motion to approve the first paragraph and add and to it "and is the land use authority for Tooele County" by Ron Elton. 2nd by Toni Scott. All in favor. The motion passed unanimously.

Motion to approve paragraph 1 and 2 as indicated by Ron Elton. 2nd by Michael Dow. All in favor.

Motion to approve section 3.1 changes by Ron Elton. 2nd Toni Scott. All in favor.

Motion to leave in section 3, the paragraph Election of Officers, and change "staff" to "the Community Development Department shall appoint a secretary" by Toni Scott. Michael Dow 2nd. All in favor.

Motion to keep the first paragraph in section 3.2 as originally stated, without the deletion by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to approve the second paragraph of 3.2, and not accept the next sentence that the county would appoint, and that the quorum present may select an acting chairperson by majority vote by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to leave in the last sentences of 3.2, starting with "the secretary shall ensure..." by Ron Elton. 2nd by Scott, with the corrections of the spelling of ensure. All in favor.

Section 3.3 Rules and Procedure- Motion to approve with the acceptance of deleting the first sentence and accepting the remainder of that paragraph by Ron Elton. 2nd by Michael Dow. All in favor.

Motion to accept the last paragraph of 3.3 as proposed with the underlined portions by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to delete section 6 by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to accept section 3.3 as proposed with the provision that the chairperson or 4 members of the Planning Commission, under signature, may add items to the agenda by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to approve subparagraph 6 (section 8) as proposed and leave in "The chair may close the public hearing or comment period as deemed appropriate without a vote, second vote, or

vote of the Commission," and the last sentence be deleted by Ron Elton. 2nd Michael Dow. All in favor.

Motion to approve subsection 7 of 3.3 with the apostrophe s by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to leave subsection 3.3.8 Ron Elton. 2nd by Michael Dow. All in favor.

Motion to delete the section Reconsideration of Commission's decision as proposed by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to approve 3.4 as proposed, with the addition of a period and the word are, and delete the last sentence by Ron Elton. 2nd by Toni Scott. The motion passed.

Motion to delete the Conduct of Hearings paragraph by Ron Elton. 2nd Toni Scott. All in favor.

Motion to approve the proposed section 3.5 by Ron Elton. 2nd by Curtis Beckstrom. All in favor.

Motion to delete the ex parte contact section and insert the County Code provisions regarding ex parte contact provisions by Ron Elton. 2nd by Toni Scott. All in favor.

Motion to accept section 4 amendments as proposed, delete those provisions and add that one sentence by Ron Elton. 2nd Toni Scott. All in favor.

Motion to accept section 5 and 5.1 as proposed by Ron Elton 2nd Toni Scott. All in favor.

Motion to not include the rest of packet that was attached to the agenda by Ron Elton. 2nd by Toni Scott. All in favor.

C. Text amendment to Tooele County Land Use Chapter 4, Trish DuClos

PUBLIC HEARING AND MOTION: TCLUO 2024-116

Agenda Attachments

1. TCLUO 2024-116 Planning_Commission_Agenda_Summary_2024-116.pdf
2. TCLUO 2024-116_staff report_Final.pdf
3. TCLUO 2024-116 Public Notice_Hearing_10 days.pdf

Trish DuClos summarized the staff report for the text amendment. Tooele County Community Development is requesting a Land Use Ordinance update to Chapter 4 "Supplementary and Qualifying Regulations." These changes update verbiage on lots having greater than 30% slope. It also takes out the verbiage of animals requiring a CUP. And updates the wording throughout from "Department of Engineering" to "Community Development Department."

Chairman Hope opened the public hearing.

No public comment.

Chairman Hope closed the public hearing.

Motion to recommend changes to chapter 4 of the Tooele County Land Use Ordinance, 2024-116, as proposed to the County Council by Toni Scott. 2nd by Curtis Beckstrom. All in favor.

D. Text Amendment to Tooele County Land Use Chapter 21 WILDLAND/URBAN INTERFACE OVERLAY ZONE (WUI), Janet White

PUBLIC HEARING AND MOTION: TCLUO 2024-117

Agenda Attachments

1. TCLUO 2024-117Planning_Commission_Agenda_Summary_2024-117.pdf
2. TCLUO 2024-117_staff report_Final.pdf
3. TCLUO 2024-117 Public Notice_Hearing_10 days.pdf

Trish summarized the staff report. Changes are to the references of other code numbers.

Chairman Hope opened the public hearing.

No public comment.

Chairman Hope closed the public hearing.

Motion to approve recommendations of TCLUO 2024-117 by Michael Dow. 2nd by Toni Scott.
All in favor.

Ron Elton asked that the minutes reflect that the Planning Commission is recommending approval (to the Council).

E. Text amendment to Tooele County Land Use Chapter 35 Subdivisions, Trish DuClos

PUBLIC HEARING AND MOTION: TCLUO 2024-118

Agenda Attachments

1. TCLUO 2024-118 Planning_Commission_Agenda_Summary_2024-118.pdf
2. TCLUO 2024-118_staff report_Final.pdf
3. TCLUO 2024-118 Public Notice_Hearing_10 days_2024-118.pdf

Trish DuClos summarized the staff report. Tooele County Community Development is requesting a Land Use Ordinance update to Chapter 35 "Subdivisions." The changes are to update minor title changes, as well as updating processes and timelines to reflect state code requirements.

Ron Elton asked that 35-4-6 indicates the final plat application would be approved by the Community Development Department, rather than the Planning Commission. Trish stated this is what state code requires, and Planning Commission previously voted on.

Chairman Hope opened the public hearing.

No public comment.

Chairman Hope closed the public hearing.

Motion to recommend for approval TCLUO 2024-118 by Michael Dow. 2nd by Curtis Beckstrom.
All in favor.

6. Planning Commission Comments

Brad Bartholomew stated that he needed to abstain from the vote on the approval of the August 17th, 2024 meeting minutes. Blair Hope stated Toni Scott needed to abstain on that vote as well.

7. Adjournment

Motion to adjourn by Blair Hope.

Time of adjournment 9:17 pm.



Planning Commission Meeting Minutes

October 02, 2024

47 S Main St. Tooele, UT 84074

Council Chambers Room 308

7:00 p.m.

DRAFT MINUTES

1. Pledge of Allegiance

Ron Elton led the group in the Pledge of Allegiance at 7:01 pm

2. Roll Call

Motion by Ron Elton for Toni Scott to serve as acting chair for tonight's meeting. 2nd by Brad Bartholomew. All in favor. The motion passed unanimously.

Toni Scott, acting chair called the meeting to order at 7:02pm. Roll call was taken showing Curtis Beckstrom, Ron Elton, Andy Stetz, Brad Bartholomew and Toni Scott.

3. Minutes

A. Approval of the Minutes from the September 4, 2024 Planning Commission Meeting

Agenda Attachments

1. September 4, 2024 Planning Commission Meeting Minutes_R1.pdf

Ron Elton made a motion to delay the consideration for approval of the minutes of September 4th until such time as they can see the amendments to our policies and procedures. They were significant, and he thinks that it would be appropriate to see how they all fit together. I think we need to look at those before they approve those minutes and amendments. He stated that there was discussion on who could add items to the agenda & he gave a motion that a four-person planning commissioner signature requirement be changed, so only two members of the planning commission could add items to the agenda along with the chair and the development department. He asks the development department to put that item on the agenda again for consideration to change it back to two people. His motion is to delay the consideration of the minutes until the next meeting until he can see the full policy and procedures as they come together. 2nd by Curtis Beckstrom.

All in favor. The motion passed unanimously.

4. Conditional Use Permits

A. CUP 2024-119; Conditional Use Permit for private recreational park and camp or resort, Trish DuClos

PUBLIC HEARING AND MOTION: CUP 2024-119

Agenda Attachments

1. CUP 2024-119_Staff report_final.pdf 2. Planning_Commission_Agenda_Summary_2024-119.pdf 3. Public Notice_Hearing_10 days_AMD CUP 2022-113.pdf

Trish DuClos, Planning Staff, summarized the staff report for CUP2024-119. This is a

conditional use permit request for a private recreational grounds or private park resort which could include accessories supporting dwellings and dwelling complexes. The applicant has requested on his property, which is currently zoned R-5, and he has just under 90 acres that he can do a private camp area. Most of it would be dry camping. He did provide a little section in his plan that would give people electricity small cabins. But just port a potty, no septic hooked up. Just a small section, maybe 2 or 3. A couple of areas with cabins, a couple of areas with tents and possibly RVs. His overall plan is to do a riding arena to do lessons.

Ron Elton asked if there would be actual toilets in lieu of port a potties. Trish said that he has an area carved out for that. It would be handled by the health department if they are connected to the septic in that area. He is requesting a couple of areas with cabins, a couple of areas with tents or possibly RVs on his property. His overall plans are to do a riding arena, possibly in the future, where he can do lessons.

Toni asked if this is in addition to the three arenas that he already has. Trish said that the arenas and barns that he has would be part of his business, so if people that come for the weekend or out of state come riding, he would offer lessons. He would let them stay on the property.

Toni asked what they were voting for today. Trish stated that they were voting for the use of his private recreational camp resort, what is on the site plan. Trish stated that they can, up to their discretion, put a cap if he wants to grow larger than that.

Rachelle Custer, Community Development Director, stated that they are voting on the use. Not the site plan. They are voting on the use as to whether he can have a private recreational facility at this location. They can put a cap on the number of spots. But they are not approving the site plan. They are voting on the use.

Toni stated that you can't fit 10 horse trailers on .25 acres that is stated on the CUP. Trish stated that when you do a CUP it encompasses the entire property. It doesn't limit what areas you go to unless you specifically say in your CUP. It is hard to do that because it will be spread out. She doesn't know how you are going to regulate all of that. Her suggestion is to put a cap on how many camp spots he can have on the property. The CUP is for the land. They aren't going to know what part of the land is going to be used for what.

Brad Bartholomew asked if they will be going to be seeing a site plan or are they only approving the use, and the site plan gets approved by staff. Trish said they will not be seeing a site plan. The site plan gets approved by all the other agencies; fire, health, engineering, we do an agency review meeting to make sure all those codes are met with whatever they have. Only the concept plan that he provided is what they're going to see.

Rachelle stated that the Planning Commission has tabled CUP's before, until the site plan is approved if they are really worried about what the site plan is going to look like.

Toni stated that she is worried because the property comes off three different roads. Trish said that this one is kind of tricky. Normally, the site plan would go first, but with this property being so large, the applicant wanted to do this one first so he could adjust and send all the conditions to his engineers to do the sideline stuff. If they have conditions they want to put on the property and things they want to see on the site plan, they can table it until they see it on the site plan. Andy Stetz stated that he is concerned regarding the different wordings on the application. The total acres and parcel is approximately 90 acres and the areas occupied by this use is .25. Trish stated that the CUP would be approved for the entire property. That is just what the applicant put in there, it is just a concept plan.

Toni Scott opened to public hearing. No public comment. Toni Scott closed the public hearing.

Ron said that his condition is that it be centrally located, and a specific footprint. He said that it should be required that it should be centrally located, 2 acres, 5 acres, whatever it is. He knows that .25 is not realistic. He said that Toni's idea of delaying this until the applicant presents a specific site plan is a good idea.

Ron suggested tabling this request until the applicant presents a specific site plan. Come back with a site plan that includes sites that are centrally located as well as the number of sites, including all conditions, quiet hours, as they are going to be occupying this 24 hours a day. The applicant did propose quiet hours but didn't say what they were.

Ron Elton motioned to table this until a site plan has been submitted and requested that a site plan include conditions listed in his application. More specific details are needed in his application, such as no retail sales, access, dustless roads, and quiet hours, as they will be occupying this 24 hours a day. Come back with a site plan that includes all of his conditions specified and our standard conditions. 2nd by Curtis Beckstrom.

All in favor. The motion passed unanimously.

B. AMD CUP 2022-113; Amendment to Conditional Use Permit for private kennel, Trish DuClos

PUBLIC HEARING AND MOTION: AMD CUP 2022-113

Agenda Attachments

1. AMD CUP 2022-113_Staff report_final.pdf
2. Planning_Commission_Agenda_Summary_2022-113.pdf
3. Public Notice_Hearing_10 days_AMD CUP 2022-113.pdf

Trish DuClos, Planning Staff, summarized the staff report CUP 2024-113. This amendment is to have more litters. This already has an approved CUP for this property to have a private kennel that allows them to have 15 dogs at one time with the condition that they have one litter every 2 years, because our current zoning code does not allow a breeding or boarding kennel in that area. This is brought up because of multiple complaints of the dogs barking and causing a nuisance in the area. The complaint that is attached to the staff report was sent in anonymously. They are not compliant with one litter every 2 years. They have exceeded far more than that. There are at least ten to eleven litters per year.

Toni asked if the breeder was staying with the 15 dogs. She said that it says that they are keeping one from every litter. If that is the case, it is 12 dogs. Trish states that the response letter states that they don't always keep a dog from every litter. It explains that a lot of the dogs when they get tested, they are not fit for certain things, they have a lot of different categories they put their dogs in and a lot of them are not fit. They don't keep one from every litter. They also do get them from other places, to keep their show dogs up. It is online, and they do register the dogs online. The older dogs seem to come and go depending on certain conditions or aspects. Her request isn't to just keep a higher dog number, it is to have more litters. Trish said that her opinion is that the applicant is running a commercial operation. They are selling these dogs. They have many litters a year. They are not complying with the law of every two years and so that is a condition we placed on them. Trish said that we were trying to allow them, if a dog died, they could keep up those numbers. That is what they had requested, but it is still breeding, which is not allowed in that zone.

Ron Elton asked how the conditional use permit allows breeding if the ordinance doesn't. Trish stated that there wasn't a clear definition of what breeding would be, to keep their private dog numbers up instead of letting them all pass away. At the time, the Planning Commission felt that it was a fair compromise. Trish said that it could still be considered breeding.

Toni said they looked at the definition on the internet and personal was a litter every couple of years. Ron Elton asked if it was specified that this was for personal. Toni and Trish both confirmed that yes, this was for personal uses only. Trish said that they can only have four in that zone right now, so to exceed those four numbers, that is what a private kennel would allow them to have.

Ron said that Trish indicated that they were selling them. He asked if they acknowledged that they were selling them. Trish said yes, they do say in their letter that they sell them. They are claiming the sale of the dogs isn't recouping the cost of what it costs to keep them.

Toni asked if Trish had gone out, if she is code enforcement. Trish said that yes, she is still code enforcement. Over the course of the two years that they have been there, she has gone

out many times, she would say at least 10 times in the past 2 years, because she has gotten complaints about the dogs. She states that the property is very clean, there are no piles of poop anywhere. She has only seen the dogs one time. When she went out, she would go in the afternoons, which was the hottest part of the day. One time when she was there, the dogs were outside in their kennel by the street, and she heard them barking. The applicant did suggest that they would move the kennel around the back. Trish said that she didn't know if that would help. The applicant has stated that the dogs' bark boxes have been removed. Trish said that you can still hear a very dark barking that they have. Trish stated that the sheriff had also gone out because they handle the nuisance side of things. They have talked to the owners and have heard the dogs barking on multiple occasions too and have reached out to Trish to find out how many dogs they actually have.

Toni states on page 33, item 18 that it says pregnant as June 3rd, so if she has two dogs, which she assumes there are seventeen dogs down below, she thinks she has more. She asked Trish if that was correct. Trish states she doesn't know and couldn't verify how many dogs they have there because they are usually not home when she goes around. Toni says puppies we give them until 12 weeks. Trish confirmed four months.

Ron asked what they were specifically asking for, because they already have a kennel permit. Trish said that they want that condition of one litter every two years amended. It doesn't specify how many litters they would like to have. She would want the whole condition to be taken off. The applicant's request would be to do away with that condition, but our code does not allow breeding kennels in that zone. Trish did explain this to the applicant. Trish said that she doesn't know if their next request is to change the zoning code, but that is the option the applicant has, to change that to allow breeding in that zone. They just wanted to exhaust this section first.

Curtis Beckstrom said that after reading the statement, which was 3 1/2 pages, he saw a lot of contradictions. The applicant has already not followed the rules in the past and has had Trish and others go out in the past to see what was going on. He stated that he was not inclined to approve this.

Toni Scott opened public hearing. No public comment. Toni Scott closed public hearing.

Toni asked if there were any other discussions.

Brad Bartholomew said that in the letter she says next door there is another kennel. He asked Trish if she had complaints about them. Are they following the same procedures? Trish said that Rush Lake Kennel, which is there, had been there a long time, way before her. They are a boarding kennel. She doesn't know what the code was before that. She doesn't know how they got that, but right before this last one was approved, the first time there was one just up the street from Rush Lake, even, that asked the same thing so they could keep more dogs, because they do hunts and things, so they needed more than four dogs allotted. She has not received any complaints regarding them. She hasn't ever seen the dogs out.

Toni Scott made a motion to deny CUP 2022-113 amendment. 2nd by Curtis Beckstrom. All in favor. Motion passed unanimously.

Rachelle Custer addressed chairman Scott after the motion passed and stated that we can notify the applicant, and we can revoke her CUP if they are not following the conditions. Ron asked if enforcement by the county attorney's office would work. Rachelle stated that it would possibly be the notification, but she thinks that we should revoke the CUP first and then, if she continues to violate, we go that route. Trish stated that she sent the applicant code enforcement letters, and that is what triggered this, so the applicant could try to come into compliance. There is already a case that is ongoing. If she doesn't comply, then we will move forward.

5. Planning Commission Comments

6. Adjournment

Motion to adjourn by Toni Scott.
Time of adjournment 7:30pm.

CUP 2024-133

Conditional Use Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: November 13, 2024

Parcel ID: 16-024-0-0022

Current Zone: RR-5 (Rural Residential, 5-Acre Min).

Property Address: 2483 N Mountain Glen Rd

Unincorporated: Tooele

Request: Conditional Use Approval for Detached Accessory Housing Unit

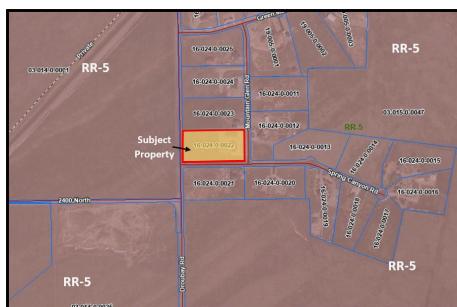
Planners: Trish DuClos

Applicant Name: Todd Hinton

PROJECT DESCRIPTION

Todd Hinton is requesting a conditional use permit for a detached accessory dwelling unit (ADU). The ADU is just under 1,495 square feet in size and complies with all updated ADU codes.

SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located in The Ranches Subdivision just East of Droubay Rd. The property is 4.71 acres in size and is located in an RR-5 zone (Rural Residential, 5-Acre Min). It is surrounded by properties in the RR-5 zone.

