



Planning Commission Meeting Agenda

June 03, 2026
Council Chambers
07:00 PM

To watch meetings online, visit Tooele County's [YouTube](#) or visit this Zoom link: <https://us06web.zoom.us/j/87557557305> To submit a public comment before the meeting, [email comments](#), anytime up until the meeting starts. 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 May 6, 2026 Meeting

MOTION AND VOTE

Attachments

1. [MAY 6, 2026 PLANNING COMMISSION MEETING MINUTES - DRAFT.PDF](#)

4. Action Items

A. July 1, 2026 Meeting Date Change- Staff is requesting changing the July meeting date to July 15, 2026

MOTION AND VOTE

5. Conditional Use Permits

A. PUBLIC HEARING- CUP 2026-057 Hogan Brothers, Henry Degelbeck, and Diana Degelbeck are requesting Conditional Use approval for a private Road

PUBLIC HEARING, MOTION AND VOTE

Attachments

1. [2026-057#_PUBLIC HEARING NOTICE.PDF](#)
2. [2026-057_PC_ITEM SUMMARY.PDF](#)
3. [CUP 2026-057_HOGAN'S PRIVATE ROAD_STAFF REPORT.PDF](#)

6. Land Use Ordinances

A. PUBLIC HEARING- TCLUO 2026-014 Charles Akerlow and Shane Sell are requesting a text amendment to Chapter 24 "Sign Regulations" of the Tooele County Land Use Ordinance

PUBLIC HEARING, MOTION AND VOTE

Attachments

1. [2026-014_PUBLIC HEARING NOTICE.PDF](#)
2. [2026-014_PC_ITEM SUMMARY.PDF](#)

3. [UPDATED_2026-014#_STAFF REPORT_REDACTED.PDF](#)

- B. PUBLIC HEARING- TCLUO 2026-072 Staff is requesting an amendment to chapter 2 "Definitions", and the adoption of chapter 36 "Water Efficiency Standards" of the Tooele County Land Use Ordinance

PUBLIC HEARING, MOTION AND VOTE

Attachments

1. [2026-072#_PUBLIC HEARING NOTICE.PDF](#)
2. [2026-072#_PC_ITEM SUMMARY.PDF](#)
3. [2026-072#_STAFF REPORT.PDF](#)

7. Planning Commission Comments

8. Adjournment



Planning Commission Meeting Minutes

May 06, 2026

47 S Main St. Tooele, UT 84074

Council Chambers Room 308

7:00 p.m.

Draft

1. Pledge of Allegiance

Pledge of Allegiance led by Commissioner Scott.

2. Roll Call

Commissioner Toni Scott called the meeting to order at 7:00PM showing in attendance: Commissioner Curtis Beckstrom, Commissioner Richard Mitchell, Commissioner Kevin Christensen, Commissioner Dean Alder, Commissioner Michael Dow (online), Commissioner Clint Warner and Commissioner Toni Scott.

3. Minutes

A. Minutes from the April 1, 2026 Meeting

MOTION AND VOTE

Attachments

1. APRIL 1, 2026 PLANNING COMMISSION MEETING MINUTES - DRAFT.PDF

Commissioner Scott made a motion to approve the meeting minutes from April 1, 2026, as written. 2nd by Commissioner Beckstrom. All in favor. Motion passed unanimously.

4. Rezones

A. PUBLIC HEARING- REZ 2026-051 Gardner Francis with Westland Development Services is requesting a rezone from MU-40 to MG-EX, Mili Pioquinto, Mili Pioquinto

PUBLIC HEARING, MOTION AND VOTE

Mili Pioquinto, Planning Staff, summarized that Gardner Francis with Westland Development Services is requesting a rezone from MU-40 to MG-EX. The request is to facilitate the extraction of minerals from the proposed property consisting of approximately 125.84 acres located adjacent to the Tooele County Solid Waste Management Facility. It is also near the former Bauer area, which has historically been associated with intensive mining and smelter operations, and where prior studies documented remnants of toxic waste. Although state review determined that the parcel is not located within the designated remediation area requiring state cleanup, the County Engineer has requested a Phase I Environmental Site Assessment in accordance with county policy.

The applicant submitted a formal request for the rezone to be considered by the Planning Commission. Although the submittal addresses several required items, a few responses remain incomplete, require further clarification, or are pending additional supporting

documentation.

Planning Staff recommends that the Tooele County Planning Commission makes a motion to table the rezone from MU-40 to MG-EX until the applicant works through and submits the following items: 1. A document supporting item a, 2. An updated item e, 3. An updated item f, having received input from Fire, Civil, and Engineering, 4. An updated item i, 5. An updated item k, 6. A description for item l, 7. A description for item m, 8. An updated item n, having received input from Fire, Civil, and Engineering, 9. An updated item q, 10. A submission of item r, a traffic study, and 11. An environmental site assessment, having worked with the Tooele County Health Department.

The applicant, Gardner Francis with Westland Development, stated that the rezone is requested to facilitate a responsible mineral and aggregate extraction operation, with no proposed permanent structures or smelting facilities. Access would be off Bauer Road. The applicant committed to providing a full operation and reclamation plan, performance bonds for reclamation, stormwater management measures, dust and noise control plans, and annual County inspections during operations.

Commissioner Scott asked the applicant about the eleven required items and what still needed to be completed. Gardner responded that nearly all of the items have been addressed, with the exception of the traffic study and completion of the Phase I Environmental Survey. He stated that he anticipates all remaining items will be addressed and resolved within the next 30 to 45 days.

Commissioner Scott opened the public hearing.

Jackson Smith, partner with Gardner Francis, stated that the goal is to work collaboratively and in partnership with Tooele County to ensure the project is safe for residents while supporting the County's ongoing infrastructure needs. He explained that the proposed pit presents significant opportunities, as several parties interested in the aggregate material are pursuing both industrial and residential infrastructure projects within the County. He said they hope to play a role in supporting and facilitating that growth in a responsible and sustainable manner, while ensuring the project follows the proper processes and is carried out appropriately.

Commissioner Scott closed the public hearing.

Commissioner Warner asked staff about the traffic study, noting that the study is limited to Bauer Rd, while he believes the greatest impact from the pit will be on SR-36. Rachelle Custer, Community Development Director explained that the County's road policy outlines the level of traffic analysis required based on the proposed use.