LAND USE CONSIDERATIONS (RR-5 Zone, Detached Accessory Housing Units)

Requirement	Standard	Proposed	Compliance Verified
Height	Regular building height is 35 Feet. <i>The height of the detached ADU must not exceed the height of the primary dwelling.</i>	ADU – 15' House – 26'	Yes
Front Yard Setback (same as Main Building)	30 Feet	100+ Feet	Yes
Rear Yard Setback (accessory buildings)	10 Feet	275+ Feet	Yes
Side Yard Setback (accessory buildings)	10 Feet	65 Feet and 200+ Feet	Yes
Lot Coverage	10 %	4.8%	Yes

Lot Area	5 Acre	4.71 Acres (with allowed 6% reduction)	Yes
ADU Code Table	Requirements	Compliance	Verified
Table 15-5-3.3.b.1	No more than one ADU may be located on any parcel	Complies	Yes
Table 15-5-3.3.b.2	The primary dwelling must be occupied as the primary residence of an owner of record	Complies	Yes
Table 15-5-3.3.b.3	The detached ADU must be, or must be located in, a structure that is subordinate to the primary dwelling	Complies	Yes
Table 15-5-3.3.b.4	The detached ADU cannot be converted to an autonomous dwelling and cannot be partitioned or conveyed separately from the primary dwelling	Will comply	Yes
Table 15-5-3.3.b.5	The detached ADU must use the same house number as the primary dwelling	Complies	Yes
Table 15-5-3.3.b.6	Each studio or one bedroom detached ADU must have at least one on parcel parking space, which must be in addition to the parking space(s) required for the primary dwelling	Has sufficient parking and large driveway.	Yes
Table 15-5-3.3.b.7	Each two or more bedroom detached ADU must have at least two on parcel parking spaces, which must be in addition to the parking space(s) required for the primary dwelling	Complies	Yes
Table 15-5-3.3.b.8	The detached ADU must not exceed 1,500 square feet of gross floor area	1,495 square feet	Yes
Table 15-5-3.3.b.9	The exterior design (architectural style, construction, materials, colors, landscaping, etc.) of the detached ADU must be compatible with the exterior design of the primary dwelling	Complies	Yes
Table 15-5-3.3.b.10	The location of the detached ADU must not significantly impair the privacy, light, air, solar access, access, or parking of adjacent properties	Complies	Yes
Table 15-5-3.3.b.11	The total of all structures on the parcel must not exceed the maximum building coverage allowed in the zoning district	Complies	Yes
Table 15-5-3.3.b.12	The detached ADU must meet the setback requirements of the zoning district	Complies	Yes
Table 15-5-3.3.b.13	The height of the detached ADU must not exceed the height of the primary dwelling	Main home is 26'. ADU is 15'.	Yes

Table 15-5-3.3.b.14	No detached ADU may be rented for a period of less than 30 consecutive days	Will Comply	Yes
Table 15-5-3.3.b.15	Detached ADUs must comply with all applicable building, health, and fire codes	Will Comply	Yes
Table 15-5-3.3.b.16	The county will record a notice stating that the parcel includes a detached ADU and that the detached ADU may only be used in accordance with the county's regulations	Will Comply	Yes

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any concerns.

NEIGHBORHOOD RESPONSE

Planning staff has not received any neighborhood feedback on this item. Any comments received after this staff report was submitted will be addressed to planning commission at the meeting.

PLANNING STAFF ANALYSIS

Planning Staff has found that it is cohesive with surrounding uses, the Tooele County General Plan Update 2022, and the Tooele County Land Use Ordinance. Proposed ADU complies with the updated ADU code (2022).

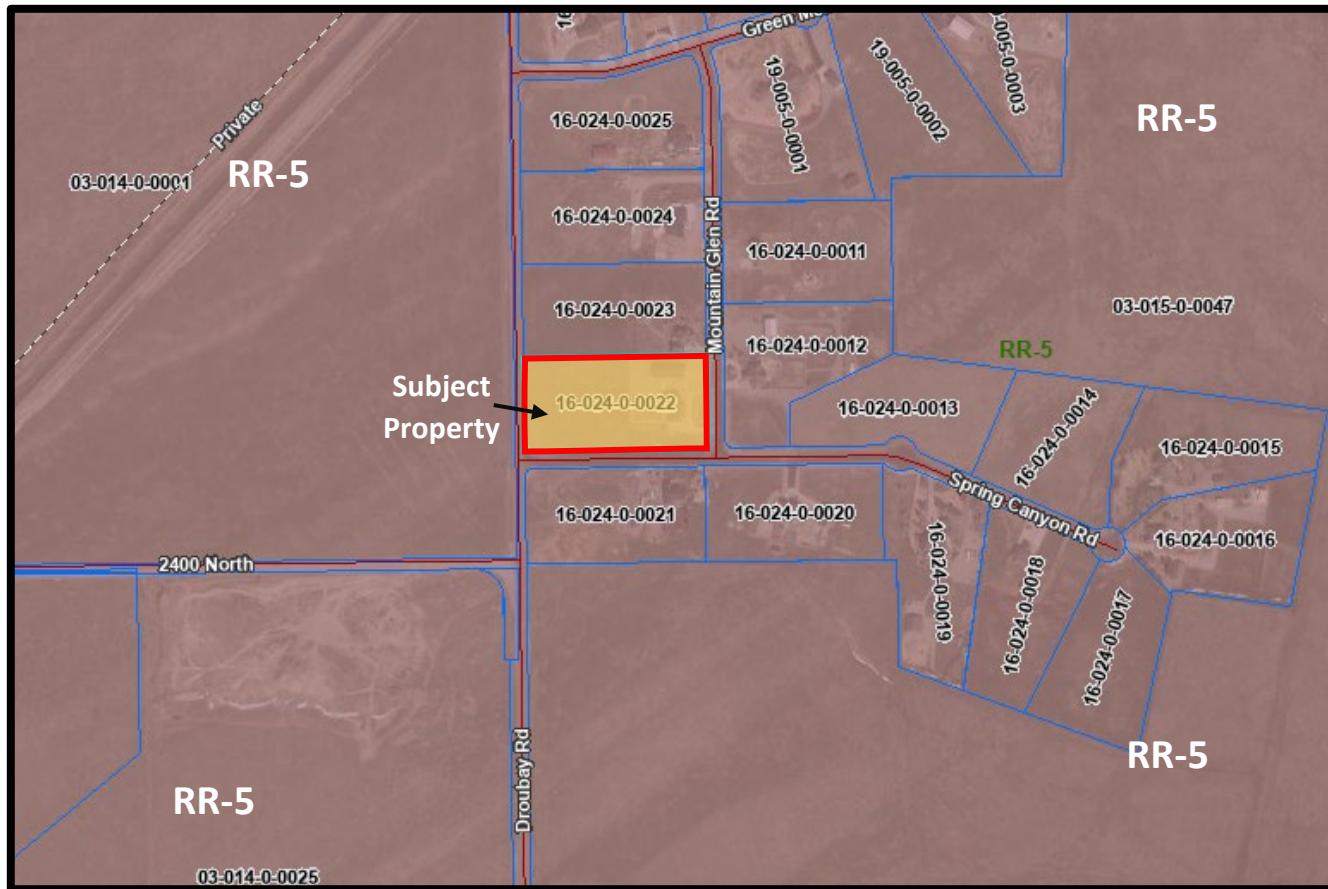
PLANNING STAFF RECOMMENDATION

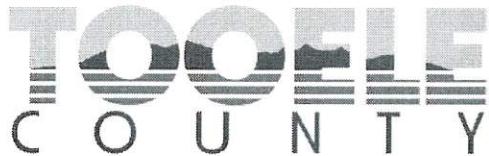
Staff recommends that the Tooele County Planning Commission makes a motion to grant approval for the conditional use permit for a detached accessory housing unit, subject to the following condition of approval:

1. The applicant complies with the requirements outlined in Table 15-3.3(b)(1-16).
2. Planning Staff record the required notice for the Table 15-3-3.3(b)(1-16) upon approval.

CUP 2024-133: Detached Accessory Housing Unit

2483 N Mountain Glen Rd, Pine Canyon, UT 84074 (parcel ID: 16-024-0-0022)





Conditional Use Permit Application- Accessory Dwelling Unit (detached)

Required to go before planning commission

Fee \$300.00

***unless amendment

Property information and location
(all lines applicable to this site must be filled in)

Parcel # _____ Address: 2483 Mountain Glen Rd Tooele Ut 84074

Subdivision Name: The Ranches Lot # 22

(For office use only)

CUP #: 2024-113 Fee \$300.00 Receipt #: _____

Is this an amendment to previous CUP? Yes No Is this a temporary CUP? Yes No

*** Planning Commission amendment fee – 50% of Normal Fee

Application Determination:

Approved Denied Conditions imposed? Yes No
By: _____ Date: _____

Property Owner(s) Information

Name(s): Todd Hinton

Address per tax rolls: 2483 Mountain Glen Rd

City/County: Tooele State: Utah Zip: 84074

Office/home phone: _____ Fax: _____

Mobile phone: 435-841-4344 Message phone: _____

Email address: thinton666@gmail.com

Applicant's Information if different than Property Owner(s)

*Property Owner's Authorization notarization needed.

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Each application for a conditional use permit shall have all required submittals before it is accepted as a complete application. All required information in this application must be completely filled out and signed with required paperwork submitted or application will be denied.

There shall be no presumption of approval of any aspect of the process.

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT: (Describe the purpose of the ADU)

We need to build an apt for our 28 year-old son who is a quadriplegic. He need a caregiver to help him with many of the daily activities.

Total acreage of parcel: 4.7

Square footage of the ADU: 1500

Current zoning designation: RR-5

Include the following with the application: (Everything MUST be included in order to be considered a complete application or it will be denied.)

Applicant County



Site Plan with the following:

1. A north arrow, the scale of the drawing, and the date of the drawing.
2. Street names and addresses.
3. **Property lines with dimensions.**
4. All sidewalks, driveways, curbs and gutter, and parking areas (if any).
5. **All existing easements, rights-of-way, and any other significant features on the site.**
6. **Existing buildings** and significant features located on adjacent properties within 50 feet (50') of the subject property boundaries.
7. When required by the County Planner, and for all new construction, a survey including both existing and proposed contours of the land at intervals of two feet (2') or better.



Responses to the following questions (N/A answers will not be accepted):

1. How does your proposed project fit in with surrounding properties and uses? The neighborhood had 5 acres lots that will accommodate room for the additional building. This is not a business. the ADU will be built with the same material as the primary residence. it will not create any additional traffic.
2. In what ways does the project not fit in with surrounding properties and uses? There is nothing that would make it not fit in the neighborhood. Many of the lots have additional building on their property.
3. What is your plan to mitigate the potential conflicts/nuisances with surrounding properties and use, if any exist? There should not be anything that should cause a conflict.

Applicant County



Applicant must provide printed labels from the Tooele County Recorder's office of adjacent property owners of this property (and immediately across the street).

Property owner County



Provide confirmation and verification (initial boxes below) of all code requirements listed in Land Use Table 15-5-3.3 (and attached below).

X

1. No more than one ADU may be located on any parcel.

X

2. The primary dwelling must be occupied as the primary residence of an owner of record.

X

3. The detached ADU must be, or must be located in, a structure that is subordinate to the primary dwelling.

X

4. The detached ADU cannot be converted to an autonomous dwelling and cannot be partitioned or conveyed separately from the primary dwelling.

X

5. The detached ADU must use the same house number as the primary dwelling.

X

6. Each studio or one bedroom detached ADU must have at least one on parcel parking space, which must be in addition to the parking space(s) required for the primary dwelling.

X

7. Each two or more bedroom detached ADU must have at least two on parcel parking spaces, which must be in addition to the parking space(s) required for the primary dwelling.

X

8. The detached ADU must not exceed 1,500 square feet of gross floor area.

X

9. The exterior design (architectural style, construction, materials, colors, landscaping, etc.) of the detached ADU must be compatible with the exterior design of the primary dwelling.

X

10. The location of the detached ADU must not significantly impair the privacy, light, air, solar access, access or parking of adjacent properties.

X

11. The total of all structures on the parcel must not exceed the maximum building coverage allowed in the zoning district.

X

12. The detached ADU must meet the setback requirements of the zoning district.

X

13. The height of the detached ADU must not exceed the height of the primary dwelling.

X

14. No detached ADU may be rented for a period of less than 30 consecutive days.

X

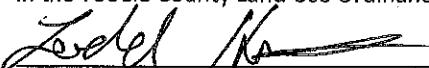
15. Detached ADUs must comply with all applicable building, health, and fire codes.

X

16. The county will record a notice stating that the parcel includes a detached ADU and that the detached ADU may only be used in accordance with the county's regulations.

I (We) as the owner(s) of this property have read and do hereby agree to and understand the above terms and conditions without reservation and place my signature below as an act of such agreement. It is further agreed and understood that should I (we) violate any of the above conditions, this permit shall become null and void without further process and such use will not be permitted upon the property. This permit is issued site specific and not transferable to another property but may be transferred to a new owner.

I (We) understand that the Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Tooele County Land Use Ordinance for such use.



APPPLICANT'S SIGNATURE

9-16-241

DATE

PROPERTY OWNER'S SIGNATURE

DATE

AFFIDAVIT**PROPERTY OWNER'S AUTHORIZATION**

I (we), _____ the owner(s) of the real property located as follows: _____ and further described in the attached application, do authorize the applicant listed in this application permissions to use this property as listed in this CUP application. I (We) understand that if the use is granted it will stay with the property if new residence(s) move in. We further understand that if this use is discontinued for a year or more the use is no longer allowed on the property and a new CUP application will be required. Any violations regarding this CUP will be addressed with the property owner.

(Property Owner)

(Property Owner)

(Property Owner)

(Property Owner)**Notary**

STATE OF UTAH)

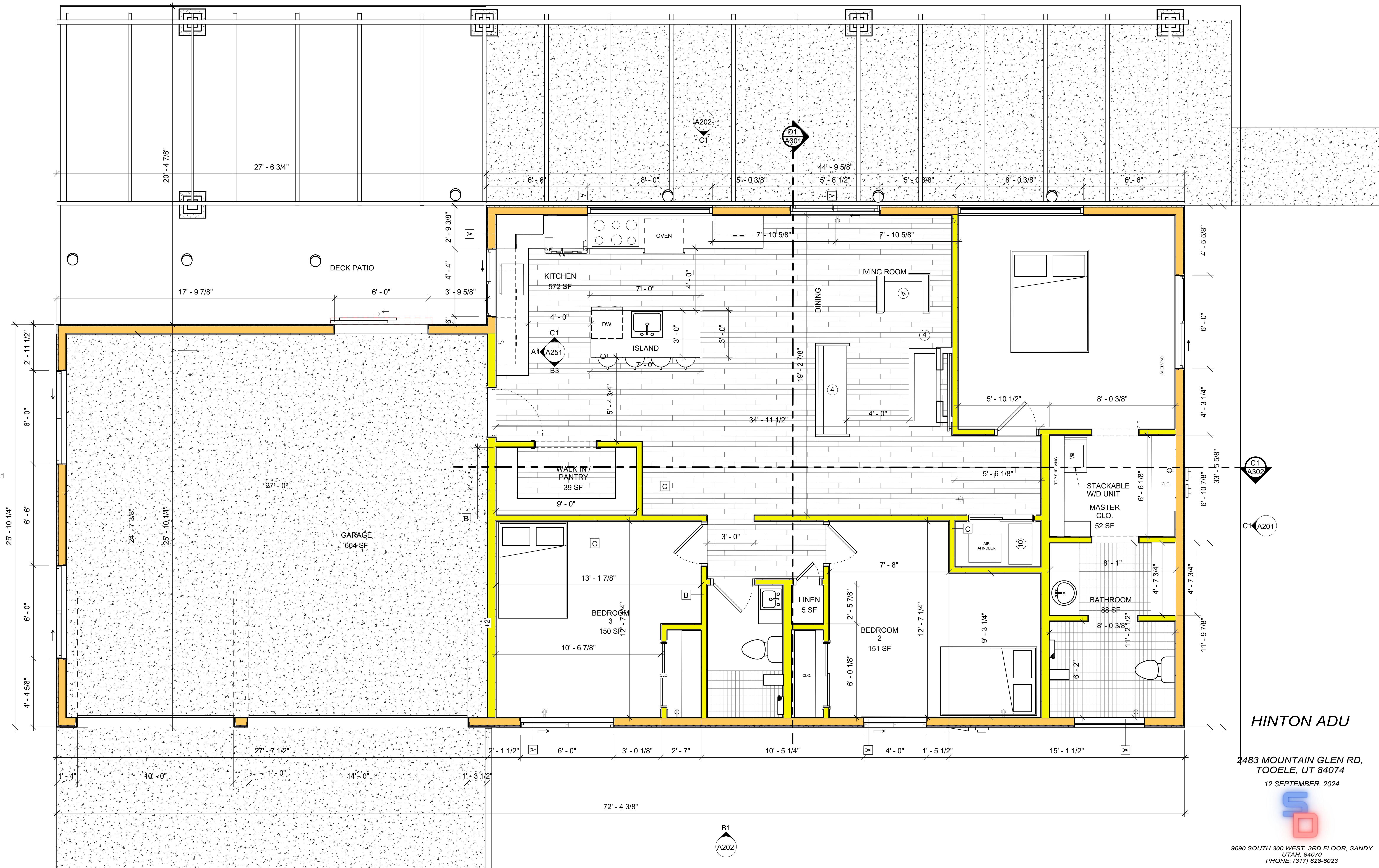
:ss

County of Tooele)

Dated this _____ day of _____, 20 ____, the property owners above personally appeared before me and acknowledged that he/she signed the above Notice and that the statements contained therein are true.