Further discussion took place regarding the traffic study and the existing heavy truck traffic associated with other pits in the area. The applicant acknowledged ongoing coordination with both state and county agencies concerning truck routes and haul road agreements.

Commissioner Mitchell made a motion to table the Rezone Request by Gardner Francis for rezoning of MU-40 to MG-EX, application number 2026-051, based on the findings and subject to the considerations listed by the Planning Staff until a date not later than July 15, 2026:

- 1) A document supporting item a
- 2) An updated item e
- 3) An updated item f, having received input from Fire, Civil, and Engineering
- 4) An updated item i
- 5) An updated item k
- 6) A description for item l
- 7) A description for item m
- 8) An updated item n, having received input from Fire, Civil, and Engineering
- 9) An updated item q
- 10) A submission of item r, a traffic study
- 11) An environmental site assessment, having worked with the Tooele County Health Department

2nd by Commissioner Alder. Roll call vote: Commissioner Beckstrom – yes, Commissioner Christiansen – yes. Commissioner Warner – yes. Commissioner Dow – yes. Commissioner

Alder – yes. Commissioner Scott – yes. Commissioner Mitchell – yes. All in favor. Motion passed unanimously.

5. Discussion item

A. Discussion regarding Planning Commission Training Topics, Mili Pioquinto

Planning Commission discussion regarding potential dates to coordinate with the Property Rights Ombudsman Office.

Millie proposed scheduling at least one additional training session later this year focused on land use. The Commissioners expressed interest in holding the training in late summer or early fall. Mili will coordinate with Rob Terry from the Office of the Property Rights Ombudsman.

6. Adjournment

Commissioner Scott adjourned the meeting at 7:32pm.



NOTICE OF PUBLIC HEARING

- **SUBJECT:** CUP 2026-057 Private Road.
- **PROJECT SUMMARY:** Conditional use approval for a private road; Wildseed Lane.

Unincorporated: Tooele County

Planner: Mili Pioquinto

On **June 3, 2026** the Tooele County Planning Commission will hold a public hearing regarding the request described above. The meeting will be held at 7:00 p.m. at the Tooele County Administration Building (Council Chamber, Third Floor), 47 S. Main Street, Tooele, UT 84074. Also via zoom located on the Tooele County Website: <https://tooeleco.gov/> under "Agendas and Meetings."

You have the right to attend and speak at the public hearing. Please be advised that, in rendering its decision, the Planning Commission can only rely on evidence, not opinion or conjecture. Written comments may also be submitted; however, such comments must be received no later than twenty-four (24) hours prior to the scheduled meeting date to allow for proper distribution to the Planning Commission and the applicant.

For questions or additional information, please contact the Community Development Office at 435-843-3160.

The future meeting regarding this application will also be posted at the Tooele County Building, posted on the Tooele County Website and Utah Public Notice Website.



Tooele County Community Development
47 South Main Street, Tooele, UT 84074
(435) 843-3160

<https://tooeleco.gov/index.php>



**Tooele County Planning
Commission
Agenda Item Summary**

Department Making Request:

Community Development

Meeting Date:

June 3, 2026

Item Title:

CUP 2026-057: Conditional use approval for a private road; Wildseed Lane.

Summary:

Hogan Brothers, Henry Degelbeck and Diana Degelbeck are requesting a conditional use permit for a private road approval; Wildseed Lane. There is a recorded access easement already in place and the CUP would approve private road access for parcel 06-023-0-0016.



Planning and Zoning

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

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

https://tooeleco.gov/departments/elected_officials/departments/developmentdepartments/departments/development/index.php

CUP 2026-057

Conditional Use Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: June 3, 2026

Parcel ID: 06-023-0-0049, 06-023-0-0050

Current Zone: MU-40

Unincorporated: Tooele County

Request: Conditional use approval for a private road; Wildseed Lane.

Planners: Mili Pioquinto

Planning Staff Recommendation: Approval with Conditions

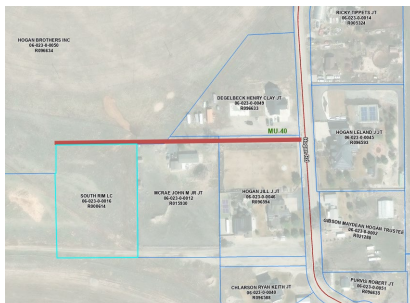
Planning Commission Response: Not yet received.

Applicant(s): William J Hogan, Henry Degelbeck and Diana Degelbeck

PROJECT DESCRIPTION

Hogan Brothers, Henry Degelbeck and Diana Degelbeck are requesting a conditional use permit for a private road approval; Wildseed Lane. There is a recorded access easement already in place and the CUP would approve private road access for parcel 06-023-0-0016.

SITE & VICINITY DESCRIPTION (see attached map)



The subject area is located south of the South Rim development. It is not part of a subdivision. The private road would be accessed off of Hogan Road.

LAND USE CONSIDERATIONS (MU-40 Zone, Multiple Use, 40-acre minimum)

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

NEIGHBORHOOD RESPONSE

Any comments that are received from the general public or the surrounding neighbors after this staff report is submitted will be forwarded to the Tooele County Planning Commission for review and will be summarized on June 3, 2026.

PLANNING STAFF ANALYSIS

According to Tooele County Land Use Ordinance 4-3(2) Lot Standards, "Lots shall have frontage upon a dedicated or publicly approved street before any building permit may be issued, except residential lots may front upon private roads approved by the planning commission."

Planning Staff has determined that, in order to assign an address and process building permits for a proposed future home, the road serving the property must be approved as a private road. Because approval of private roads requires Planning Commission authorization, and because the property is not part of a recorded subdivision, the request is processed through a Conditional Use Permit (CUP).

Planning Staff finds that the proposed use is compatible with surrounding land uses and consistent with the Tooele County General Plan (Update 2022) and the Tooele County Land Use Ordinance.

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has found no issues of concern.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele Planning Commission make a motion to approve the conditional use permit for a private road with the following conditions:

1. All property owners agree to and record a "Road Maintenance Agreement" that is attached to the recorded Access Agreement (Entry #633543) within 3 months of this CUP approval.
2. Staff record an Affidavit on the same Access Agreement stating the private road has been approved through CUP 2026-057 and all owners agree to record a "Road Maintenance Agreement."
3. A private sign will need to be added to the road as per private drive standards.
4. Any road cuts onto Hogan Road will require a permit.
5. Update "Cedar Lane" to "Wildseed Lane" on exhibit.
6. Final review with Tooele County Fire Marshal for turnaround specifications.