My Commission Expires

Notary Public



1

2

3

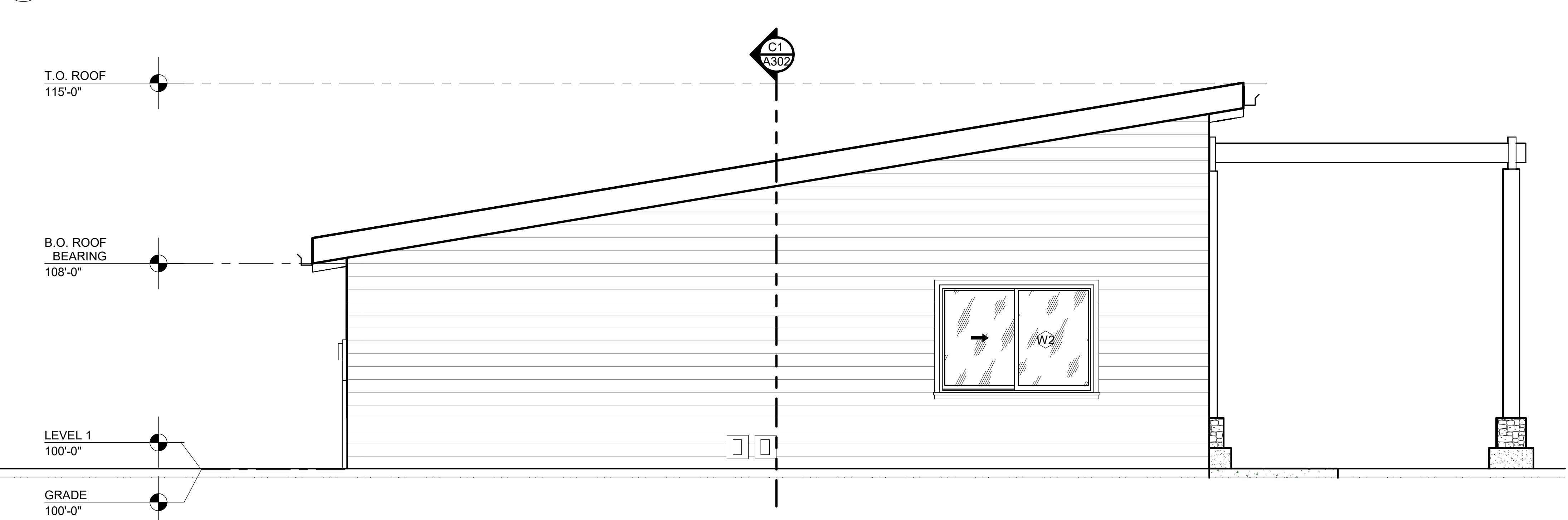
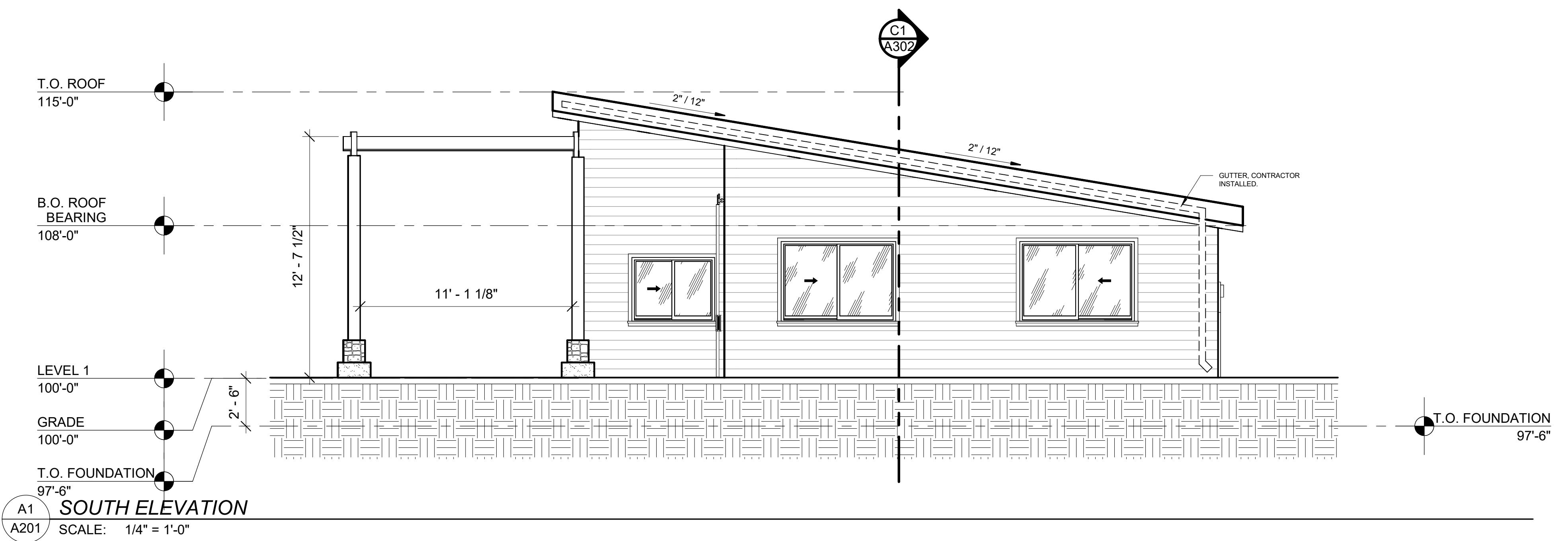
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5

MARK	REVISION	DATE

SHEET NOTES

- EXISTING HOUSE STRUCTURE.
- MATCH EXISTING EXTERIOR FINISH. FIBER CEMENT SIDING, PAINT TO BE DECIDED BY OWNER. WHITE PAINT COLOR TO MATCH EXISTING..
- NEW ROOF, SEE STRUCTURAL, SEE ROOF PLAN.
- EXPOSED CONCRETE TO RECEIVE BITUMINOUS FINISH COAT.
- CONTRACTOR TO INSTALL DRAINING CUTTER.
- HERCULES ROOF SYSTEM, CONTRACTOR TO SELECT AND CHOOSE TYPE W/ OWNER. REFER TO MANUFACTURER'S SPECS.
- MECH AIR UNIT, AS NEEDED, MECHANICAL-SUB TO VERIFY.
- ELECTRICAL / GAS UTILITY / WATER LINE, MECH-SUB TO DECIDE BEST LOCATION BASED ON MECHANICAL DESIGN.
- WALL FRAMED SKIRT, FRAME OUT IN 2X (SEE STRUCTURAL), AND COVER IN MATCHING NEW HOUSE EXTERIOR FINISH. TO KEEP DEBRIS, AND OTHER ELEMENTS OUT OF.
- OVERBUILD, USE POLYCYANURATE INSUL TO OFFSET SHINGLES AS NEEDED.
- CONTRACTOR TO INSTALL GUTTER AND DRAIN SLOPED MIN 1/4" ALONG ROOF FASCIA, AND DOWNSPOUT AWAY FROM THE HOUSE, SLOPE GROUND MIN 5 DEGREES AWAY FROM EXTERIOR WALLS.
- RAILING, TO BE DECIDED / COORDINATED BETWEEN CONTRACTOR & OWNER AS BEST FITS PROJECT. REFER TO ADA SPECS & OWNER'S JUDGEMENT FOR GUIDELINES.
- HOSE BIB
- VENT ROOF.



GENERAL NOTES

- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, ROOF SLOPES, DIMENSIONS, LEVELS AND ASSEMBLIES PRIOR TO CONSTRUCTION.
- SEE STRUCTURAL SHEETS FOR WALL AND ROOF STRUCTURE DESIGN.
- OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNS IN ACCORDANCE WITH CURRENT CITY SIGN ORDINANCE.

SAROYA DESIGNS, INC.		DATE: 12 SEPTEMBER 2024
PROJECT #: 24-12		PROJ. MAN.: JAM
CHECKED BY: JAM		THE INFORMATION HEREIN IS THE PROPERTY OF SAROYA DESIGNS, INC. AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT © 2022 SAROYA DESIGNS, INC.
PROJECT: HINTON ADU		2483 MOUNTAIN GLEN RD, TOOKE, UT 84074
SHEET DESCRIPTION: EXTERIOR ELEVATIONS		SHEET: A201

1

2

3

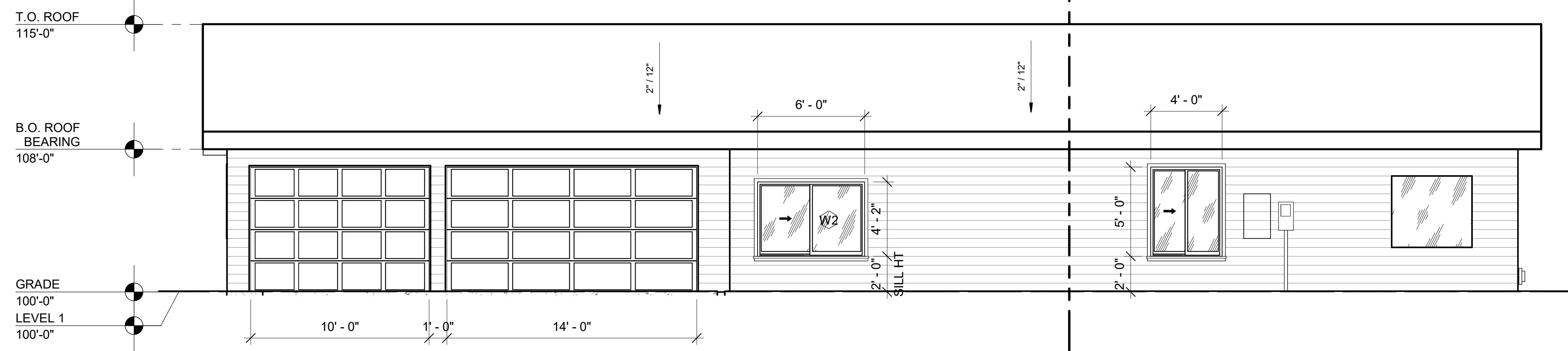
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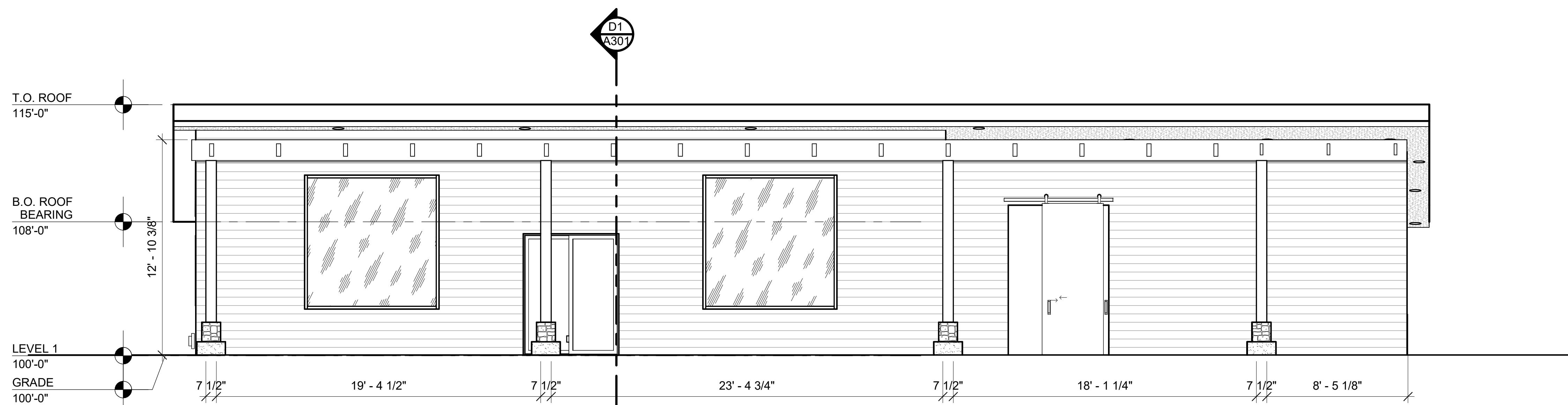
MARK	REVISION	DATE

SHEET NOTES

- EXISTING HOUSE STRUCTURE.
- MATCH EXISTING EXTERIOR FINISH. FIBER CEMENT SIDING, PAINT TO BE DECIDED BY OWNER. WHITE PAINT COLOR TO MATCH EXISTING..
- NEW ROOF, SEE STRUCTURAL, SEE ROOF PLAN.
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- HOSE BIB
- VENT ROOF.



B1 EAST ELEVATION
A202 SCALE: 1/4" = 1'-0"



C1 WEST ELEVATION
A202 SCALE: 1/4" = 1'-0"

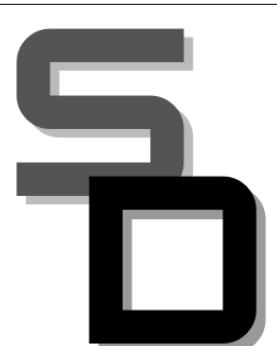
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9/20/2024 1:03:45 PM

GENERAL NOTES

- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, ROOF SLOPES, DIMENSIONS, LEVELS AND ASSEMBLIES PRIOR TO CONSTRUCTION.
- SEE STRUCTURAL SHEETS FOR WALL AND ROOF STRUCTURE DESIGN.
- OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNS IN ACCORDANCE WITH CURRENT CITY SIGN ORDINANCE.

SAROYA DESIGNS, INC.	DATE: 12 SEPTEMBER 2024 PROJECT #: 24-12 PROJ. MAN.: JAM CHECKED BY: JAM
317-628-6023 JMASIH@SAROYADESIGNS.COM 9690 S 300 W SANDY UTAH 84070	THE INFORMATION HEREIN IS THE PROPERTY OF SAROYA DESIGNS, INC. AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT © 2022 SAROYA DESIGNS, INC.
PROJECT: HINTON ADU	2483 MOUNTAIN GLEN RD, TOOKE, UT 84074
SHEET DESCRIPTION: EXTERIOR ELEVATIONS	SHEET: A202







Plan 623082DJ:

Barndominium House Pla...

[Visit >](#)

\$1,445.00* · In stock

This barndominium house plan...

[More ▾](#)

* Check website for latest pricing and availability. Images may be subject to copyright. [Learn More](#)

Rezone Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: November 13, 2024

Parcel ID: 05-054-0-0043 and 0044

Property Address: Not yet given.

Unincorporated: Tooele

Request: Rezone parcels from MU-40 (Mixed use, 40-acre min.) to M-G (Manufacturing, General).

Planner: Trish DuClos

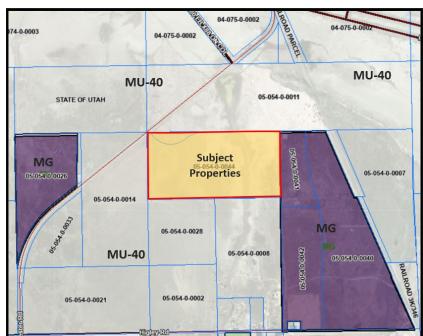
Planning Commission Recommendation: Not Yet Received.

Applicant Name: Charles Ackerlow with the Inland Port

PROJECT DESCRIPTION

Charles Ackerlow is requesting a rezone from MU-40 (Mixed use, 40-acre min.) to M-G (Manufacturing, General). This would be part of the already approved Inland Port Authority project.

SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located off Burmester Rd just South of the I80 exit. It is surrounded on 3 sides by the MU-40 zone. Just East of it is an M-G zone. That same zone is part of the approved Inland Port area.

ZONE CONSIDERATIONS

Requirement	Existing Zone (MU-40)	Proposed zone (M-G)
Height	35 Feet	No max
Setbacks	Front: 30 Feet. Side: 20 Feet. Rear Main Building: 60 Feet Accessory Buildings: *10 Feet	Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except that no commercial building shall be located closer than 50 feet to any residential district boundary line or to any street line which continues as frontage into a residential district, and providing they do not encroach on any easement.
Lot Width	660 Feet	No requirement
Lot Area	40 Acre Minimum	No requirement

Maximum Building Coverage	5%	No more than 50%
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 entirely in a manufacturing area. 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

The Department of Army Corps of Engineers have already identified and addressed the protected wetlands area. The traffic impact study includes Higley Rd as a point of access, when it should not be included. Higley is not to be used for the Inland Port traffic.

NEIGHBORHOOD RESPONSE

Not yet received. Any comments that are received from the surrounding neighbors or affected entities will be addressed at the planning commission meeting.

PLANNING COMMISSION RESPONSE

Not yet received.

PLANNING STAFF ANALYSIS

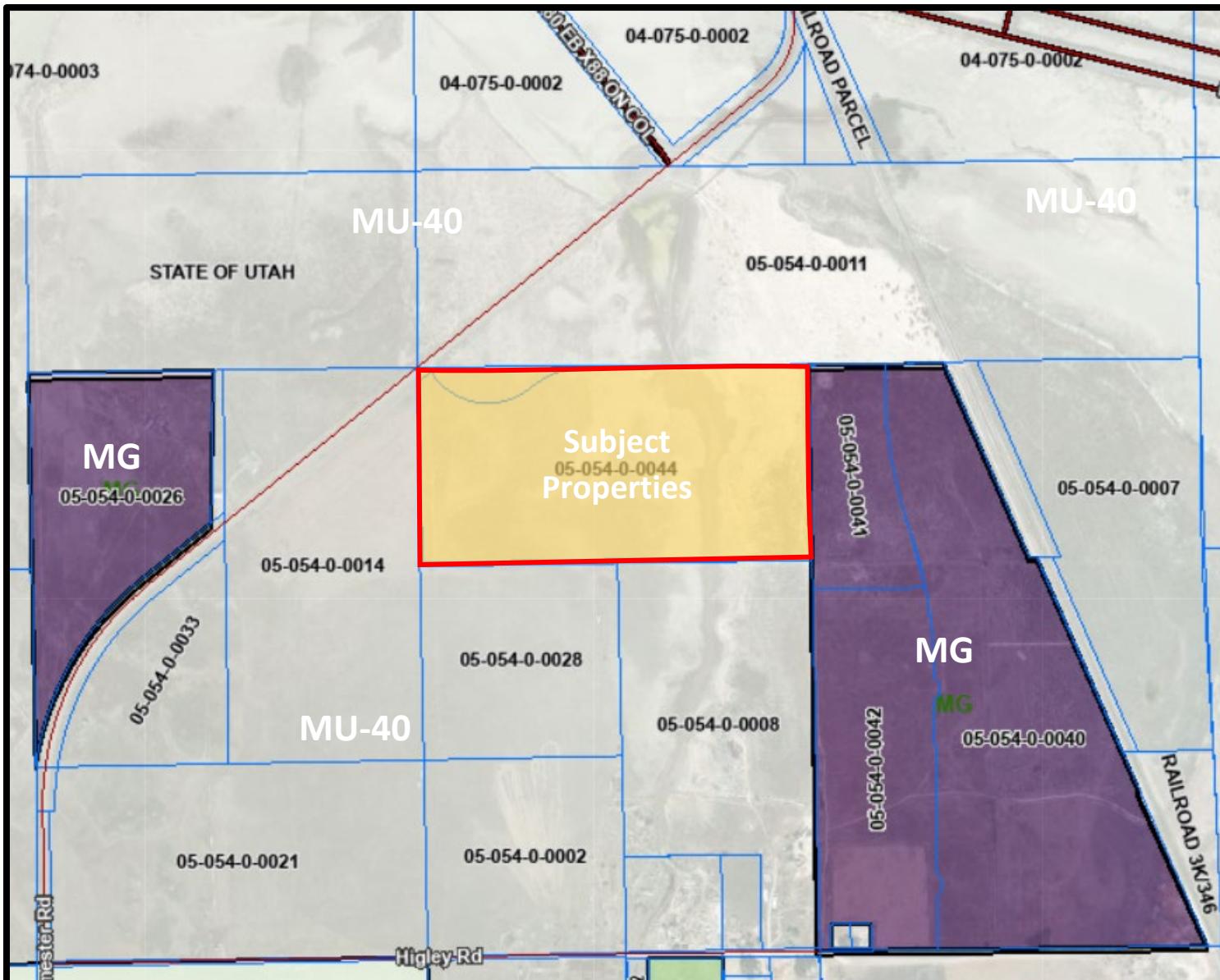
Planning staff found the proposed rezone aligns with the Tooele County General Plan update 2022. The traffic study states traffic will increase by 2,098 trips a day at opening day and 6,472 a day at full build out. It includes Higley Rd as a through access street for the proposed development. Higley Rd is not to be used for Inland Port access. That pushes all truck traffic, wear and tear at one point off Burmester Rd. Construction currently exists to widen Burmester at this intersection point to add acceleration and deceleration, and turn lanes.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission analyzes the information provided in this Staff Report and attachments to ensure that the proposed rezone request would be compatible with existing residential uses and infrastructure in the surrounding area prior to making a recommendation to the Tooele County Council. Make it clear that Higley Rd is not to be used for Inland Port traffic.

REZ 2024-122: Rezone from MU-40 (Multiple Use, 40-Acre Min.) to M-G (Manufacturing, General).

West of South Rim (Parcel ID: 05-054-0-0043 and 0044)





Rezone Application

Amendments to the zoning map shall be completed in full, signed, and supplemented with any additional information required by the planning commission. An application which is incomplete or provide insufficient data is just cause for denial. No refunds will be given.

Submittals must be filed with the Community Development Department for staff and public review.

Fee \$1,000.00

Property information and location (All lines applicable to this site must be filled in)

Parcel(s) #: 05-054-0-0044; 0043 Lot(s) #: 1

Subdivision Name: Tooele Valley Business Park (if applicable)

(For office use only)

REZ #: _____ Fee \$1,000.00 Receipt #: _____

Date complete application submitted: _____

Application Determination:

Planning Commission recommendation: Favorable Unfavorable
Presented by: _____ Date: _____

County Council recommendation: Approved Denied
Presented by: _____ Date: _____

Property Owner(s) Information

Name(s): GSL Industrial LLC

Address per tax rolls: 8371 S. State St. Suite 202

City/County: Sandy; Salt Lake State: Utah Zip: 84070

Office/home phone: 801 913 5959 Fax: _____

Mobile phone: 801 913 5959 Message phone: _____

Email address: Charles@zenithpartners.org

Applicant(s) Information (if different than property owner)

*Property Owner's Authorization notarization needed

Name(s): Charles Akerlow

Address per tax rolls: Same

City/County: Same State: _____ Zip: _____

Office/home phone: Same Fax: _____

Mobile phone: Same Message phone: _____

Email address: Same

Each application for a rezone shall have all required submittals before it is accepted as a complete application. All required information in this application must be completely filled out and signed with required paperwork submitted or application will be denied

There shall be no presumption of approval of any aspect of the process.

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT:

We seek to change the ~~zsm~~ zoning
on the Subject Property from MU4D to
MG.

****ADDITIONAL INFORMATION OR SUBMITTALS MAY BE REQUIRED****

An application to amend the zoning map shall address:

(Must list in detail specific section and language to be amended, giving the original zoning and what is allowed there and the proposed zoning and what could be allowed in that zone)

Applicant check County check

<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) General existing site characteristics including ownership, topography, soils, drainage, vegetation, and other physical characteristics of the area proposed to be changed;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) A legal description of the area to be zoned;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Types of land uses permitted, conditional or prohibited in the current zoning district <u>and</u> the proposed zoning district;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d) Existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, easements, and parking;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	f) Existing and proposed utilities and infrastructure;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	h) An area map showing adjacent property owners and existing land uses within <u>1,000 feet</u> of the area proposed to be rezoned; property owner labels printed from the recorder's office.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	i) The location, description, and acreage of land uses;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	j) Approximate location and number of residential units along with approximate square footage, density, and height;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	k) Approximate location and square footage of non-residential buildings;

- 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;
- 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;
- 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;
- 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;
- p) An indication of the construction schedule of any project proposed;
- q) For multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase;
- 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;
- 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 *Tooele County has no PUD*
- t) Any other study or information required by the planning commission or Zoning Administrator.

ordinances

I (We) understand that the Planning Commission and/or County Council may or may not adopt such changes listed. The fees associated with this application will not be refunded or returned once the notice of this application is submitted to planning commission. I (We) understand the process of this requested change must first go through Planning Commission for a recommendation to the County Council. The process will then proceed to go through County Council. Knowing this process, I (We) understand the application will take the needed time to ensure all processes are properly met and either board may make further changes to the request, or possible denial in whole.

Amber Saylor Managing Director
PROPERTY OWNER'S SIGNATURE

8-26-24

DATE

APPLICANT'S SIGNATURE

DATE

ADDITIONAL INFORMATION TO TOOKELE COUNTY ZONING APPLICATION SUBMITTAL

Paragraphs:

- a) The 82 Acre Tooele County site is essentially virgin land. Nothing has ever been developed there. The ownership belongs to GSL Industrial LLC, a Delaware Limited Liability Company. The land is flat fluctuating in a Northwesterly direction with a drop of approximately 50 feet.
- b) Legal Description is attached.
- c) County
- d) County

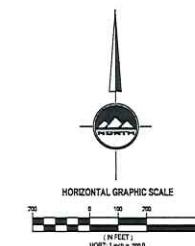
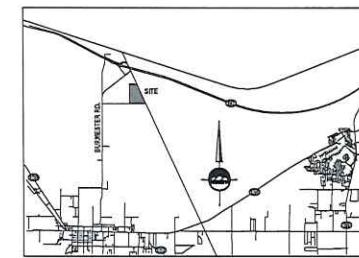
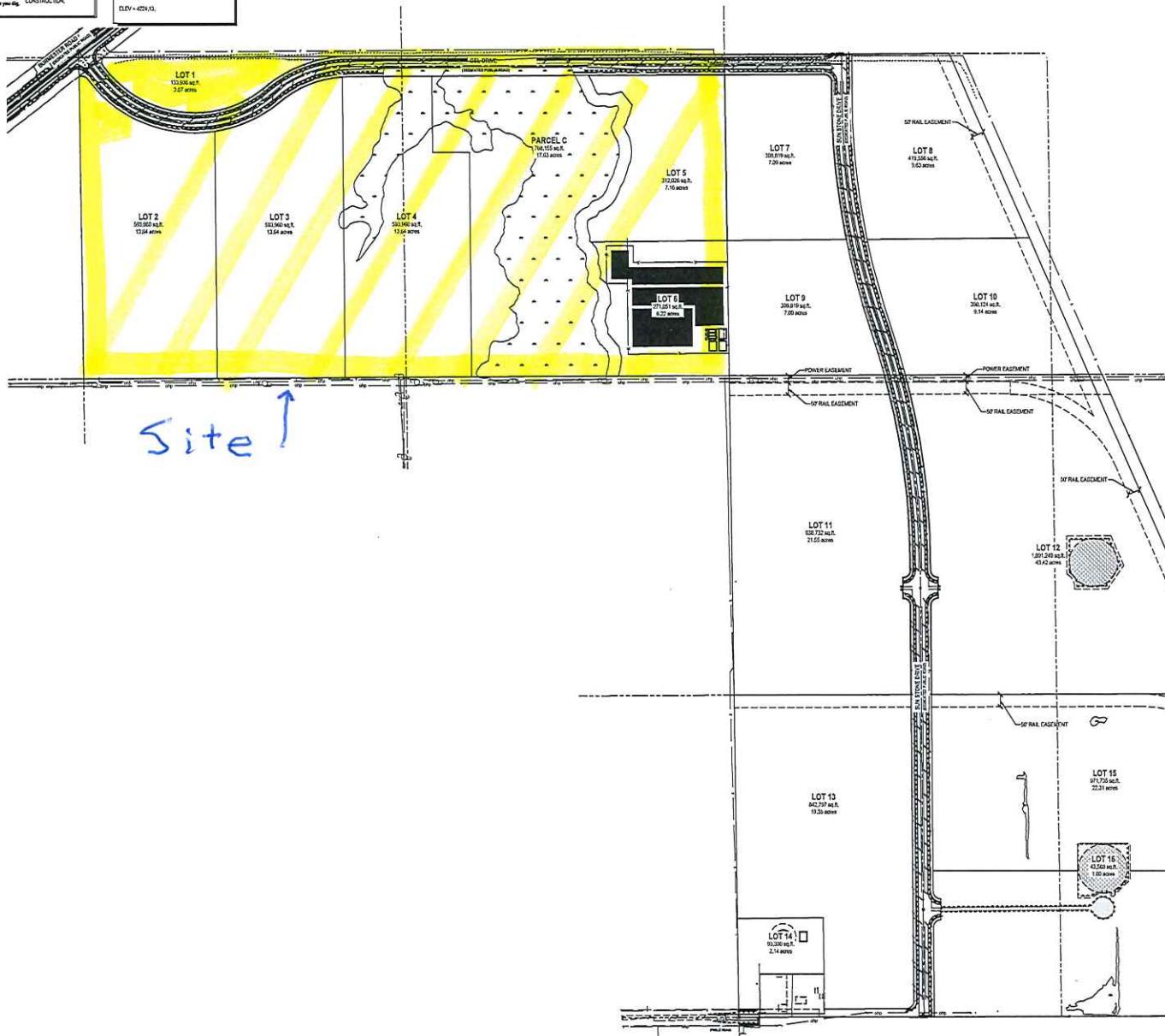
Both of these requirements will be delivered by Applicant's Engineer at a later date.

- e) The proposed land use is solely for industrial purposes. There are no current structures, streets or any other improvements on the property. The subject property is a Project Area of the Utah Inland Port Authority.
- f) See Engineering drawings. All utilities, both wet and dry, will be developed on site.
- g) The Zone change is complementary to the Tooele County General Plan and is adjacent to a property, also part of the Project Area, which is already zoned MG.
- h) See attached map.
- i) Detailed in attached maps.
- j) County → *No residential units are planned on this property*

- k) The maximum building square footage for all projected buildings on this site is 1,117,440 square feet.
- l) Approximately 20 acres of open space of which most of it is in wetlands protected by the Army Corps of Engineers.
- m) The site has a wetlands drainage to the north. It will be protected by leaving it in its natural condition. See attached Wetlands Delineation study.
- n) Potable and irrigation water are available to the owners through the water system being developed for the entire property including the adjacent properties. No schools are needed since no residents live here. Fire protection is provided by the North Tooele Fire District.
- o) Storm water detention calculations will be determined at the time a tenant decides to build an industrial building. Detention issues will be addressed at that time.
- p) The underground wet and dry utilities are expected to be in place no later than 2nd Qtr., 2025.
- q) This property is not designed for multi-phased development.
- r) See attached.
- s) County — *Tooele County has no PUD ordinance.*
- t) County — *Any other information necessary will be provided by Applicant when requested.*



BENCHMARK
BENCHMARK ELEVATION = UNITED STATES
GEODESICAL SURVEY BENCHMARK
UNITED STATES 1983
ELEV = 4294.13



TOOELE VALLEY BUSINESS PARK
ROAD DESIGN
BURMESTER ROAD
TOOELE COUNTY, UTAH

For Review
06/19/2024 3:29:39 PM

PROJECT NUMBER: 7851A
PROJECT DATE: 2024-06-18
PROJECT MANAGER: C. CHILD
INTERVIEWER: C. CHILD

EN SIGN
THE STANDARD IN ENGINEERING

TOOLE
169 N, Main St, Unit 1
Tooele, UT 84074
Phone: 435.843.3590

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.696.2983

WWW.ENSIGNENG.COM

FIRM
JHM INC. TOOELE, LLC
101 E. 25TH STREET, UNIT 202
SANDY, UTAH

CONTACT
CHARLES W. ASHLOW
Phone: 801-253-3755

GSL INDUSTRIAL, LLC DESCRIPTION

The South Half of the Northwest Quarter of Township 2 South, Range 5 West, Section 5 SLBM – (less 0.1 acres conveyed via ROW 1207 to UDOT as set forth in that certain Quit Claim Deed dated November 3, 1969).

More particularly described as follows:

Beginning at the West Quarter Corner of Section 5, Township 2 South, Range 5 West, Salt Lake Base and Meridian, and running thence;

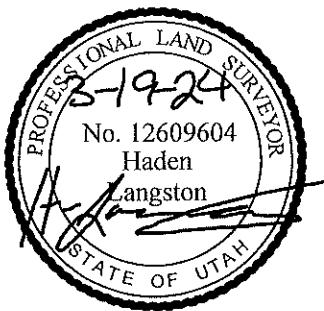
thence North 0°32'44" West 1322.04 feet along the Section line;

thence North 89°45'43" East 2646.98 feet along the 40-acre line;

thence South 0°33'03" East 1322.84 feet along the North-South running Quarter Section line;

thence South 89°46'46" West 2647.11 feet along the East-West running Quarter Section line, to the Point of Beginning.

Contains 3,500,506 sq. ft. or 80.36 acres



Parcel: 05-054-0-0003 A		Parcel: 05-054-0-0004 B	
EagleWebURL	More info	EagleWebURL	More info
Designation	PRIVATE	Designation	PRIVATE
ParcelNumber	05-054-0-0003	ParcelNumber	05-054-0-0004
AccountNumber	R013120	AccountNumber	R005517
TaxYear	2021	TaxYear	2021
TotalAcres	9.50	TotalAcres	3.80
PrimaryOwnerName	JARED HIGLEY JT	PrimaryOwnerName	HIGLEY JARED JT
AllOwners	JARED HIGLEY JT, DARRYL HIGLEY JT, JULIA HIGLEY JT, KEN HIGLEY JT	AllOwners	HIGLEY JARED JT, HIGLEY DARRYL JT, HIGLEY JULIA JT, HIGLEY KEN JT
MailToName	DARRYL HIGLEY		
PLSS	S 5 T 25 R 5W		
Area Name	O.D. MOSQUITO		

Parcel:	05-054-0-010	C
EsriGetWebURL:	More info	
Designation:	PRIVATE	
ParcelNumber:	05-054-0-010	
AccountNumber:	R015750	
TaxYear:	2021	
TotalAcres:	0.50	
PrimaryOwnerName:	ANDERSON BRYSON L	
AllOwners:	ANDERSON BRYSON L	
MailboxName:		
PLSS:	S5 T2 R5W	
Area Name:	QD. MOSQUITO	
TotalMarket:	200,071.00	

ParcelID: 05-054-0-0025	D
LegalLeeURL	More info
Disposition	PRIVATE
ParcelNumber	05-054-0-0025
AccountNumber	R015126
TaxYear	2021
TotalAcres	0.50
PrimaryOwnerName	CHRISTOPHER P EDDINGTON
AllOwners	CHRISTOPHER P EDDINGTON
MailToName	CHRISTOPHER P EDDINGTON
PLSS	S 57 T 09 R 06
Area Name	CD MOSQUITO

Parcel: 05-054-0-0033	
EagleWebURL	More info
Designation	PRIVATE
ParcelNumber	05-054-0-0033
AccountNumber	R17290
TaxYear	2021
TotalAcre	22.50
PrimaryOwnerName	DENNETH DOL
AllOwners	DENNETH DOL STATH 1000

Parcel: 05-054-0-0014	
EagleWebURL	More Info
Designation	
ParcelNumber	05-054-0-0014
AccountNumber	R002852
TaxYear	2021
TotalAcres	74.43
PrimaryOwnerName	HIGLEY RULON MIL JT
AllOwners	HIGLEY RULON MIL JT, HIGLEY CAROLE JT, HIGLEY JARED

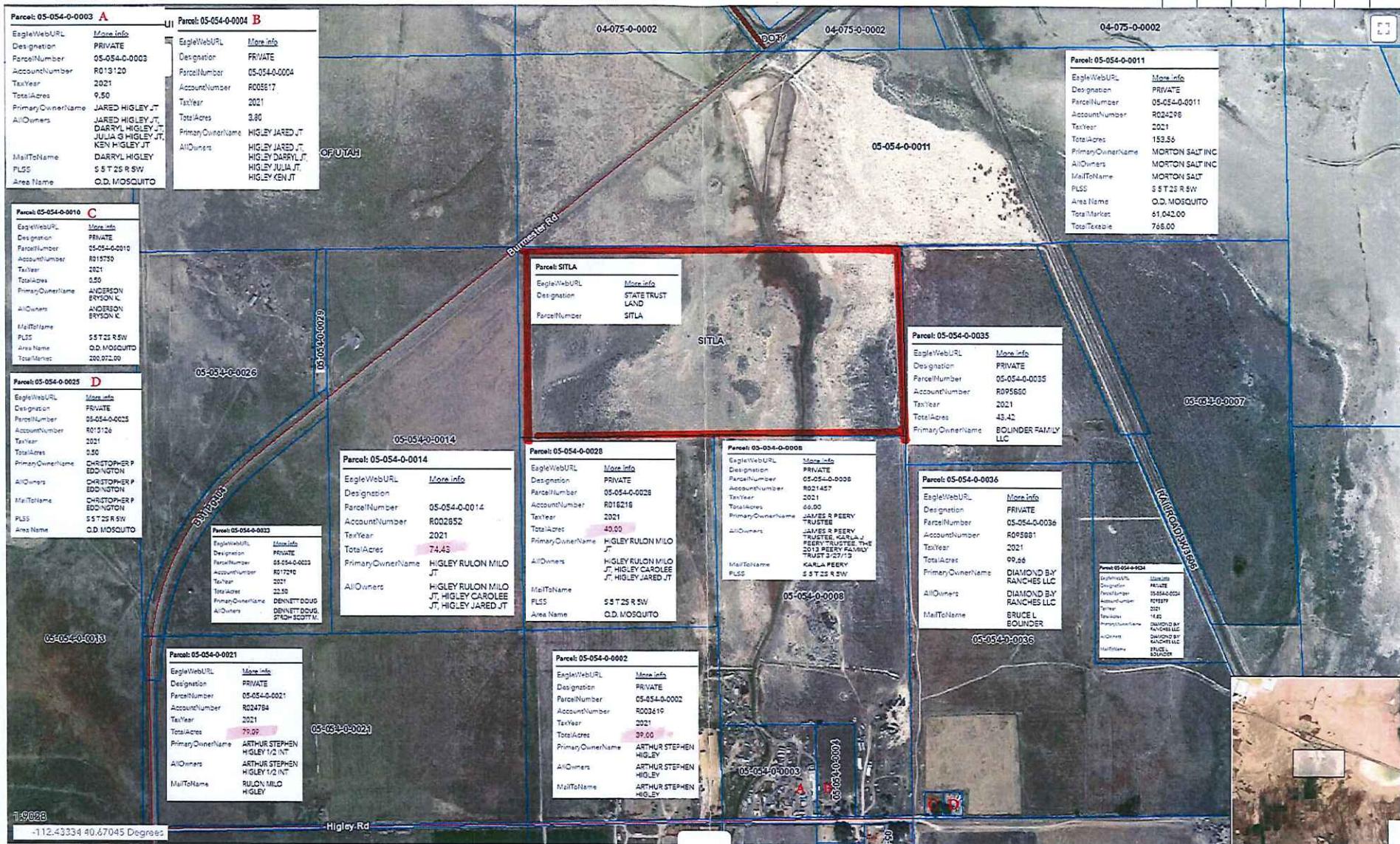
Parcel: 05-054-0-0028	
EagleWebURL	More info
Designation	PRIVATE
ParcelNumber	05-054-0-0028
AccountNumber	R016216
TextYear	2021
TotalAcres	49.00
PrimaryOwnerName	H-GLEY RULON M
AltOwners	<ul style="list-style-type: none"> „ H-GLEY RULON M „ H-GLEY CAROL „ H-GLEY JARED
MailToName	
FLLS	55 T 25 R 5W

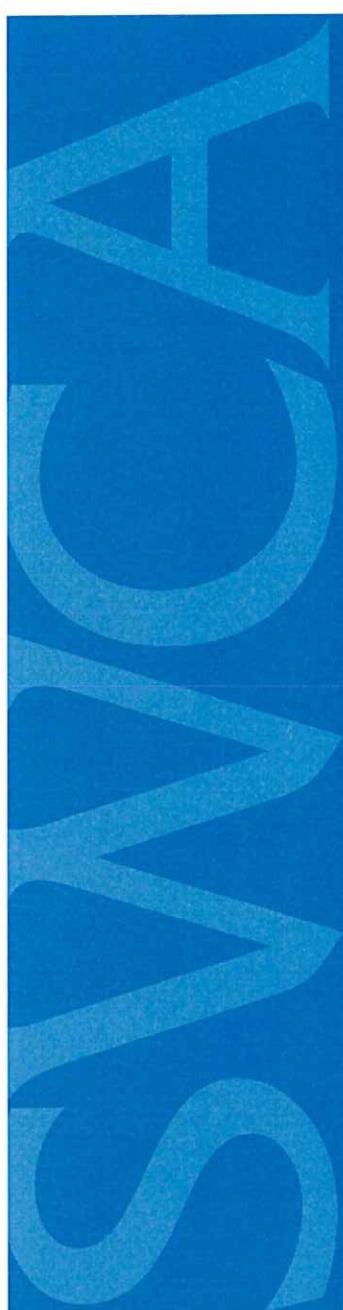
Person 03-034-0-0008	
EagleWebURL	More Info
Designation	PRIVATE
ParcelNumber	05-0540-0008
AccountNumber	R021457
TaxYear	2031
TotalAcres	66.00
PrimaryOwnerName	JAMES R PERRY
TRUSTED	
AllOwners	JAMES R PERRY TRUSTED, KARLA PERRY, KARLA 2013 PERRY FARM TRUST 3/27/13
MailToName	KARLA PERRY
PLSS	S 5 T 25 R 2W