MODEL MOTIONS

Sample Motion for Approval

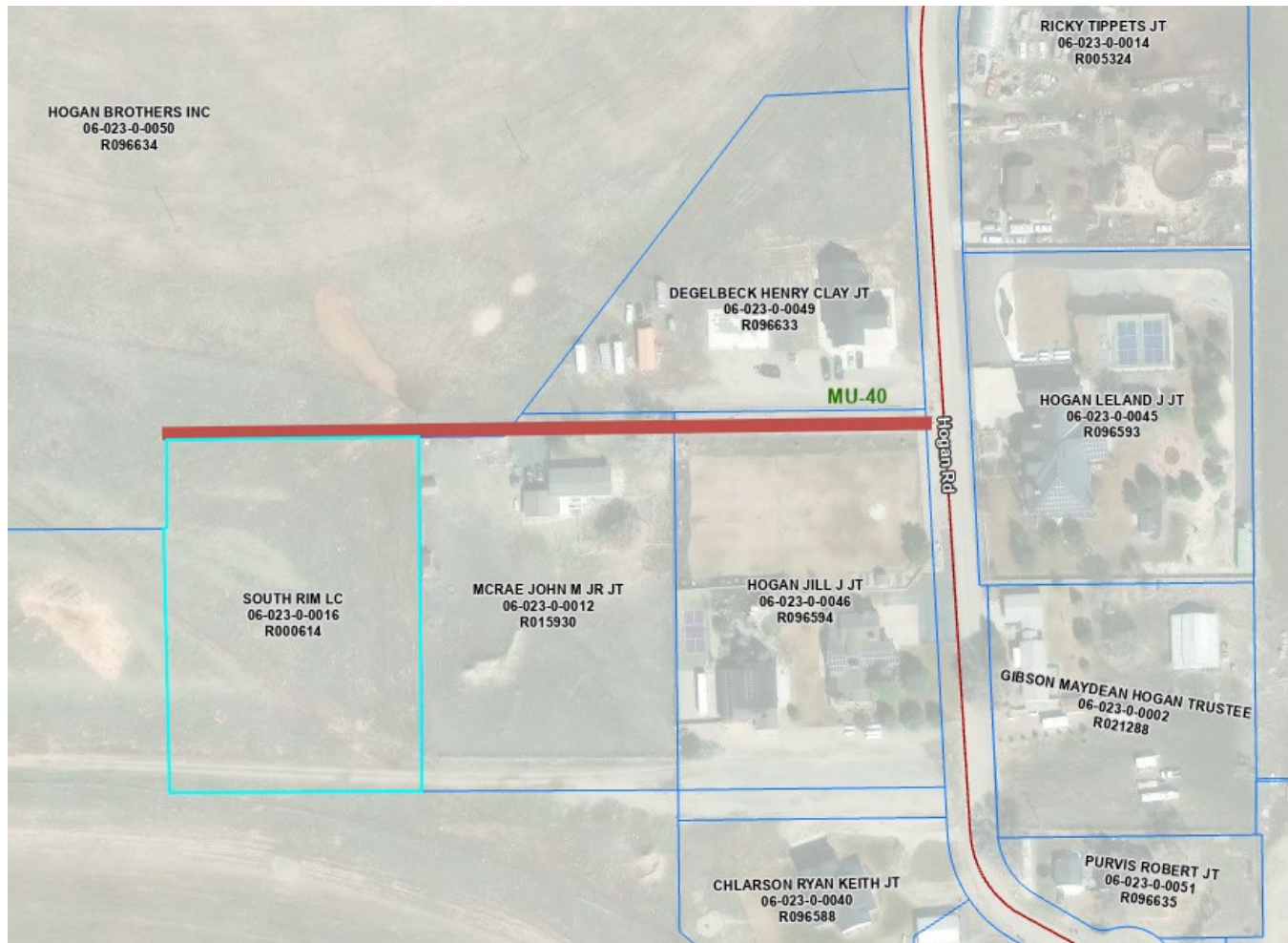
"I move we approve the CUP for a private road, application number 2026-057, based on the findings and subject to the conditions listed by the Planning Staff."

Sample Motion for Non-Approval

- "I move we table the CUP for a private road, application number 2026-057, based on the findings and subject to the considerations listed by the Planning Staff."

CUP 2026-057: Conditional use approval for a private road; Wildseed Lane.

Located South of South Rim Development, off of Hogan Road.





Conditional Use Permit Application

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 # 06-023-0-0049 Lot # _____

Subdivision Name: 06-023-0-0050
Hogan Farmstead

(For office use only)

CUP #: 2026-057 Fee \$300.00 Receipt #: 1315
(4/20/24)

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

*** Amendment fee – 50% of Normal Fee

Application Determination:

Approved ☐ Denied ☐

Conditions imposed? Yes ☐ No ☐

By: _____ Date: _____

Property Owner(s) Information

Name(s): ~~Scott & Linda~~ Hogan Brothers and Henry & Diana Negebeck

Address per tax rolls: P.O. Box 41 1443 S Hogan Road

City/County: Tooele State: Ut Zip: 84071

Office/home phone: 435-830-2646 Fax: _____

Mobile phone: Same Message phone: _____

Email address: bbhogan52@gmail.com

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

*Agent Authorization notarization needed

Name(s): William J Hogan

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

All information in this application is required and must be completely filled out and signed with the required paperwork submitted or the 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 in as much detail as possible the business and use on property)

Easment to be used as an access (private road)
to the building lot 06-023-0-001

Total acreage of parcel: .51 acres for easement Area occupied by this use: all

Current zoning designation: R-1-8 Current use of land (residential, commercial, etc.): access

What area(s) of the property will be used for the business (accessory structures, yard space, in the residence, etc.)?
NA

How many Employees will be coming to work at the property (whether to pick up items or work)? NA

How many deliveries or pickups will be made to the property?: NA

How many customers will be allowed at the property at one time? NA

What type and how much raw and finished product will be stored? NA

How and where will equipment and materials/product be stored? NA

What will your hours of operation be? NA

Include the following with the application:

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.