Parcel: 05-054-0-0035	
EagleWebURL	More info
Designation	PRIVATE
ParcelNumber	05-054-0-0035
AccountNumber	R055680
TaxYear	2021
TotalAcres	43.42
PrimaryOwnerName	BOLINDER FAM. LLC

Parcel: 05-054-0-0011	
EntityWebURL	More Info
Designation	PRIVATE
ParcelNumber	05-054-0-0011
AccountNumber	R04298
TaxYear	2021
TotalAcres	153.56
PrimaryOwnerName	MORTON SALT INC
AltOwners	MORTON SALT INC
MailToName	MORTON SALT
PLSS	S 5 T 2 R 5W
Area Name	O.D. MOSQUITO
TotalMarket	\$1,042,00
TotalTaxable	768.00

05-054-0004
 PRIVATE
 05-054-0004
 0005379
 0021
 14.00
 DIAMOND BAY
 RANCHES LLC
 DIAMOND BAY
 RANCHES LLC
 YUCEL
 BOUNCHER





Aquatic Resources Delineation Report for the Burmester Industrial Project in Tooele County, Utah

SEPTEMBER 2023

PREPARED FOR
Zenith Bolinder LLC

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AQUATIC RESOURCES DELINEATION REPORT FOR THE BURMESTER INDUSTRIAL PROJECT IN TOOELE COUNTY, UTAH

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CONTENTS

Introduction.....	1
Contact Information	1
Background	1
Survey Area.....	1
Landscape Setting.....	2
Regulatory Setting.....	2
Waters of the United States.....	2
Waters of the State.....	2
Methods.....	3
Prefield Analysis	3
Field Survey	3
Wetlands	3
Other Aquatic Resources	4
Interstate Commerce	4
Results	5
Prefield Analysis	5
Field Survey	6
Wetlands	6
Other Aquatic Resources	9
Interstate Commerce	9
Discussion	10
Literature Cited	11

Appendices

Appendix A. Maps
Appendix B. Soil Series Descriptions
Appendix C. Photographs
Appendix D. U.S. Army Corps of Engineers Antecedent Precipitation Tool for the Survey Area
Appendix E. Data Forms

Tables

Table 1. National Wetlands Inventory Data for the Survey Area	5
Table 2. National Hydrography Dataset Results for the Survey Area	5
Table 3. Natural Resources Conservation Service Soil Survey Geographic Soil Data for the Survey Area.....	5
Table 4. Water-Related Land Use for the Survey Area	6
Table 5. Wetland Aquatic Resources in the Survey Area.....	6
Table 6. Dominant Plant Species Observed at Sampling Points in the Survey Area.....	8
Table 7. Wetland and Upland Status of Sampling Points in the Survey Area	9

INTRODUCTION

Contact Information

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Background

This delineation report describes the extent and location of aquatic resources in the Burmester Industrial Project (project) survey area in Tooele County, Utah. Aquatic resources comprise potential waters of the United States (WOTUS) and State of Utah, including wetlands. The survey area covers 243.9 acres (Figure A-1), with elevations ranging from 4,221 to 4,224 feet.

Zenith Bolinder LLC (Bolinder) requested a delineation to assist with wetland avoidance and permitting, if necessary.

Five appendices support this delineation report. Appendix A provides maps showing the prefield and field results (Figures A-1–8). Appendix B provides descriptions of the soil series recorded in the survey area. Appendix C provides photographs (Figures C-1–21) of the survey area. Appendix D shows the results of the U.S. Army Corps of Engineers (USACE) Antecedent Precipitation Tool for the survey area. Appendix E contains wetland data forms.

Survey Area

The survey area is in Tooele County, Utah, approximately 6 miles north of Grantsville, Utah. The survey area is in Section 5, Township 2 South, and Range 5 West, and is shown on the Burmester U.S. Geological Survey 7.5-minute quadrangle (see Figure A-1). Bolinder will be responsible for providing survey area access to the USACE to collect samples and data related to this aquatic resources delineation report, if necessary. To access the survey area, head east on UT-138 toward Commercial Avenue for 0.5 mile. Turn left, heading north, on North Kearn Street for 0.3 mile. Turn left, heading west, on East North Street, for 153 feet. Turn right, heading north, onto Burmester Road for 5.3 miles. The survey area will be on the right.

The survey area is largely comprised of greasewood (*Sarcobatus vermiculatus*) flat, upland grassland, invasive forbland, and iodine bush (*Allenrolfea occidentalis*) playa habitats. The southern and eastern portions of the survey area have been heavily grazed and contain areas of heavily infested invasive vegetation. The dominant vegetation in the survey area includes iodine bush, desert saltgrass (*Distichlis spicata*), red saltwort (*Salicornia rubra*), prickly Russian thistle (*Salsola tragus*), greasewood,

intermediate wheatgrass (*Thinopyrum intermedium*), fivehook bassia (*Bassia hyssopifolia*), drooping brome (*Bromus tectorum*), and bulbous bluegrass (*Poa bulbosa*).

Landscape Setting

The survey area consists of mostly flat or slightly rolling terrain approximately 2 miles west of the southern edge of the Great Salt Lake and 5.8 miles east of the Stansbury Mountains. Small changes in microtopography affect where water concentrates and wetlands form within the survey area. The survey area slopes west to east towards the Great Salt Lake.

Regulatory Setting

Waters of the United States

On May 25, 2023, the Supreme Court of the United States issued the *Sackett v. U.S. Environmental Protection Act* (EPA) decision, which narrows the interpretation of federal WOTUS (Supreme Court of the United States 2023). The decision determines that the Clean Water Act (CWA) jurisdiction extends to only those wetlands with a continuous surface connection to bodies that are WOTUS “in their own right” so that they are “indistinguishable” from those waters. In addition, the decision abandons the existing significant nexus test for adjacent wetlands moving forward. The *Sackett v. EPA* decision also emphasizes statutory language in the CWA that protects the primary responsibilities and rights of states to reduce water pollution and to manage land and water resources.

In light of this decision, the EPA and U.S. Department of the Army will interpret WOTUS consistent with the *Sackett v. EPA* decision and as defined by the EPA and U.S. Department of the Army under 33 Code of Federal Regulations (CFR) 328.3. Eight exclusions from the WOTUS definition are codified at 40 CFR 120 and 33 CFR 328.3 paragraph (b), and key terms are defined at paragraph (c).

Wetlands are a subset of jurisdictional WOTUS and are jointly defined by the USACE and the EPA as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (Environmental Laboratory 1987).

REGULATED ACTIVITIES

Under Section 404 of the CWA, dredged and fill material may not be discharged into jurisdictional WOTUS, including wetlands, without a permit.

Regulated activities include

- fill for development,
- utility line projects (such as pipelines), and
- infrastructure development (such as roads).

Waters of the State

Section 73-3-29 of the Utah Code requires any person, governmental agency, or other organization wishing to alter the bed or banks of a natural stream to obtain written authorization from the State Engineer, Utah Division of Water Rights before beginning work. Section 73-3-29 is intended to protect

the natural resource values of Utah's streams, with special consideration of water rights and recreational opportunities. The State of Utah asserts jurisdiction over natural streams, which are defined in Rule R655-13-4 of the Utah Administrative Code as "any waterway, along with its fluvial system, that receives sufficient water to sustain an ecosystem (typically identified by changes in vegetation) that distinguishes it from the surrounding upland environment." Canals, ditches, and other human-made channels are not regulated under Rule R655-13-4. Authorization from the State Engineer is required 1) if an activity will fall within two times the width of the active channel up to a maximum of 30 feet from the water's edge, 2) if the activity will take place within continuous riparian areas adjacent to the stream, or 3) if the activity will take place in areas of the floodplain that have been observed conducting or storing water during high-flow events or that show physical evidence of conducting or storing water during high flows.

METHODS

Prefield Analysis

Before the delineation fieldwork, SWCA reviewed the following data sources as they pertain to the survey area:

- Aerial photographs and topographic maps to identify potential aquatic resources in the survey area
- National Wetlands Inventory (NWI) data and the National Hydrography Dataset (NHD) to identify potential aquatic resources in the survey area (U.S. Fish and Wildlife Service 2023; Utah Automated Geographic Reference Center and U.S. Geological Survey 2023)
- Natural Resources Conservation Service (NRCS) Soil Survey Geographic Database to identify potential hydric soils in the survey area (NRCS 2023)
- Utah Division of Water Resources Water Related Land Use data to identify potential land uses in the survey area (Utah Automated Geographic Reference Center and Utah Division of Water Resources 2022)

Field Survey

Wetlands

SWCA recorded all sampling points and wetland boundaries using a Samsung tablet and a Juniper Geode GNSS2 receiver global positioning system (GPS) unit with submeter accuracy. During the fieldwork, all potential wetland and upland vegetation communities observed were sampled to characterize vegetation, soil, and hydrology.

The fieldwork was done in accordance with the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008). Based on these documents, wetlands are identified using the following three criteria:

1. Hydrophytic vegetation
2. Wetlands hydrology
3. Hydric soil

All three criteria must be met for an area to be considered a wetland. An explanation of the three wetlands criteria follows.

HYDROPHYTIC VEGETATION

Hydrophytic plants are plants that are adapted to wet conditions. The National Wetland Plant List (USACE 2020) is used to determine the wetlands indicator status of plant species observed at the sampling points.

Most plant species are identified on-site during the wetlands delineation. If a plant species cannot be determined in the field, a sample is identified in SWCA's laboratory using a hand lens, ruler, and dichotomous plant key. Plant species are identified using *A Utah Flora* (Welsh et al. 2003).

WETLANDS HYDROLOGY

Wetlands hydrology examines the behavior of water in wetlands. Primary hydrologic indicators assessed in the field include soil saturation, surface water, hydrogen sulfide odor, and presence of reduced iron in the soil. Secondary indicators are also assessed and can include drainage patterns.

HYDRIC SOILS

The NRCS defines hydric soils as those soils formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper portion of the soil column (above 12- to 20-inch soil depth, depending on soil texture [NRCS 2018]). Soils are assessed for hydric conditions in the field using a sharpshooter shovel to excavate a soil pit and to examine the soil profile. A Munsell soil color chart is used to determine soil color.

Other Aquatic Resources

Potential non-wetland aquatic resources, including ephemeral, intermittent, and perennial streams, were delineated based on the location of the ordinary high-water mark (OHWM), which typically occurs at the transition between the active floodplain and the low terrace. Indicators of OHWM can be physical or vegetative and include benches, drift lines, changes in sediment size distribution, and transitions in vegetation type and density. During the delineation process, SWCA uses the *Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley 2008); *A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States* (Mersel and Lichvar 2014); and *Regulatory Guidance Letter 05-05* (USACE 2005). Although the OHWM field guide (Lichvar and McColley 2008) focuses primarily on ephemeral and intermittent streams, the OHWM indicators also apply to perennial streams and were used to delineate these types of systems in the survey area.

Interstate Commerce

During field surveys, SWCA recorded any interstate or foreign commerce associated with aquatic resources in the survey area, specifically recreation or other use by interstate or foreign travelers, sale of fish or shellfish in interstate or foreign commerce and use by industries operating in interstate or foreign commerce.

RESULTS

Prefield Analysis

NWI data for the survey area are provided in Table 1 and shown on Figure A-2.

Table 1. National Wetlands Inventory Data for the Survey Area

Wetland Type*	Type Description	Area (acres)
L2US	Unconsolidated Shore, Littoral, Lacustrine	7.21
PEM1	Persistent, Emergent, Palustrine	46.55
R4SB	Streambed, Intermittent, Riverine	0.28
R5UB	Unconsolidated Bottom, Unknown Perennial, Riverine	0.31
Total		54.35

Source: USFWS (2023).

* Wetland types are derived from the *Classification of Wetlands and Deepwater Habitats of the United States* (Federal Geographic Data Committee 2013).

NHD data for the survey area are provided in Table 2 and shown on Figure A-2.

Table 2. National Hydrography Dataset Results for the Survey Area

National Hydrography Dataset Classification	Length (feet)
Canal/Ditch	1,040.16
Connector	2,736.93
Stream/River - Ephemeral	1,381.39
Total	5,158.48

Source: Utah Automated Geographic Reference Center and U.S. Geological Survey (2023).

NRCS Soil Survey Geographic Database soil data for the survey area is provided in Table 3 and shown on Figure A-3. Descriptions of the soil series are found in Appendix B. There are 0.9 acre of hydric soils within the survey area.

Table 3. Natural Resources Conservation Service Soil Survey Geographic Soil Data for the Survey Area

Soil Unit Name	Hydric? (yes or no)	Area (acres)
Saltair-Playas complex, 0 to 1 percent slopes	Yes	0.09
Skumpah silt loam, saline, 0 to 2 percent slopes	No	122.72
Taylorsflat loam, saline, 0 to 3 percent slopes	No	121.10
Total		243.91

Source: NRCS (2023).

Utah Division of Water Resources water-related land use data (including agricultural land use data) for the survey area are provided in Table 4 and shown on Figure A-4.

Table 4. Water-Related Land Use for the Survey Area

Land Use Type	Area (acres)
Agricultural	78.79
Riparian/Wetland	9.53
Urban	2.35
Other	153.24
Total	243.91

Source: Utah Automated Geographic Reference Center and Utah Division of Water Resources (2022).

Field Survey

SWCA conducted the delineation fieldwork on August 7 and 8, 2023. Weather conditions were mostly sunny with a temperature of approximately 85 degrees Fahrenheit. According to the USACE Antecedent Precipitation Tool, the survey area had wetter than normal conditions during the field survey (see Appendix D), which may affect surface flow conditions. However, there are additional wetland hydrological indicators that were assessed in the field, and all three criteria must be met for an area to be considered a wetland.

Wetlands

Using the paired sampling point method in the survey area's vegetation communities, SWCA delineated 16.07 acres of palustrine emergent wetlands and 3.09 acres of palustrine scrub shrub wetlands in the survey area. Table 5 summarizes these wetland areas, and detailed descriptions of each follow this table. An overview map of the wetlands delineated in the survey area can be viewed in Figure A-5. Select photographs of the survey area and examples of the various wetland and upland features are provided in Appendix C.

Table 5. Wetland Aquatic Resources in the Survey Area

Wetland ID	Wetland Type*	Type Description	Area (acres)
W01	PEM	Palustrine emergent	12.23
W01	PSS	Palustrine scrub shrub	3.09
W02	PEM	Palustrine emergent	3.30
W03	PEM	Palustrine emergent	0.42
W04	PEM	Palustrine emergent	0.09
W05	PEM	Palustrine emergent	0.03
Total			19.16

Source: U.S. Fish and Wildlife Service (2023).

* Wetland types are derived from the *Classification of Wetlands and Deepwater Habitats of the United States* (Federal Geographic Data Committee 2013).

W01 is a wetland complex consisting of palustrine emergent and scrub shrub wetland types. W01 PEM is a palustrine emergent wetland in a depressional area that appears to mostly be fed by lake water levels. It is dominated by red saltwort (70% cover) and iodinebush (3% cover). This wetland extends north and south outside of the survey area (Figure A-6). Salt crystals were found throughout the soil profile; the soil is very salt heavy, which could reduce redoximorphic features. A depleted matrix was present in the soil core retrieved at the time of the survey. Drainage patterns (B10), Saturation Visible on Aerial Imagery (C9), and FAC-Neutral Test (D5) were present at the time of the survey. W01 PSS is a palustrine scrub shrub wetland dominated by iodinebush (30% cover); salty soils inhibit most plant growth. This wetland extends north outside of the survey area. A depleted matrix was present in the soil core retrieved at the time of the survey. Soils may be naturally problematic due to the high salt content. Drainage patterns (B10), Saturation Visible on Aerial Imagery (C9), and FAC-Neutral Test (D5) were present at the time of the survey. W01 is suspected to be jurisdictional; the wetland is formed in a depression in the survey area that extends north out of the survey area into the Warm Springs Slough approximately 0.5 mile away. The Warm Springs Slough flows east into the Great Salt Lake approximately 1.4 miles away. The Great Salt Lake is a traditionally navigable water, which is considered jurisdictional under the CWA.

W02 is a palustrine emergent wetland dominated by red saltwort (40% cover) and coastal salt grass (30% cover). This wetland is within a depression on the southeastern edge of the survey where the ground slopes to the east and intercepts a railroad berm (Figure A-8). A depleted matrix was present in the soil core retrieved at the time of the survey. Soils may be naturally problematic due to the high salt content. Drainage patterns (B10), Saturation Visible on Aerial Imagery (C9), and FAC-Neutral Test (D5) were present at the time of the survey. Hydrology seems to be driven by artesian springs reaching the surface. W02 is suspected to be non-jurisdictional; the wetland appears to be isolated as it is formed in a depression and is surrounded by railway and roadway berms. It does not appear to extend outside of the survey area.

W03 is a palustrine emergent wetland dominated by cursed buttercup (*Ranunculus sceleratus*) (30% cover), common spike-rush (*Eleocharis palustris*) (10% cover), and annual rabbits-foot grass (*Polypogon monspeliensis*) (10% cover). This wetland is an isolated wetland within a depression on the southern edge of the survey area (Figure A-7). Hydrogen sulfide (A4) and a depleted matrix (F3) were present in the soil core retrieved at the time of survey. Surface water (A1), high water table (A2), and saturation (A3) were present at the time of the survey. Hydrology appears to be driven by artesian springs reaching the surface. W03 is suspected to be non-jurisdictional; the wetland appears to be isolated as it is formed in a depression and does not appear to extend outside of the survey area.

W04 is a palustrine emergent wetland dominated by coastal salt grass (45% cover), annual rabbits-foot grass (15% cover), Nebraska sedge (*Carex nebrascensis*) (5% cover), and cursed buttercup (3% cover). This wetland is an isolated wetland within a depression in the center of the survey area (see Figure A-7). Hydrogen sulfide (A4) and a depleted matrix (F3) were present in the soil core retrieved at the time of survey. Surface water (A1), high water table (A2), saturation (A3), drainage patterns (B10), Saturation Visible on Aerial Imagery (C9), and FAC-Neutral Test (D5) were present at the time of the survey. Hydrology appears to be driven by water from the high-water table pooling in a depression in the center of the survey area. W04 is suspected to be non-jurisdictional; the wetland appears to be isolated as it is formed in a depression and does not appear to extend outside of the survey area.

W05 is a palustrine emergent wetland dominated by common spike-rush (30% cover), coastal salt grass (30% cover), Baltic rush (*Juncus balticus*) (25% cover), annual rabbits-foot grass (10% cover), and lambs-quarters (*Chenopodium album*) (5% cover). This wetland is an isolated wetland within a depression in the center of the survey area (see Figure A-7). Hydrogen sulfide (A4) and a depleted matrix (F3) were present in the soil core retrieved at the time of survey. Surface water (A1), high water table (A2), and saturation (A3) were present at the time of the survey. Hydrology appears to be driven by water from the

high-water table pooling in a depression in the center of the survey area. W05 is suspected to be non-jurisdictional; the wetland appears to be isolated as it is formed in a depression and does not appear to extend outside of the survey area.

HYDROPHYTIC VEGETATION

The dominant plant species observed at sampling points in the survey area are listed in Table 8. Data forms for each sampling point are provided in Appendix D.