☐☐

Responses to the following questions:

1. How does your proposed project fit in with surrounding properties and uses? Residential
access
2. In what ways does the project not fit in with surrounding properties and uses? it fits
being used as residential now
3. What is your plan to mitigate the potential conflicts/nuisances with surrounding properties and use, if an exist? no conflicts maintenance agreement attached

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).

Conditions imposed:

***Staff or planning commission may add further restrictions.**

In submitting this application, I (We) agree to the following conditions and understand that any breach of any one or more will cause this permit to become void:

1. No more than 1 employee may be employed at the dwelling that does not reside within the dwelling. All other employees of the business who work at the dwelling shall be residents of that dwelling.
2. No retail or wholesale sales be conducted that would present a nuisance or interfere with the normal residential traffic pattern in the neighborhood.
3. All federal, state, and local codes, laws, regulations, and license requirements be complied with.
4. On site advertising shall be in accordance with Tooele County sign ordinance and shall not be more than 2 square feet in area.
5. All dwellings on the premise shall be kept in such a way that their exterior will be maintained in a residential manner.

6. *

7. *

8. *

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.

W. J. Hogan
APPLICANT'S SIGNATURE

W. J. Hogan
PROPERTY OWNER'S SIGNATURE

4-17-2026
DATE

4-17-2026
DATE

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we), Henry Clay & Diana Degelbeck the owner(s) of the real property located as follows: 00-023-0-0049 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.

Diana Lee Degelbeck
(Property Owner)

(Property Owner)

Henry C. Degelbeck
(Property Owner)

(Property Owner)

Notary

STATE OF UTAH)

:ss

County of Tooele)



Dated this 20th day of April, 20 21, 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.

May 26, 2029
My Commission Expires

Stephanie Eastburn
Notary Public

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we) Henry Clay & Diana Degelbeck the owner(s) of the real property located
as follows: 06-023-0-0049 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.

Henry Clay Degelbeck
(Property Owner)

(Property Owner)

Diana Degelbeck
(Property Owner)

(Property Owner)

Notary

STATE OF UTAH)

:SS

County of Tooele)