Table 6. Dominant Plant Species Observed at Sampling Points in the Survey Area

Scientific Name	Common Name	National Wetlands Plant List Indicator Status*
<i>Allenrolfea occidentalis</i>	Iodinebush	FACW
<i>Atriplex confertifolia</i>	Shadscale saltbush	UPL
<i>Atriplex gardneri</i>	Gardner's saltbush	UPL
<i>Bassia hyssopifolia</i>	Five-horn smotherweed	FACU
<i>Bromus tectorum</i>	Cheatgrass	UPL
<i>Carex nebrascensis</i>	Nebraska sedge	OBL
<i>Chenopodium album</i>	Lambs-quarters	FACU
<i>Distichlis spicata</i>	Coastal salt grass	FAC
<i>Eleocharis palustris</i>	Common spike-rush	OBL
<i>Ericameria nauseosa</i>	Rubber rabbitbrush	UPL
<i>Halogeton glomeratus</i>	Saltlover	UPL
<i>Iva axillaris</i>	Deer-root	FACU
<i>Juncus balticus</i>	Baltic rush	FACW
<i>Neokochia americana</i>	Green-molly	FAC
<i>Poa bulbosa</i>	Bulbous blue grass	FACU
<i>Polypogon monspeliensis</i>	Annual rabbits-foot grass	FACW
<i>Ranunculus sceleratus</i>	Cursed buttercup	OBL
<i>Salicornia rubra</i>	Red saltwort	OBL
<i>Salsola tragus</i>	Prickly Russian thistle	FACU
<i>Sarcobatus vermiculatus</i>	Greasewood	FACU
<i>Sisymbrium altissimum</i>	Tall hedge-mustard	FACU
<i>Thinopyrum intermedium</i>	Intermediate wheatgrass	UPL

Note: FACU = facultative upland; UPL = obligate upland; FAC = facultative; FACW = facultative wetland; OBL = obligate wetland.

* Data from USACE (2020).

WETLANDS HYDROLOGY

Hydrology in the survey area appears to be driven by a high-water table due to the close proximity of the Great Salt Lake and small changes in microtopography affecting where water is concentrated and where wetlands form in this landscape. Many of the southern wetlands appear to come from artesian springs reaching the surface. Hydrological indicators in the survey area are Drainage Patterns (B10), FAC-Neutral Test (D5), High Water Table (A2), Saturation (A3), Saturation Visible on Aerial Imagery (C9), and Surface Water (A1). Hydrologic data collected at the sampling points are provided in Appendix E.

HYDRIC SOILS

The primary hydric soil indicators found in soils in the survey area are Depleted Matrix (F3) and Hydrogen Sulfide (A4). Soils in the survey area have a high salt content, which can be problematic for the formation of redoximorphic features in the soil. However, redoximorphic features were still found throughout the survey area. Soil data collected at the sampling points are provided in Appendix E.

SAMPLING POINTS

Six of the sixteen points sampled in the survey area met the three criteria to qualify as wetland. Table 7 summarizes the sampling point data. Detailed delineation data forms for all sampling points are provided in Appendix E. Upland points were selected where mapped NWI features lacked wetland criteria.

Table 7. Wetland and Upland Status of Sampling Points in the Survey Area

Sampling Point	Associated Wetland	Hydrophytic Vegetation Present? (yes or no)	Hydric Soil Present? (yes or no)	Wetland Hydrology Present? (yes or no)	Is the Sampling Point a Wetland? (yes or no)
P01*	W01	Yes	Yes	Yes	Yes
P02	W01	No	No	No	No
P03*	W01	Yes	Yes	Yes	Yes
P04	W01	No	No	No	No
P05	None	No	No	No	No
P06	None	No	No	No	No
P07	None	No	No	No	No
P08	None	No	No	No	No
P09*	W02	Yes	Yes	Yes	Yes
P10	W02	No	No	No	No
P11*	W03	Yes	Yes	Yes	Yes
P12	W03	No	No	No	No
P13*	W04	Yes	Yes	Yes	Yes
P14	W04	No	No	No	No
P15*	W05	Yes	Yes	Yes	Yes
P16	W05	No	No	No	No

* These sampling points met the three criteria to qualify as wetland.

Other Aquatic Resources

Other than wetlands, SWCA delineated no other aquatic resources potentially regulated by the USACE or the Utah Division of Water Rights under the CWA or Utah State regulations.

Interstate Commerce

SWCA observed no evidence of interstate or foreign commerce associated with the aquatic resources identified in this inventory and found no other documentation of any historical commercial activity within the survey area.

DISCUSSION

SWCA evaluated the entire survey area, including NHD- and NWI-mapped features for OHWM and wetland indicators. SWCA mapped five wetlands and no other aquatic resources within the survey area. One wetland complex consisted of palustrine scrub shrub and palustrine emergent wetland types and the remaining four wetlands were palustrine emergent wetlands. W01 is suspected to be jurisdictional due to its proximity to the Great Salt Lake and its directional flow outside the survey area toward this traditionally navigable water. It is SWCA's professional opinion that there are no other jurisdictional WOTUS within the survey area.

LITERATURE CITED

Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. Vicksburg, Mississippi: U.S. Army Corps of Engineers Waterways Experiment Station.

Federal Geographic Data Committee. 2013. *Classification of Wetlands and Deepwater Habitats of the United States*. Reston, Virginia: U.S. Geological Survey.

Lichvar, R.W., and S.M. McColley. 2008. *Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States*. Hanover, New Hampshire: Cold Regions Research and Engineering Laboratory, USACE Research and Development Center.

Mersel, M.K., and R.W. Lichvar. 2014. *A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States*. Hanover, New Hampshire: Cold Regions Research and Engineering Laboratory, USACE Research and Development Center.

Natural Resources Conservation Service (NRCS). 2018. *Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils, Version 8.2, 2018*. Edited by L.M. Vasilas, G.W. Hurt, and J.F. Berkowitz. U.S. Department of Agriculture, Natural Resources Conservation Service, in cooperation with the National Technical Committee for Hydric Soils.

_____. 2023. SSURGO Data. Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed September 1, 2023.

Supreme Court of the United States. 2023. Syllabus. Sackett et ux. v. Environmental Protection Agency et al. Certiorari to the United States Court of Appeals for the Ninth Circuit. No 21-454. Argued October 3, 2022—Decided May 25, 2023.

U.S. Army Corps of Engineers (USACE). 2005. *Regulatory Guidance Letter 05-05*. Available at: <https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll9/id/1253>. Accessed September 1, 2023.

_____. 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)*. Vicksburg, Mississippi: USACE Research and Development Center.

_____. 2020. National Wetland Plant List, version 3.5. Available at: https://cwbi-app.sec.usace.army.mil/nwpl_static/v34/home/home.html. Accessed September 1, 2023.

U.S. Fish and Wildlife Service. 2023. National Wetlands Inventory. Available at: <http://www.fws.gov/wetlands/Data/Mapper.html>. Accessed September 1, 2023.

Utah Automated Geographic Reference Center and U.S. Geological Survey. 2023. National Lakes, Rivers, Streams, and Springs. Available at: <https://gis.utah.gov/data/water/lakes-rivers-dams/>. Accessed September 1, 2023.

Utah Automated Geographic Reference Center and Utah Division of Water Resources. 2022. Water Related Land Use. Available at: <http://gis.utah.gov/data/planning/water-related-land/>. Accessed September 1, 2023.

Welsh, S.L., N.D. Atwood, L.C. Higgins, and S. Goodrich. 2003. *A Utah Flora*. Great Basin Naturalist Memoir No. 9. Provo, Utah: Brigham Young University.

APPENDIX A

Maps

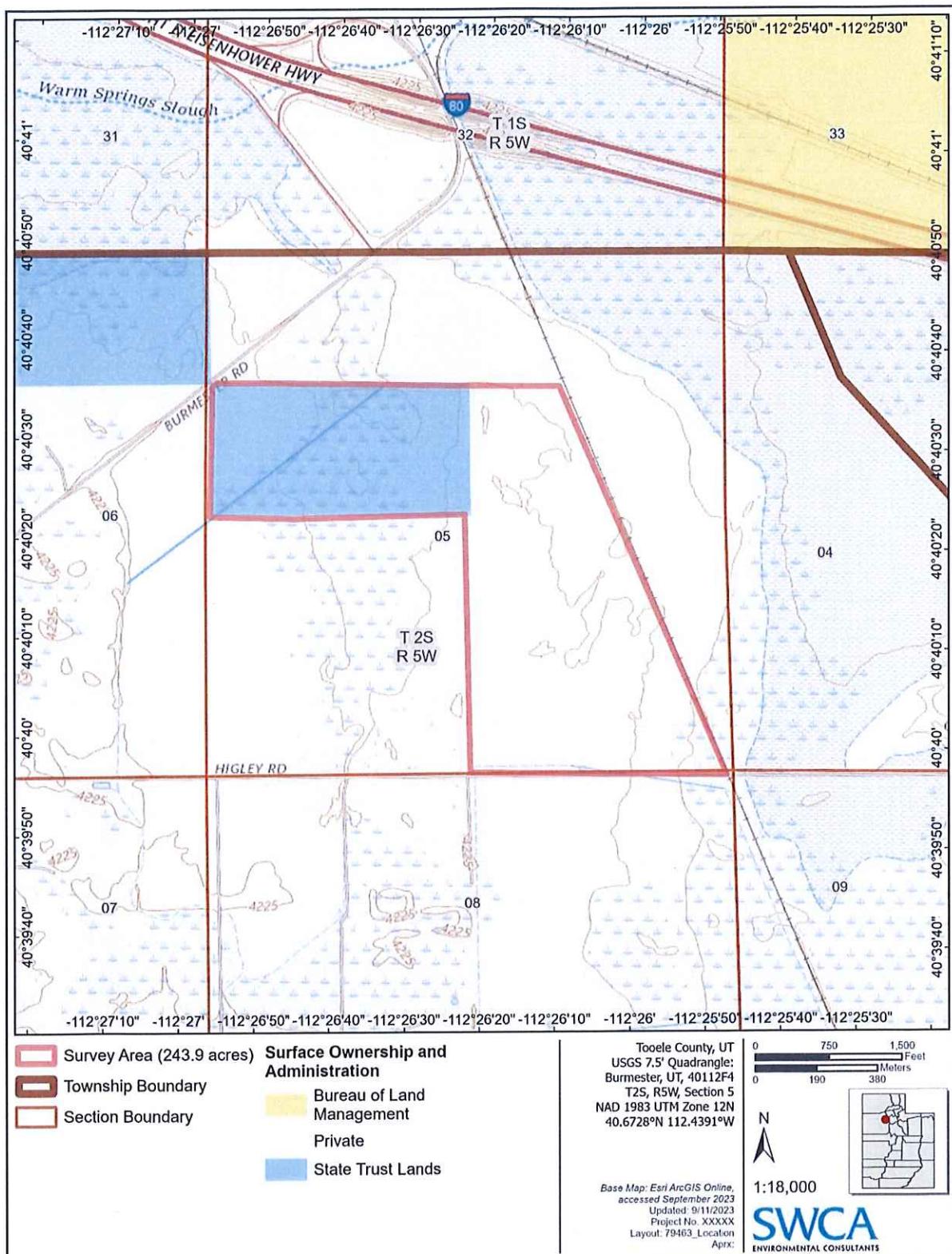


Figure A-1. Survey area location.

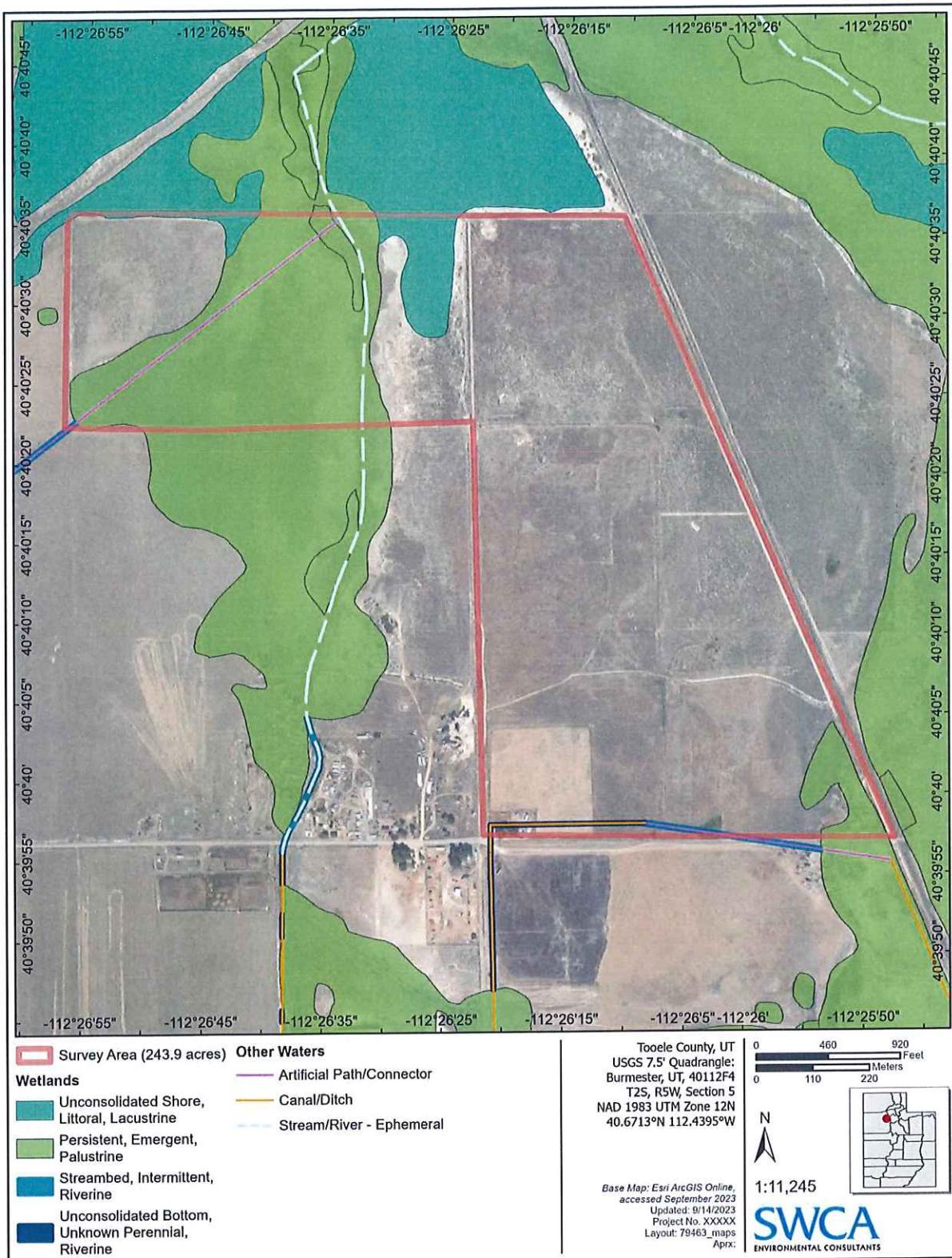


Figure A-2. National Wetlands Inventory and National Hydrography Dataset data for the survey area.

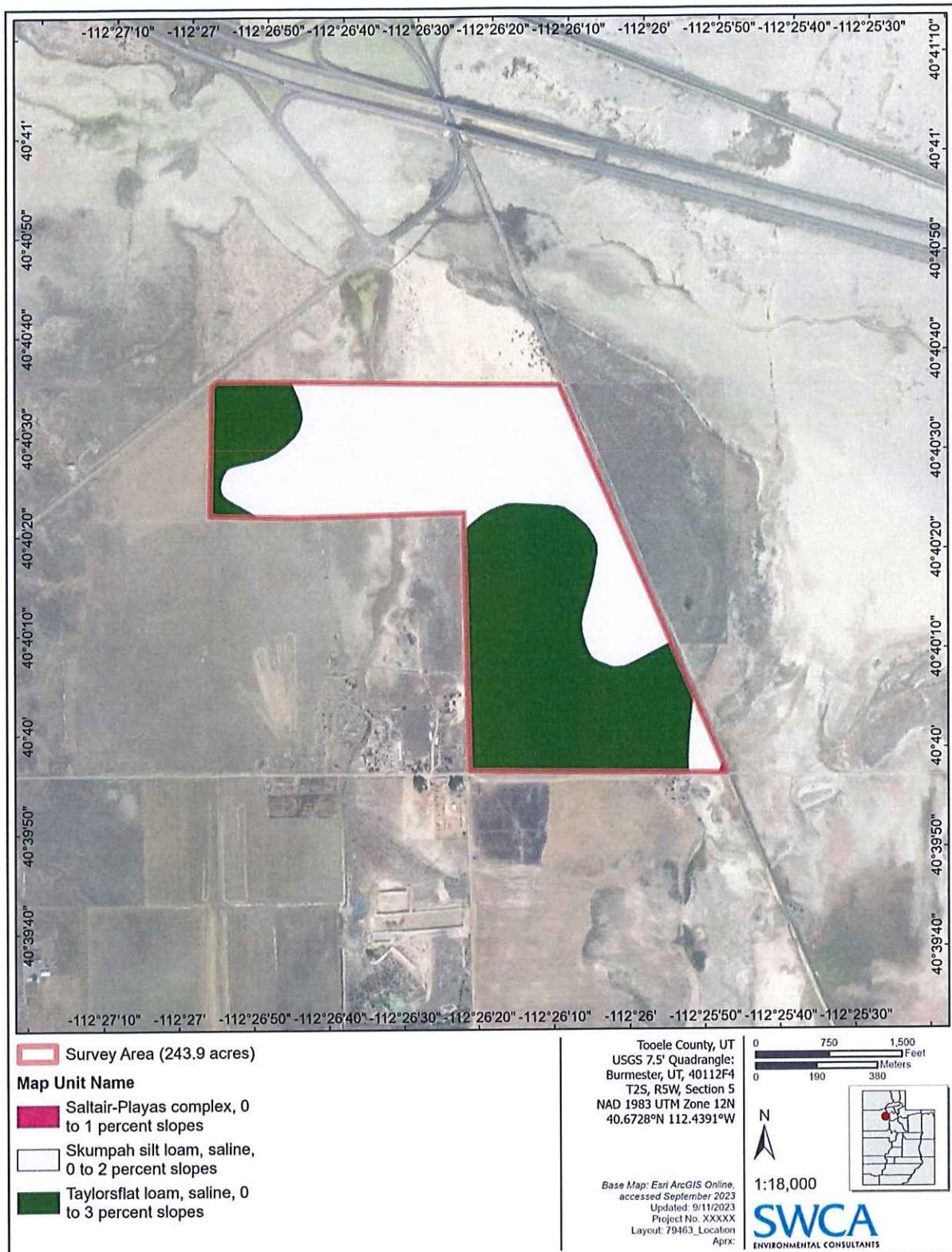


Figure A-3. Soil Survey Geographic Database soils data for the survey area.