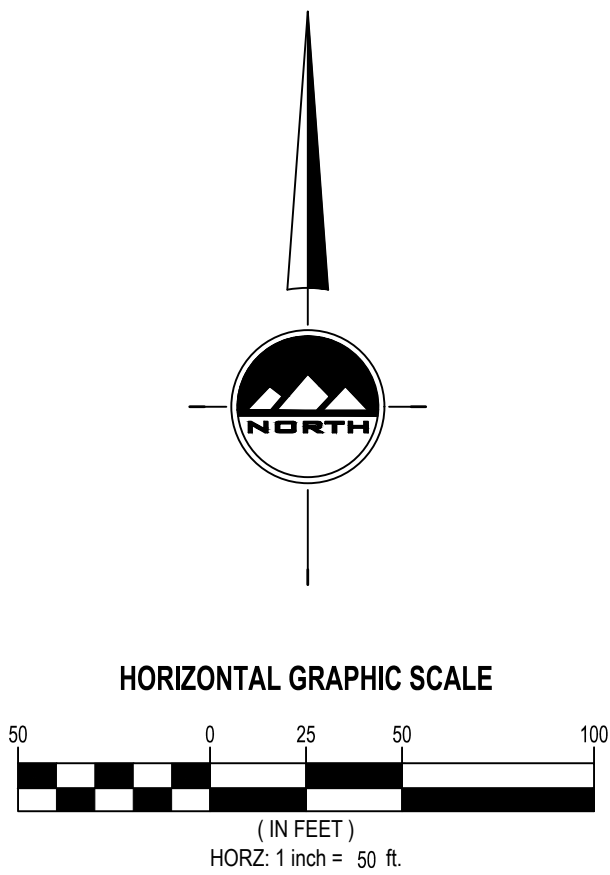
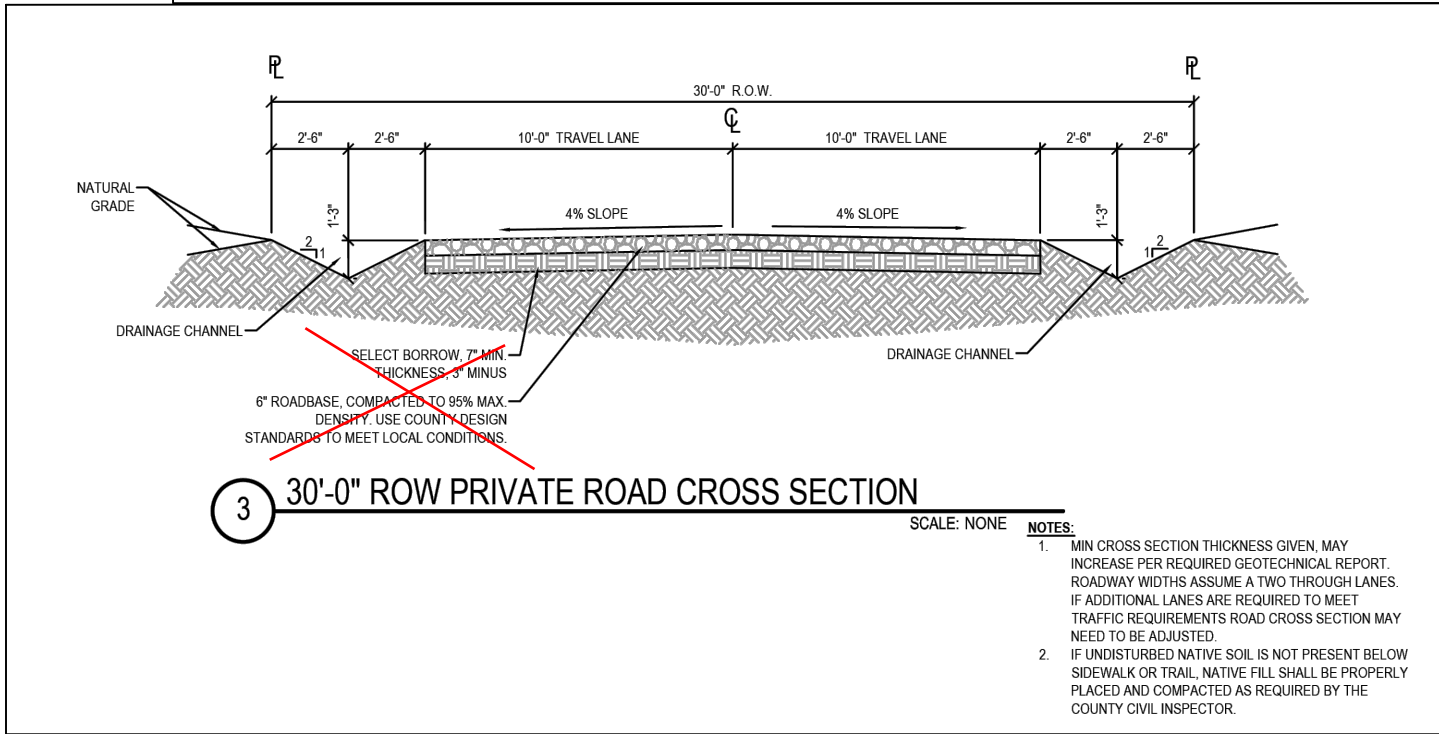
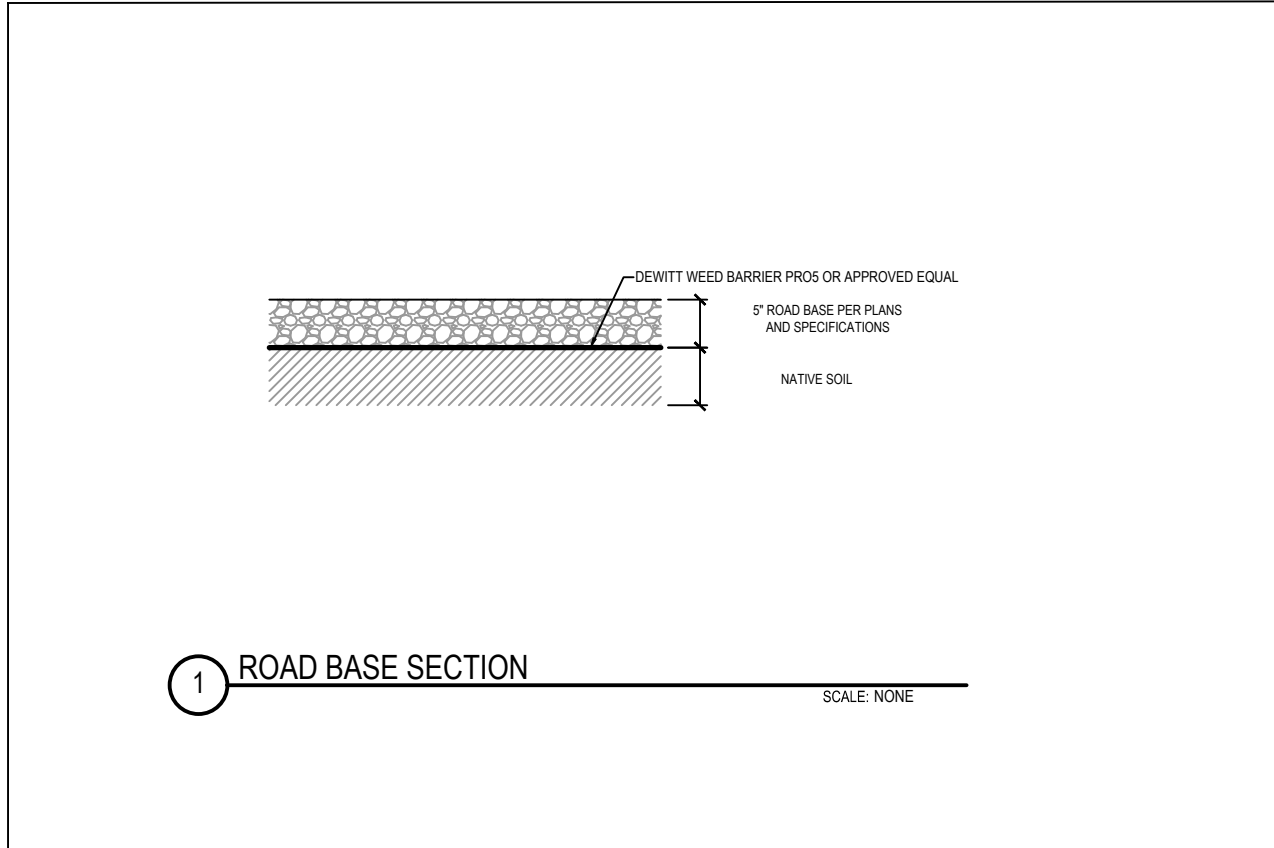
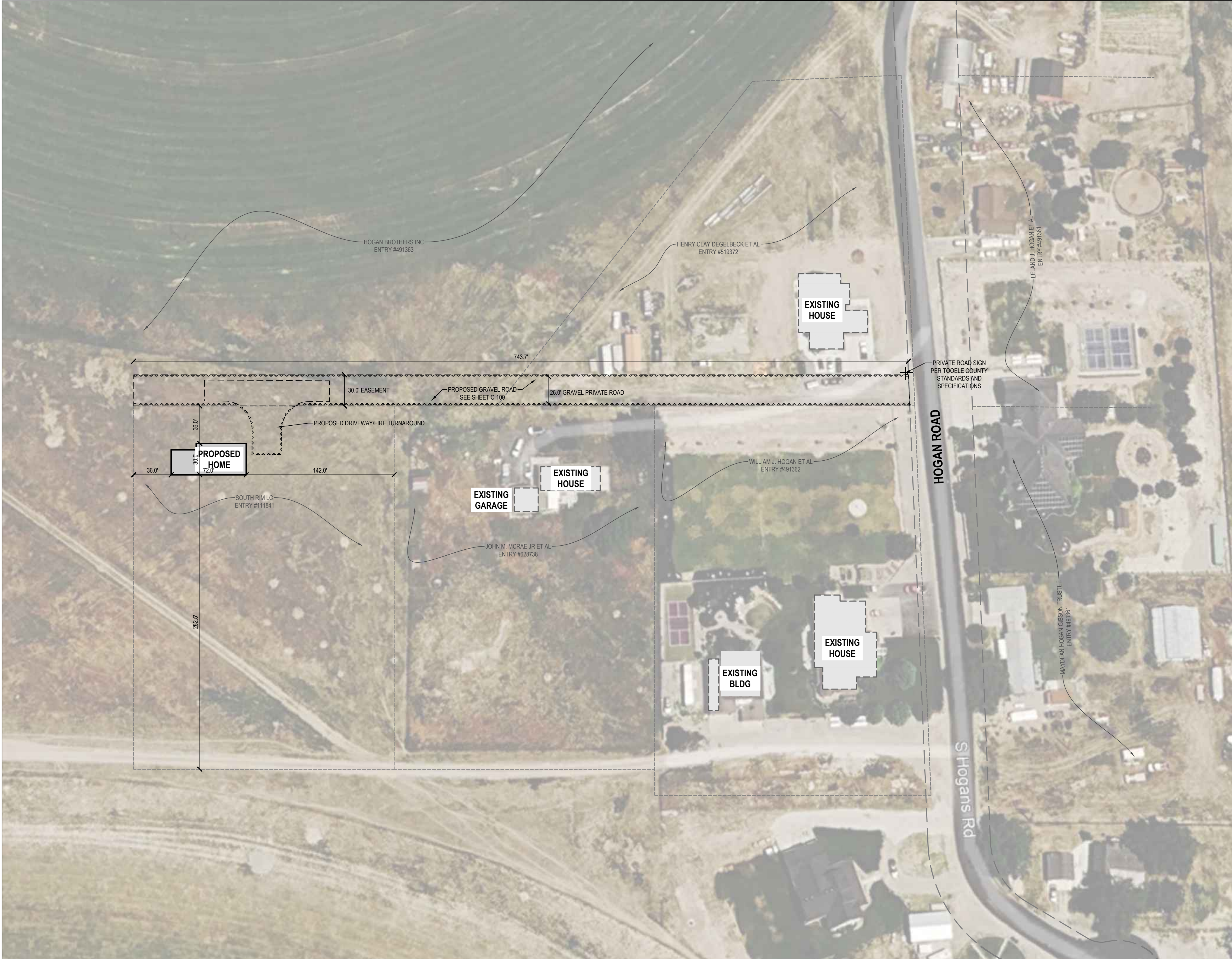
Dated this 19 day of April, 20 26, the property owners above personally
appeared before me and acknowledged that he/she signed the above Notice and that the statements
contained therein are true.

12-05-2026

My Commission Expires

Diana Degelbeck

Notary Public





THE STANDARD IN ENGINEERING

TOOELE
3950 N Tealby Way, Ste 200
Erda, UT 84074
Phone: 435.843.3590

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
BILL HOGAN

TOOELE, UTAH

CONTACT:
BILL HOGAN
PHONE: 435-830-2646

CEDAR LANE PRIVATE DRIVE

TOOELE, UTAH



PRIVATE DRIVE

PROJECT NUMBER
T19511

PRINT DATE
2026-05-12

DESIGNED BY

C-100

Hogan Brothers Inc.
P.O. Box 41
Stockton, UT 84071
Parcel ID: 06-023-0-0050 & 06-023-0-0050

Entry #: 633543
04/16/2026 04:26:24 PM EASEMENT
Page 1 of 6
FEE \$40.00 BY HOGAN BROTHERS INC
Jerry Houghton, Tooele County County Recorder

ACCESS AND UTILITY EASEMENT

Know to all that **HOGAN BROTHERS INC.** as to Parcel 1 and **HENRY CLAY DEGELBECK AND DIANA LEE DEGELBECK, husband and wife as joint tenants** as to Parcel 2, **GRANTORS**, of Stockton, Tooele County, Utah, hereby Conveys and Warrants against all claiming by, through or under it, and against acts of itself, to **HOGAN BROTHERS INC. and HENRY CLAY DEGELBECK AND DIANA LEE DEGELBECK, husband and wife as joint tenants, GRANTEES**, for the sum of Ten and 0/100 (\$10.00) DOLLARS and other good and valuable consideration the following described tract of land in County, State of Utah:

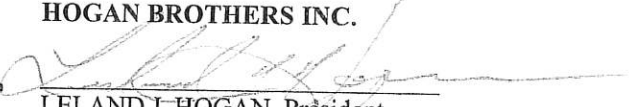
See attached Historical Legal for Parcel 1 & Parcel 2 as Exhibit "A"

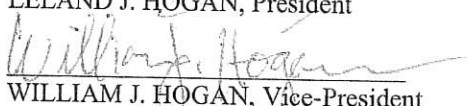
Now with a 30' wide access and utility easement described in Exhibit "B"

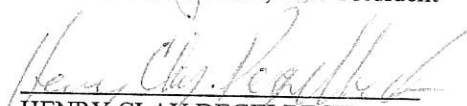
Subject to easements, covenants conditions, restrictions and right of way appearing of record enforceable in law and equity. Along with county taxes and assessments not delinquent.

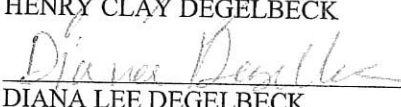
WITNESS the hand of said grantor, this 16th day of April, 2026.

HOGAN BROTHERS INC.


LELAND J. HOGAN, President


WILLIAM J. HOGAN, Vice-President

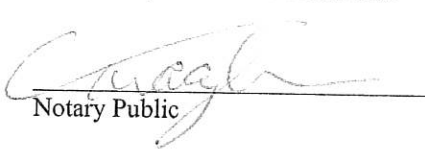

HENRY CLAY DEGELBECK

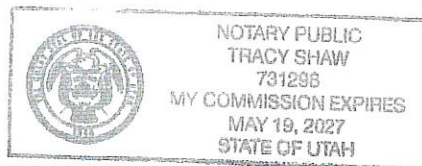

DIANA LEE DEGELBECK

STATE OF UTAH
COUNTY OF TOOELE

On this 16th day of April, 2026, before me Tracy Shaw, a notary public, personally appeared **LELAND J. HOGAN, President and WILLIAM J. HOGAN, Vice-President of HOGAN BROTHERS INC.**, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she/they executed the same.

Witness my hand and official seal

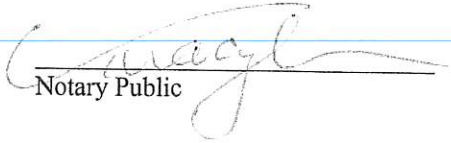

Notary Public



STATE OF UTAH
COUNTY OF TOOELE

On this 16th day of April, 2026, before me Tracy Shaw, a notary public, personally appeared HENRY CLAY DEGELBECK AND DIANA LEE DEGELBECK, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she/they executed the same.