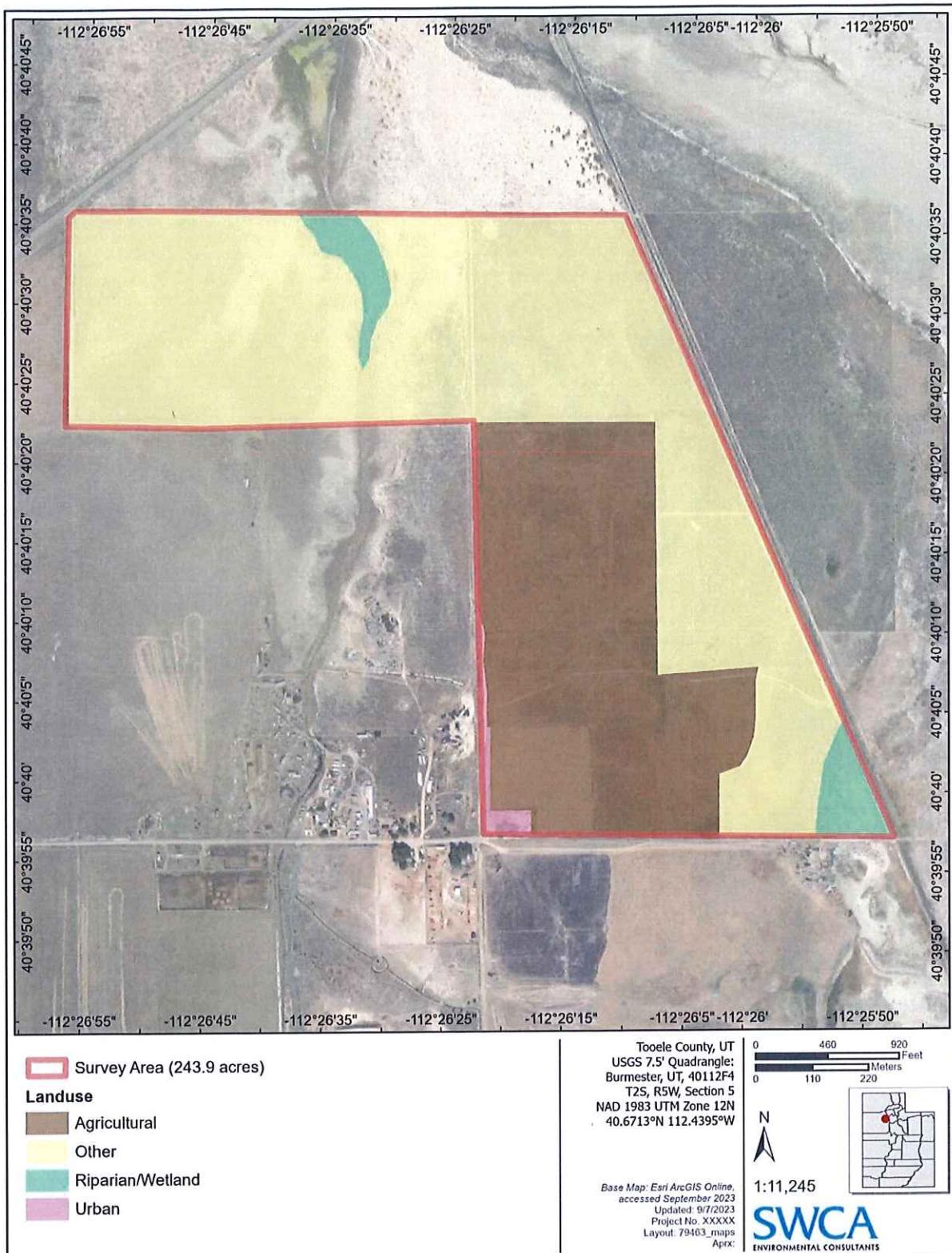


Figure A-4. Water-related and agricultural land use for the survey area.

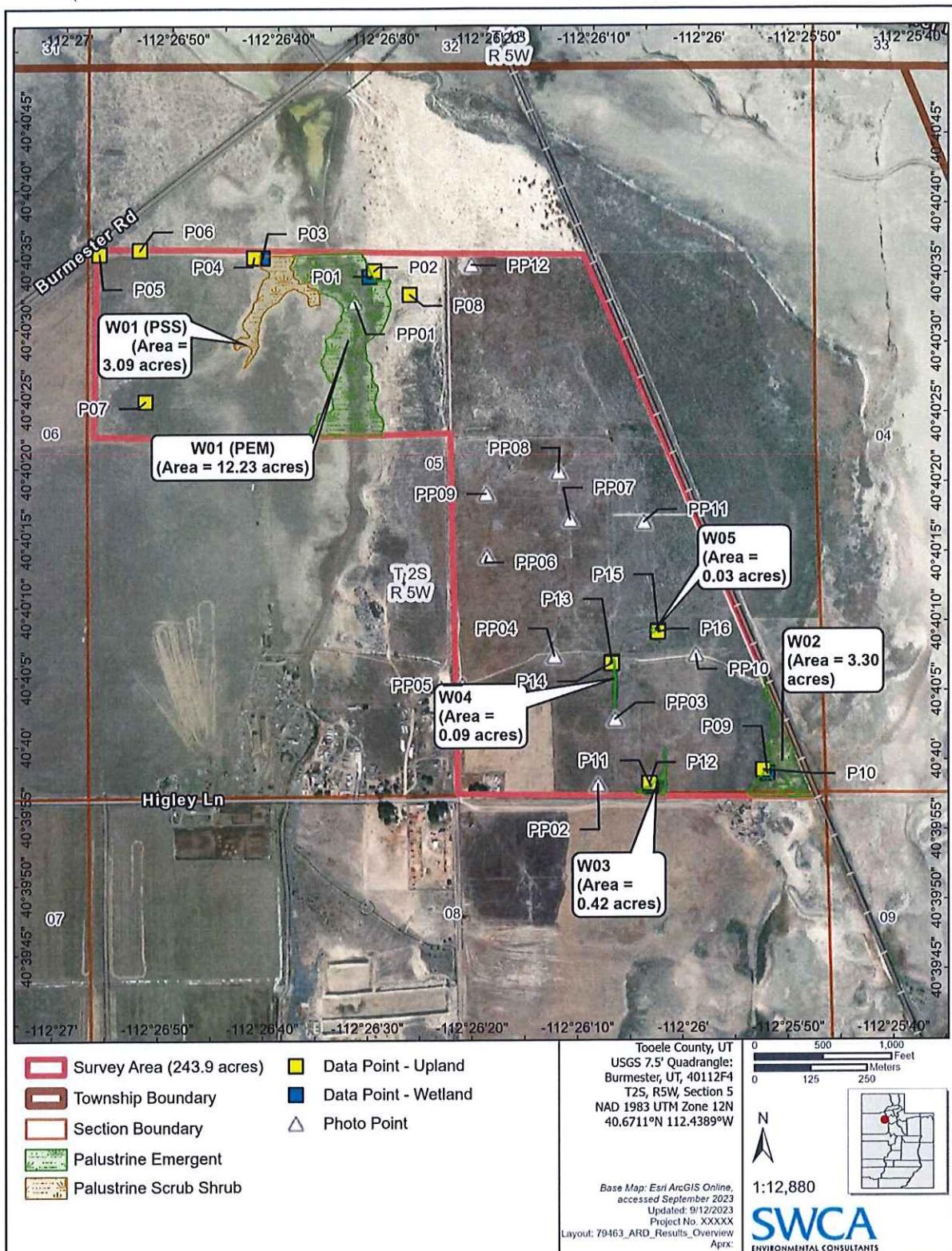


Figure A-5. Aquatic resources overview map for the survey area.

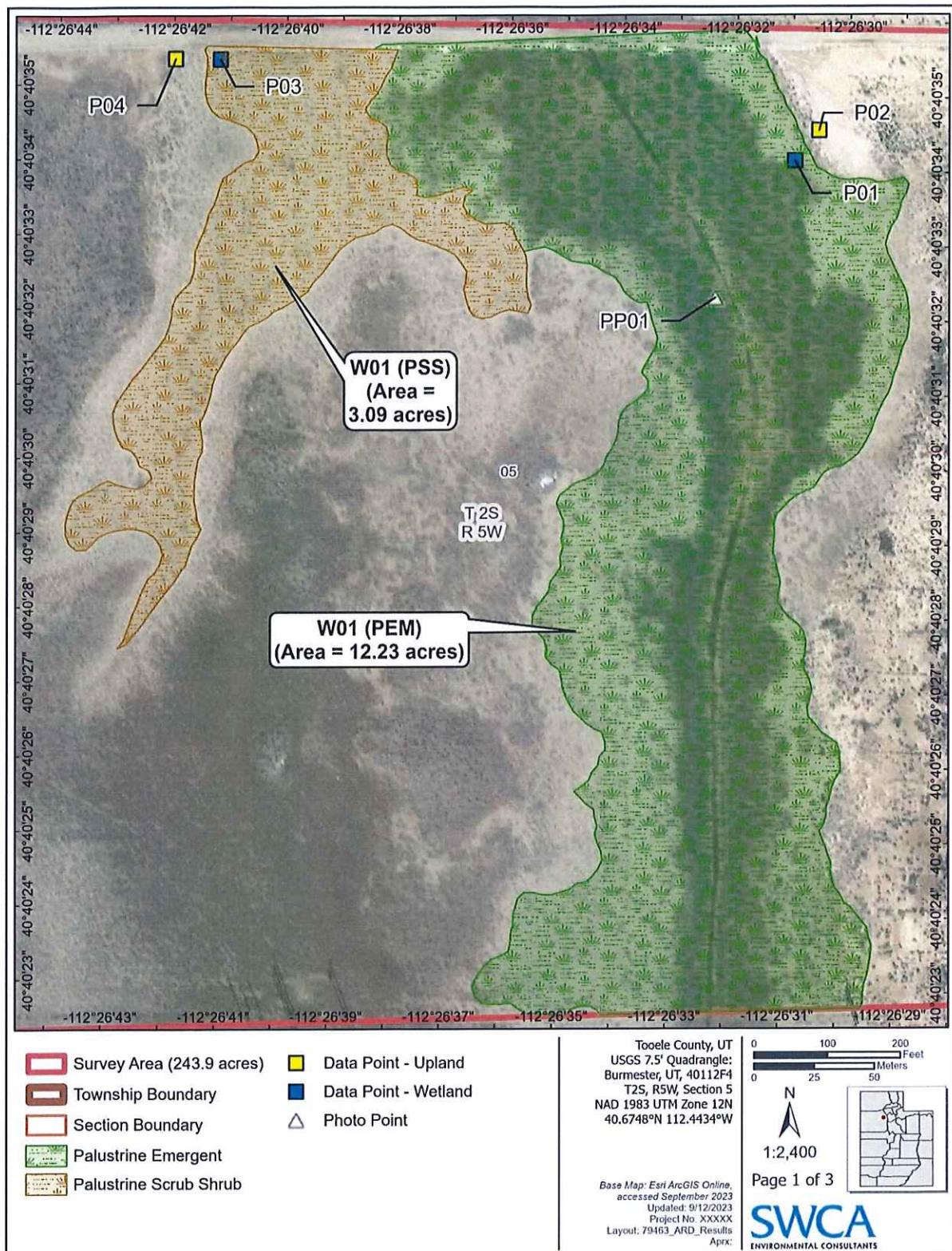


Figure A-6. Aquatic resources survey results map for the survey area (map 1 of 3).

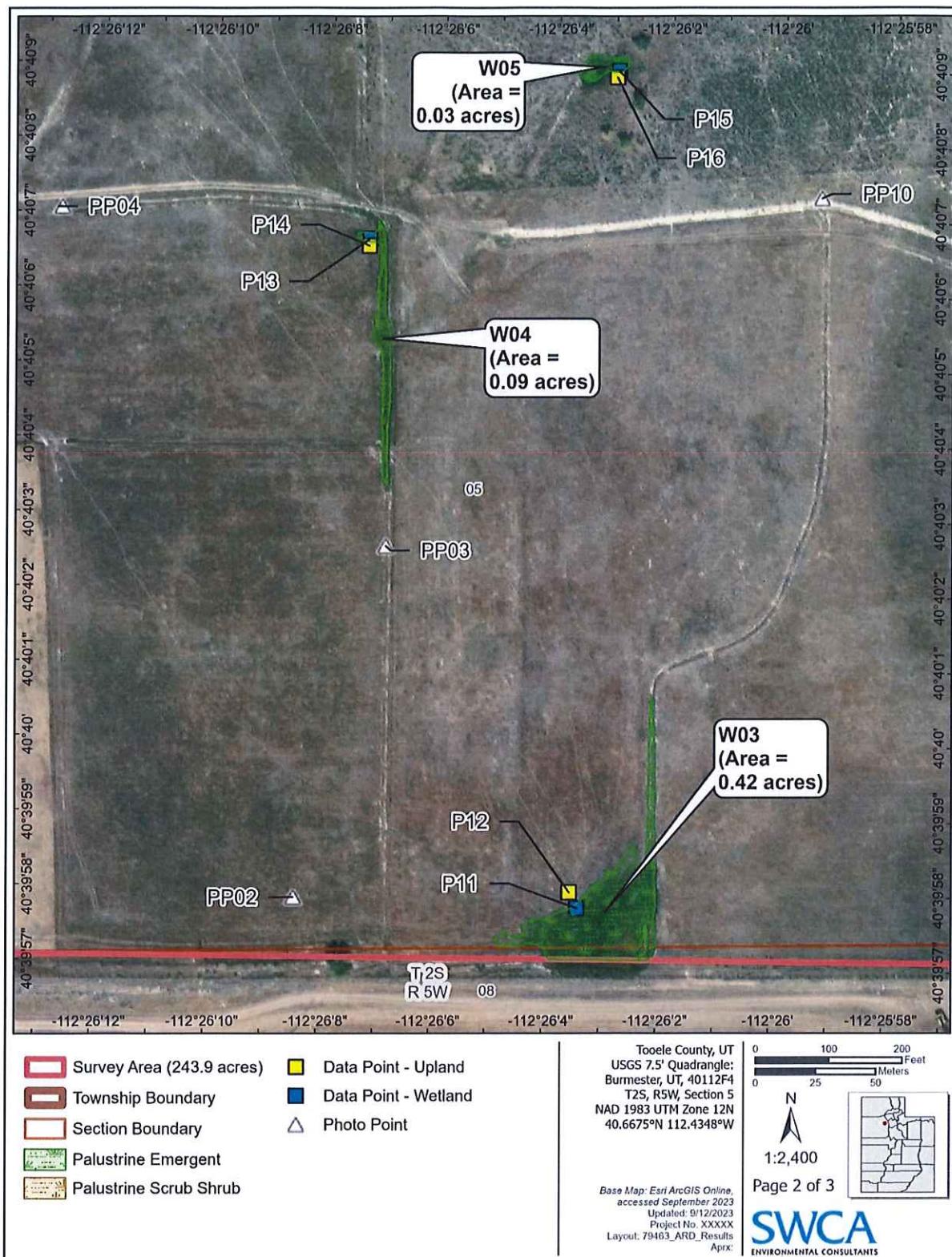


Figure A-7. Aquatic resources survey results map for the survey area (map 2 of 3).

I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Bolinder TIS development located in Tooele County, Utah. The proposed project is located southeast of the Burmester Road / U.S. 40 Ramps. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022), future (2027), and future (2040) conditions with and without the proposed project and to recommend mitigation measures as needed.



Figure 1: Vicinity map showing the project location in Tooele County, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- I-80 EB Ramps / Burmester Road
- Higley Lane / Burmester Road
- Project Access Road / Burmester Road

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The *Highway Capacity Manual* (HCM), 7th Edition, 2022 methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix C. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with "state-of-the-practice" traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS	Description of Traffic Conditions	Average Delay (seconds/vehicle)		
		Signalized Intersections	Unsignalized Intersections	
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual (HCM)*, 7th Edition, 2022 Methodology (Transportation Research Board)

II. EXISTING (2022) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

Burmester Road – is a city-maintained roadway which is classified by the Tooele County Transportation Plan (2015) as a major collector. The roadway has one travel lane in each direction. The posted speed limit is 40 mph in the study area.

Higley Lane – is a city-maintained/private roadway which is classified by the Tooele County Transportation Plan (2015) as a minor collector. The roadway has one travel lane in each direction. The posted speed limit is 25 mph in the study area.

C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Higley Lane / Burmester Road
- I-80 EB Ramps / Burmester Road

The counts were performed on Tuesday, May 10, 2022, and on Thursday, June 30, 2022. The morning peak hour was determined to be between 7:00 and 8:00 a.m., and the evening peak hour was determined to be between 5:00 and 6:00 p.m. The evening peak hour volumes were approximately 25% higher than the morning peak hour volumes. Both the morning and evening peak hour volumes were used in the analysis. Detailed count data are included in Appendix B.

Hales Engineering considered potential seasonal adjustments to the observed traffic volumes. Monthly traffic volume data were obtained from a nearby UDOT automatic traffic recorder (ATR) on I-80 (ATR #321). In recent years, traffic volumes in May and June have been equal to approximately 123% and 106% of average traffic volumes, respectively. As a conservative measure, observed traffic volumes were not adjusted for seasonality.

Trips generated for the Tooele County Higley Lane Residential project (Hales Engineering TIS, 2022) were also included in the background volumes for this analysis.

Figure 2 shows the existing morning and evening peak hour volumes as well as intersection geometry at the study intersections.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the morning and evening peak hours, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2022) conditions.

Table 2: Existing (2022) Background Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	a (1.5) / SER	a (1.4) / SER
Higley Lane / Burmester Road	WB Stop	a (4.0) / WBL	a (4.0) / WBL

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections; Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing was observed during the morning and evening peak hours.

F. Mitigation Measures

No mitigation measures are recommended.

Tooele County - Bolinder TIS
Existing (2022) Background

Morning Peak Hour
Figure 2a



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Tooele County - Bolinder TIS
Existing (2022) Background

Evening Peak Hour
Figure 2b



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III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed Bolinder TIS development is located southeast of the Burmester Road / U.S. 40 Ramps. The development will consist of warehousing and manufacturing space. It is estimated that approximately 1/3 of the square footage will be dedicated to manufacturing and 2/3 will be warehousing. The project will be completed in two phases, with phase 1 on opening day and phase 2 being completed by 2027. Phase 1 will consist of only Buildings A and B. A concept plan for the proposed development is provided in Appendix A. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity	
	2022	2027, 2040
Warehousing	535,800 sq. ft.	1,797,600 sq. ft.
Manufacturing	267,900 sq. ft.	898,800 sq. ft.

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 11th Edition, 2021. Trip generation for the proposed project is included in Table 4.

The total trip generation for the development on opening day is as follows:

- Daily Trips: 2,098
- Morning Peak Hour Trips: 262
- Evening Peak Hour Trips: 308

The total trip generation for the development at full build is as follows:

- Daily Trips: 6,472
- Morning Peak Hour Trips: 798
- Evening Peak Hour Trips: 1,010

Table 4: Trip Generation (2022)

Trip Generation Tooele County Bolinder (Opening Day)								
Land Use ¹	# of Units	Unit Type	Trip Generation			New Trips		
			Total	% In	% Out	In	Out	Total
Weekday Daily								
Warehousing (150)	535.8	KSF	886	50%	50%	443	443	886
Manufacturing (140)	267.9	KSF	1,212	50%	50%	606	606	1,212
			TOTAL			2,098		1,049
							1,049	2,098
AM Peak Hour								
Warehousing (150)	535.8	KSF	88	77%	23%	68	20	88
Manufacturing (140)	267.9	KSF	174	76%	24%	132	42	174
			TOTAL			262		262
							200	62
PM Peak Hour								
Warehousing (150)	535.8	KSF	92	28%	72%	26	66	92
Manufacturing (140)	267.9	KSF	216	31%	69%	67	149	216
			TOTAL			308		308
							93	215

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition, 2021.
SOURCE: Hales Engineering, July 2022

Table 5: Trip Generation (2027, 2040)

Trip Generation Tooele County Bolinder (Full Build)								
Land Use ¹	# of Units	Unit Type	Trip Generation			New Trips		
			Total	% In	% Out	In	Out	Total
Weekday Daily								
Warehousing (150)	1,797.6	KSF	2,880	50%	50%	1,440	1,440	2,880
Manufacturing (140)	898.8	KSF	3,592	50%	50%	1,796	1,796	3,592
			TOTAL			6,472		3,236
							3,236	6,472
AM Peak Hour								
Warehousing (150)	1,797.6	KSF	240	77%	23%	185	55	240
Manufacturing (140)	898.8	KSF	558	76%	24%	424	134	558
			TOTAL			798		609
							189	798
PM Peak Hour								
Warehousing (150)	1,797.6	KSF	244	28%	72%	68	176	244
Manufacturing (140)	898.8	KSF	766	31%	69%	237	529	766
			TOTAL			1,010		305
							705	1,010

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition, 2021.
SOURCE: Hales Engineering, July 2022

D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the morning and evening peak hour is shown in Table 6.