Witness my hand and official seal


Notary Public

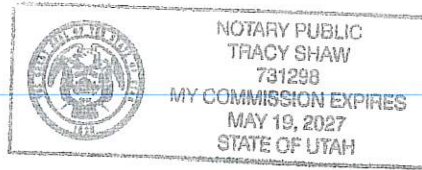


Exhibit "A"
Property Description

PARCEL 1: A PARCEL OF LAND SITUATE IN SECTION 32, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE & MERIDIAN, THENCE S00°30'21"W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 1,329.96 FEET; THENCE N89°29'39"W, A DISTANCE OF 983.75 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°47'04"W ALONG SAID SOUTH LINE, A DISTANCE OF 1,652.52 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE N89°27'53"W ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1,211.07 FEET; THENCE N00°22'12"E, A DISTANCE OF 98.36 FEET; THENCE N56°58'24"E, A DISTANCE OF 1,716.20 FEET; THENCE N89°44'37"E, A DISTANCE OF 701.98 FEET; THENCE N00°23'04"W, A DISTANCE OF 689.87 FEET; THENCE N04°49'39"E, A DISTANCE OF 814.05 FEET; THENCE S89°57'44"W, A DISTANCE OF 2,897.24 FEET TO A POINT OF A CURVE TO THE RIGHT HAVING A RADIUS OF 900.00 FEET AND A CENTRAL ANGLE OF 35°41'04"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 560.53 FEET, (CHORD BEARS N72°11'44"W, A DISTANCE OF 551.51 FEET); THENCE N54°21'13"W, A DISTANCE OF 266.77 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE N01°05'32"E ALONG SAID WEST LINE, A DISTANCE OF 121.66 FEET TO THE SOUTHERLY LINE OF SILVER AVENUE (ENTRY #332261); THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING (3) CALLS: 1) THENCE S54°21'18"E, A DISTANCE OF 356.24 FEET TO THE POINT OF A NON-TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N35°38'40"E, A RADIAL DISTANCE OF 745.01 FEET; 2) THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 35°37'55", A DISTANCE OF 463.32 FEET, (CHORD BEARS S72°10'17"E, A DISTANCE OF 455.89 FEET); 3) THENCE S89°51'48"E, A DISTANCE OF 3,006.14 FEET; THENCE N89°46'27"E, A DISTANCE OF 62.25 FEET TO THE WEST LINE OF THE SILVER SAGE MINOR SUBDIVISION (ENTRY #289069); THENCE ALONG SAID SUBDIVISION THE FOLLOWING (4) CALLS; THENCE S00°18'15"E, A DISTANCE OF 540.16 FEET; THENCE EAST, A DISTANCE OF 808.90 FEET; THENCE N88°18'20"E, A DISTANCE OF 400.01 FEET; THENCE N86°46'53"E, A DISTANCE OF 294.57 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 32; THENCE S00°30'21"W, A DISTANCE OF 812.17 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 32; THENCE CONTINUE S00°30'21"W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 375.37 FEET, MORE

OR LESS TO THE NORTHERLY LINE OF HOGAN ROAD; THENCE ALONG SAID HOGAN ROAD THE FOLLOWING (3) CALLS: 1) THENCE S34°17'34"W, A DISTANCE OF 358.42 FEET TO A POINT OF A CURVE TO THE LEFT HAVING A RADIUS OF 275.00 FEET AND A CENTRAL ANGLE OF 36°40'16"; 2) THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 176.01 FEET, (CHORD BEARS S15°57'26"W, A DISTANCE OF 173.02 FEET); 3) THENCE S02°22'43"E, A DISTANCE OF 397.81 FEET, MORE OR LESS TO THE NORTH LINE OF PARCEL # 6-23-10 (JILL J. HOGAN); THENCE N89°29'39"W ALONG THE NORTH LINE OF PARCEL # 6-23-10 (JILL J. HOGAN), 6-23-12 (DANIEL L. & SARAH N. MESSICK), & 6-23-16 (SOUTH RIM L.C.), A DISTANCE OF 758.35 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF SAID PARCEL # 6-23-16; THENCE S00°30'21"W ALONG SAID EAST LINE, A DISTANCE OF 92.63 FEET, MORE OR LESS TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, SAID POINT ALSO BEING THE POINT OF BEGINNING. (06-023-0-0050)

PARCEL 2:

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 32, AND THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE COUNTY, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A DISTANCE OF 1753.72 FEET, NORTH 0°29'50" EAST ALONG THE SECTION LINE, AND A DISTANCE OF 242.83 FEET; NORTH 89°30'10" WEST FROM THE SOUTHEAST CORNER OF SAID SECTION TO THE POINT OF BEGINNING OF SAID PARCEL AND RUNNING THENCE SOUTH 2°22'57" EAST A DISTANCE OF 317.51 FEET; THENCE SOUTH 89°58'12" WEST A DISTANCE OF 401.15 FEET; THENCE BEARING NORTH 38°13'16" EAST A DISTANCE OF 396.52 FEET; THENCE BEARING NORTH 87°37'03" EAST A DISTANCE OF 142.75 FEET TO THE POINT OF BEGINNING. (06-023-0-0049)

EXHIBIT "B"

30.0' WIDE ACCESS AND UTILITY EASEMENT DESCRIPTION

A 30.0' wide access and utility easement, situate in the Southeast Quarter of Section 32, Township 4 South, Range 5 West, Salt Lake Base and Meridian, said access easement also located in Hoganville Area, Tooele County, Utah, more particularly described as follows;

Beginning at a point on the Westerly Right-of-Way line of Hogan Road and the North line of a parcel whose vesting document is filed under Entry No. 491362 in the office of the Tooele County Recorder, said point being North 0°30'11" East 1438.44 feet along the East Section line of said Section 32 and West 231.89 feet from the Southeast Corner of Section 32, Township 4 South, Range 5 West, Salt Lake Base and Meridian, and running;

thence West 744.94 feet along and beyond said North line of parcel Entry No. 491362 to and along and beyond a parcel whose vesting document is filed under Entry No. 628738 in the office of the Tooele County Recorder, and to and along the North line of a parcel whose vesting document is filed under Entry No. 111841 in the office of the Tooele County Recorder to the Northwest Corner thereof;