Table 6: Trip Distribution

Direction	% To/From Project
East on I-80	70%
West on I-80	20%
South	10%

These trip distribution assumptions were used to assign the morning and evening peak hour trip generation at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.

E. Access

The proposed access for the site will be gained at the following locations:

Burmester Road:

- The Project Access Road will be located approximately 2,100 feet southwest of the I-80 EB Ramps / Burmester Road intersection. It will access the project on the east side of Burmester Road. It is anticipated that the access will be stop-controlled.
- The project will also have access to Higley Lane and will access Burmester road through the existing Higley Lane / Burmester Road intersection. It is anticipated that this access will remain stop controlled.

F. Auxiliary Lanes

Auxiliary lanes are deceleration (ingress) or acceleration (egress) turn lanes that provide for safe turning movements that have less impact on through traffic. These lanes are sometimes needed at accesses or roadway intersections if right- or left-turn volumes are high enough.

Deceleration (ingress) lanes are generally needed when there are at least 50 right-turn vehicles or 25 left-turn vehicles in an hour. In areas with high percentages of heavy vehicles and trucks, deceleration lanes are generally needed for safety even if these volume thresholds are not met. These guidelines were used for the City roadways in the study area.

Tooele County - Bolinder TIS
Trip Assignment (2022)

Morning Peak Hour
Figure 3a



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Tooele County - Bolinder TIS
Trip Assignment (2022)

Evening Peak Hour
Figure 3b

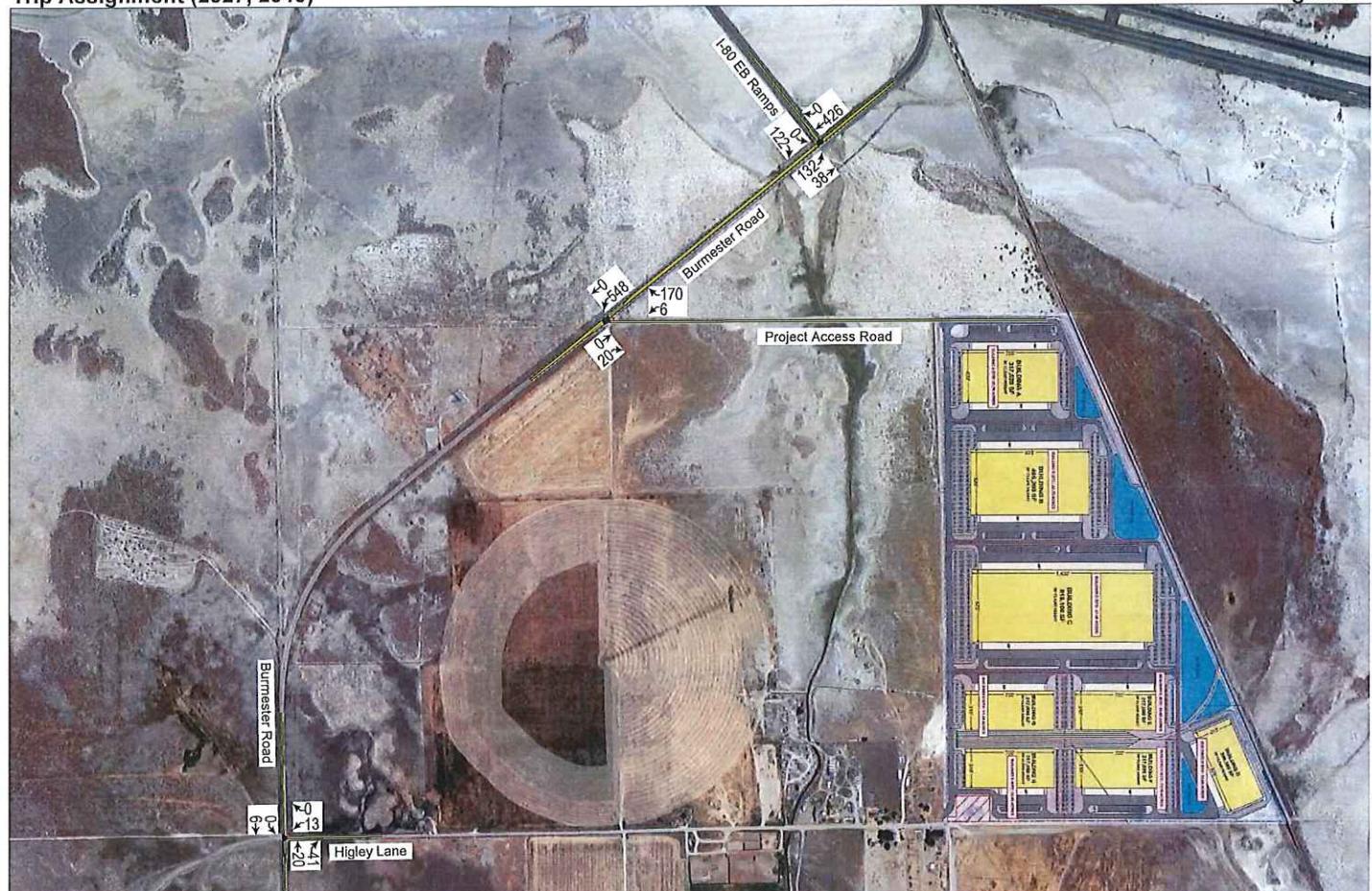


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Tooele County - Bolinder TIS
Trip Assignment (2027, 2040)

Morning Peak Hour
Figure 3c



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Tooele County - Bolinder TIS
Trip Assignment (2027, 2040)

Evening Peak Hour
Figure 3d



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Based on these guidelines and the anticipated project traffic, it is recommended that the following deceleration (ingress) lanes be installed:

- Project Access Road / Burmester Road: Southbound-to-eastbound left-turn and northbound-to-eastbound right-turn. These deceleration lanes are anticipated to be needed by opening day.
- Higley Lane / Burmester Road: Northbound-to-eastbound right-turn. This deceleration lane is anticipated to be needed by full build of the project site.

IV. EXISTING (2022) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2022) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the existing (2022) background traffic volumes to predict turning movement volumes for existing (2022) plus project conditions. Existing (2022) plus project morning and evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the morning and evening peak hours with project traffic added, as shown in Table 7.

Table 7: Existing (2022) Plus Project Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	a (2.5) / NEL	a (3.6) / NEL
Higley Lane / Burmester Road	WB Stop	a (3.9) / WBL	a (4.2) / WBL
Project Access Road / Burmester Road	WB Stop	a (9.0) / WBL	a (9.3) / WBL

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Significant 95th percentile queue lengths during the evening peak hour are summarized as follows:

- Project Access Road / Burmester Road:
 - Westbound: 125 feet (PM)

Tooele County - Bolinder TIS
Existing (2022) Plus Project

Morning Peak Hour
Figure 4a



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Tooele County - Bolinder TIS
Existing (2022) Plus Project

Evening Peak Hour
Figure 4b



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E. Mitigation Measures

It is recommended that a westbound right-turn pocket be added at the Project Access Road / Burmester Road intersection to reduce westbound queuing and reduce delay at the intersection.

V. FUTURE (2027) BACKGROUND CONDITIONS

A. Purpose

The purpose of the future (2027) background analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions. Through this analysis, future background traffic operational deficiencies can be identified, and potential mitigation measures recommended.

B. Roadway Network

According to the Tooele County Transportation Plan (2015), there are no projects affecting roadway capacity on planned before 2027 in the study area. Therefore, no changes were made to the roadway network for the future (2027) analysis.

C. Traffic Volumes

Hales Engineering obtained historical growth rates from UDOT AADT data on Burmester Road. In recent years, traffic volumes have grown by approximately 4.3% per year. To remain conservative, an annual growth rate of 4.5% was used to estimate future (2027) turning movement volumes at the study intersections. Future (2027) morning and evening peak hour turning movement volumes are shown in Figure 5.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are anticipated to operate at acceptable levels of service during the morning and evening peak hours in future (2027) background conditions, as shown in Table 8. These results serve as a baseline condition for the impact analysis of the proposed development for future (2027) conditions.

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the morning and evening peak hours.

F. Mitigation Measures

No mitigation measures are recommended.

Tooele County - Bolinder TIS
Future (2027) Background

Morning Peak Hour
Figure 5a



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Tooele County - Bolinder TIS
Future (2027) Background

Evening Peak Hour
Figure 5b



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Table 8: Future (2027) Background Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	a (3.7) / SEL	a (3.0) / SEL
Higley Lane / Burmester Road	WB Stop	a (4.4) / WBL	a (4.8) / WBL

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

VI. FUTURE (2027) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the future (2027) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on future background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the future (2027) background traffic volumes to predict turning movement volumes for future (2027) plus project conditions. Future (2027) plus project morning and evening peak hour turning movement volumes are shown in Figure 6.

C. Level of Service Analysis

Hales Engineering determined that the Project Access Road / Burmester Road intersection is anticipated to operate at poor LOS during the morning peak hour and the I-80 EB Ramps / Burmester Road intersection is anticipated to operate at a poor LOS during the evening peak hour in future (2027) plus project conditions, as shown in Table 9.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the morning and evening peak hours. Significant 95th percentile queue lengths during the morning and evening peak hour are summarized as follows:

- I-80 EB Ramps / Burmester Road:
 - Northbound: 300 feet (PM)
- Project Access Road / Burmester Road:
 - Westbound: 400 feet (PM)

E. Mitigation Measures

It is recommended that a northbound left-turn pocket be installed at the I-80 EB Ramps / Burmester Road intersection. Additionally, it is recommended that westbound-to-southbound left-turn and westbound-to-northbound right-turn acceleration lanes be installed at the Project Access Road / Burmester Road intersection.

Tooele County - Bolinder TIS
Future (2027) Plus Project

Morning Peak Hour
Figure 6a



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Tooele County - Bolinder TIS
Future (2027) Plus Project

Evening Peak Hour
Figure 6b



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Table 9: Future (2027) Plus Project Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	b (12.0) / SEL	f (>50) / SEL
Higley Lane / Burmester Road	WB Stop	a (4.5) / WBL	a (4.8) / WBL
Project Access Road / Burmester Road	WB Stop	e (38.6) / WBL	d (25.2) / WBL

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

F. Mitigated Scenario

Hales Engineering performed additional analysis on the future (2027) plus project scenarios with the recommended mitigation measures in place. LOS results for the peak hours are shown in Table 10.

Table 10: Mitigated Future (2027) Plus Project Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	b (14.3) / SEL	d (31.4) / SEL
Higley Lane / Burmester Road	WB Stop	a (4.3) / WBL	a (4.6) / WBL
Project Access Road / Burmester Road	NW Stop	d (28.1) / NWL	c (19.4) / NWR

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

VII. FUTURE (2040) BACKGROUND CONDITIONS

A. Purpose

The purpose of the future (2040) background analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions. Through this analysis, future background traffic operational deficiencies can be identified, and potential mitigation measures recommended.

B. Roadway Network

According to the Tooele County Transportation Plan (2015), there are no projects planned before 2040 in the study area. Therefore, no changes were made to the roadway network for the future (2040) analysis.

C. Traffic Volumes

Hales Engineering obtained historical growth rates from UDOT AADT data on Burmester Road. In recent years, traffic volumes have grown by approximately 4.3% per year. To remain conservative, an annual growth rate of 4.5% was used to estimate future (2027) turning movement volumes at the study intersections. Future (2040) background morning and evening peak hour turning movement volumes are shown in Figure 7.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are anticipated to operate at acceptable levels of service during the morning and evening peak hours in future (2040) background conditions, as shown in Table 11. These results serve as a baseline condition for the impact analysis of the proposed development for future (2040) conditions.

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the morning and evening peak hours.

F. Mitigation Measures

No mitigation measures are recommended.

Tooele County - Bolinder TIS Future (2040) Background

Morning Peak Hour Figure 7a



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Tooele County - Bolinder TIS
Future (2040) Background

Evening Peak Hour
Figure 7b



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Table 11: Future (2040) Background Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹	
Description	Control	Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road	SE Stop	a (4.4) / SEL	a (4.0) / SEL
Higley Lane / Burmester Road	WB Stop	a (5.0) / WBL	a (5.2) / WBL

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

VIII. FUTURE (2040) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the future (2040) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on future background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the future (2040) background traffic volumes to predict turning movement volumes for future (2040) plus project conditions. Future (2040) plus project morning and evening peak hour turning movement volumes are shown in Figure 8.

C. Level of Service Analysis

Hales Engineering determined that the Project Access Road / Burmester Road intersection is anticipated to operate at poor LOS during the morning peak hour and the I-80 EB Ramps / Burmester Road intersection is anticipated to operate at a poor LOS during the evening peak hour in future (2040) plus project conditions, as shown in Table 12.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Significant 95th percentile queue lengths during the morning and evening peak hour are summarized as follows:

- I-80 EB Ramps / Burmester Road:
 - Northbound: 250 feet (PM)
 - Project Access Road / Burmester Road:
 - Westbound: 450 feet (PM)

E. Mitigation Measures

No additional mitigation measures are recommended. The failing movements at both the I-80 Ramps / Burmester Road and the Project Access Road / Burmester Road intersections are projected to have low volumes and it is anticipated that traffic may reroute if necessary.

F. Recommended Storage Lengths

Hales Engineering determined recommended storage lengths based on the 95th percentile queue lengths given in the future (2040) plus project scenario. These storage lengths do not include the taper length. Recommended storage lengths for the study intersections are shown in Table 13. Intersections shown in Table 13 include new intersections and existing intersections that have recommended storage length changes.

Tooele County - Bolinder TIS
Future (2040) Plus Project

Morning Peak Hour
Figure 8a

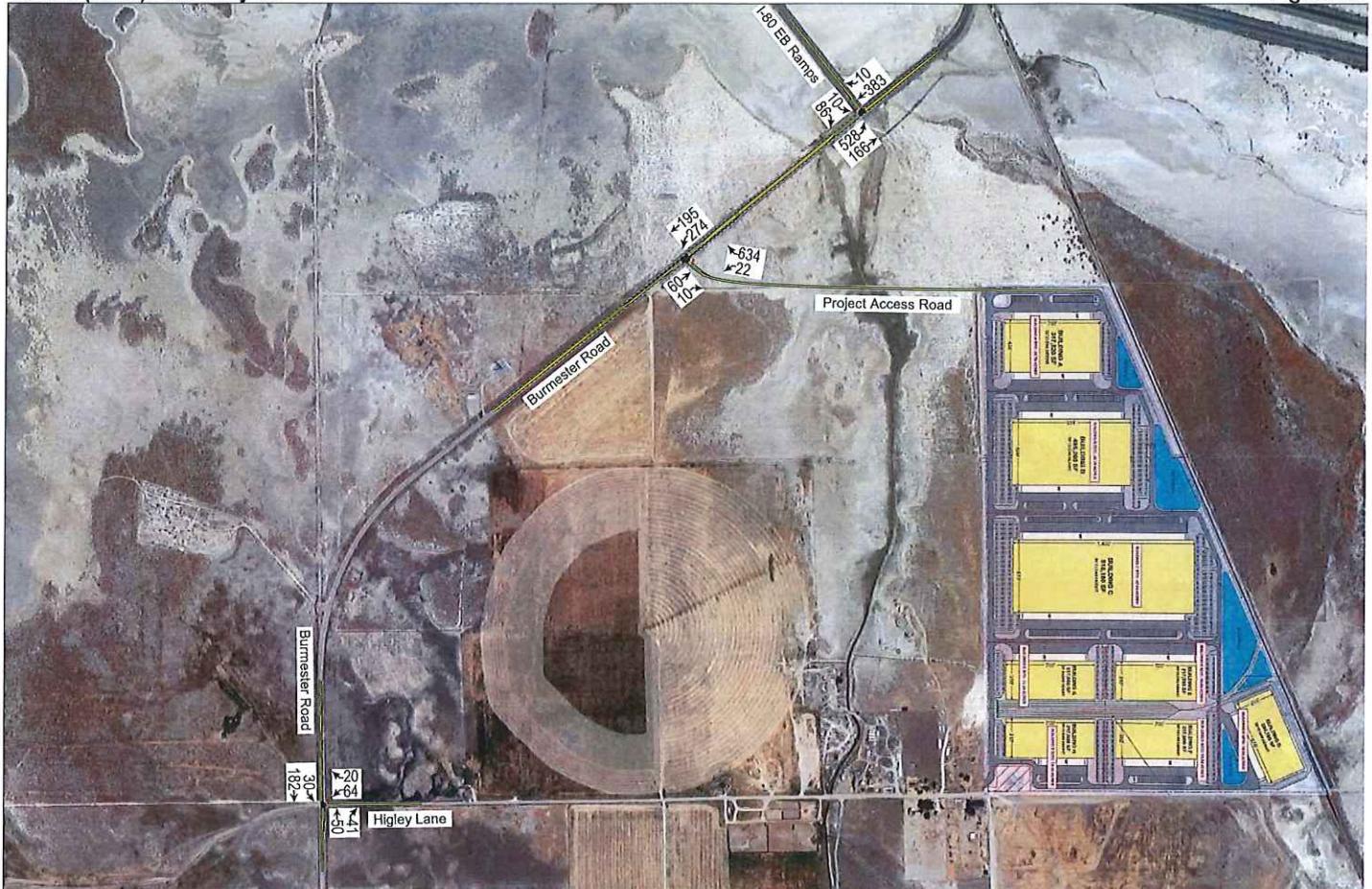


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Tooele County - Bolinder TIS Future (2040) Plus Project

Evening Peak Hour Figure 8b



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Table 12: Future (2040) Plus Project Peak Hour LOS

Intersection		LOS (Sec. Delay / Veh.) / Movement ¹			
Description		Control		Morning Peak	Evening Peak
I-80 EB Ramps / Burmester Road		SE Stop		c (24.3) / SEL	f (>50) / SEL
Higley Lane / Burmester Road		WB Stop		a (4.7) / WBL	a (5.6) / WBL
Project Access Road / Burmester Road		NW Stop		e (36.8) / NWL	c (22.1) / NWR

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SEL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, July 2022

Table 13: Recommended Storage Lengths

Intersection	Recommended Storage Lengths (feet)											
	Northbound		Southbound		Eastbound		Westbound		Northbound		Southbound	
	LT	RT	LT	RT	LT	RT	LT	RT	LT	RT	LT	RT
	E	P	E	P	E	P	E	P	E	P	E	P
1 I-80 EB Ramps / Burmester Road	-	250	-	-	-	-	-	-	-	-	-	-
2 Higley Lane / Burmester Road	-	-	100	-	-	-	-	-	-	-	-	-
3 Project Access Road / Burmester Road	-	-	100	-	175	-	-	-	-	-	-	250

1. Storage lengths are based on 2040 95th percentile queue lengths and do not include required deceleration / taper distances
2. E= Existing storage length (approximate), if applicable; P= proposed storage length for new turn lanes or changes to existing turn lanes, if applicable

Source: Hales Engineering, July 2022