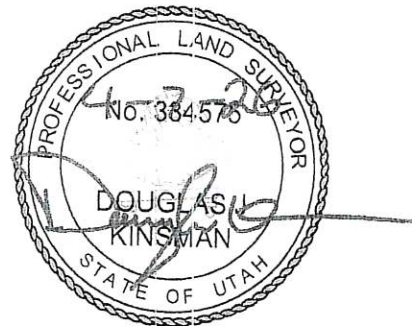
thence North 30.00 feet;

thence East 743.70 feet to said Westerly line of Hogan Road;

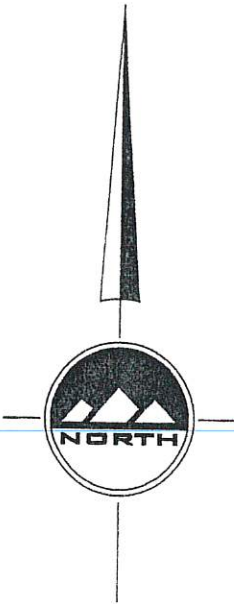
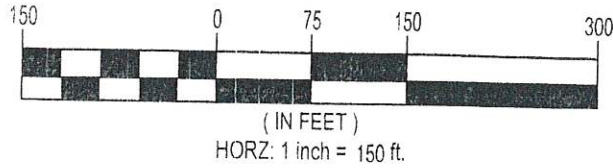
thence South 2°22'36" East 30.03 feet along said Westerly line to said North line of parcel Entry No. 491362 and Point of Beginning.

Contains 22,330 square feet or 0.51 acres.

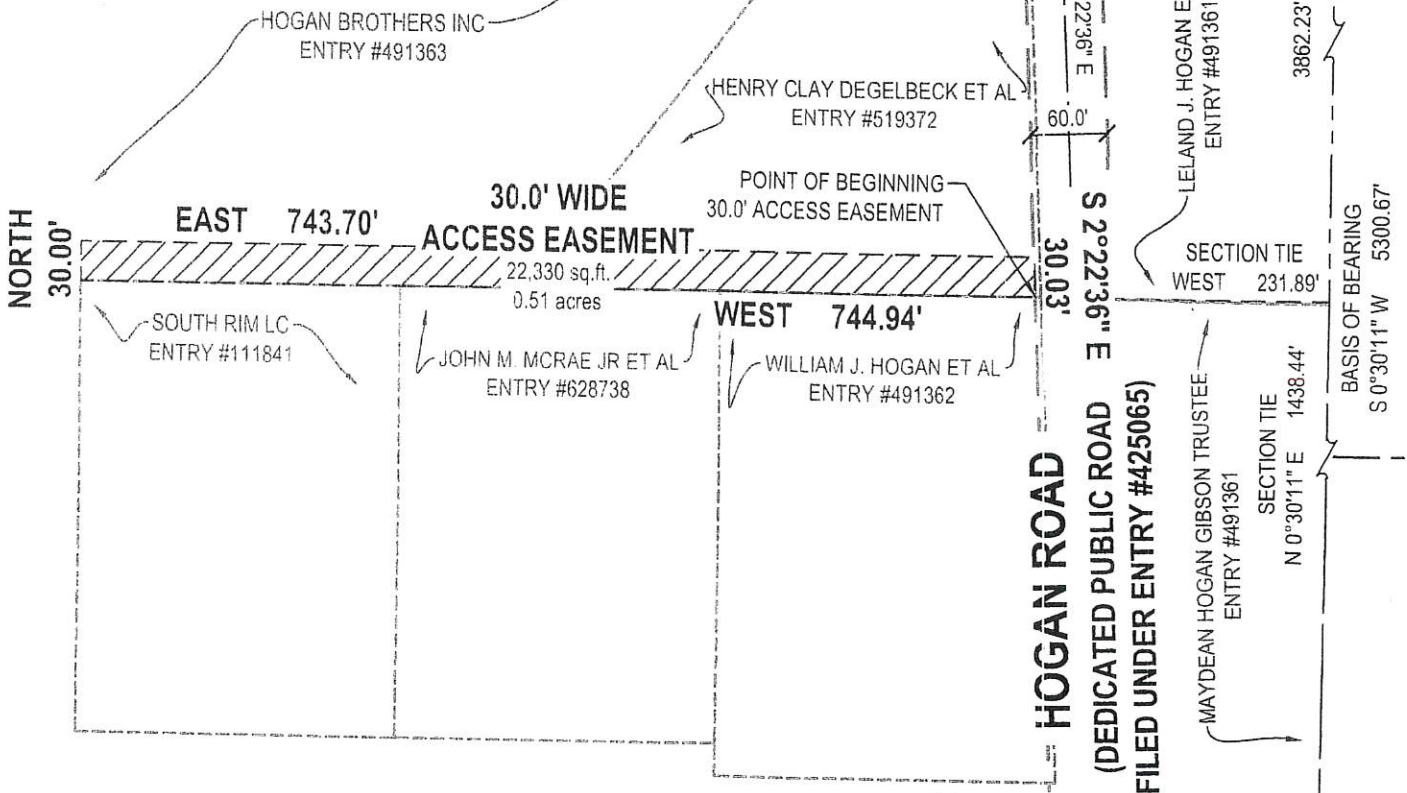
Entry #: 633543
04/16/2026 04:26:24 PM EASEMENT
Page 5 of 6
FEE \$40.00 BY HOGAN BROTHERS INC
Jerry Houghton, Tooele County County Recorder



HORIZONTAL GRAPHIC SCALE



NORTHEAST CORNER
SECTION 32,
TOWNSHIP 4 SOUTH,
RANGE 5 WEST, SALT
LAKE BASE AND
MERIDIAN
(FOUND TOOELE
COUNTY SURVEYOR
MONUMENT, 3" BRASS
CAP, DATED 1989)



SOUTHEAST CORNER SECTION 32,
TOWNSHIP 4 SOUTH, RANGE 5
WEST, SALT LAKE BASE AND
MERIDIAN
(FOUND TOOELE COUNTY
SURVEYOR MONUMENT, 3" BRASS
CAP, DATED 2009)

Entry #: 633543
04/16/2026 04:26:24 PM EASEMENT
Page 6 of 6
FEE \$40.00 BY HOGAN BROTHERS INC
Jerry Houghton, Tooele County County Recorder

30.0' WIDE ACCESS EASEMENT

APPROXIMATELY 1400 SOUTH HOGAN ROAD
STOCKTON, UTAH 84071
EXHIBIT "A"



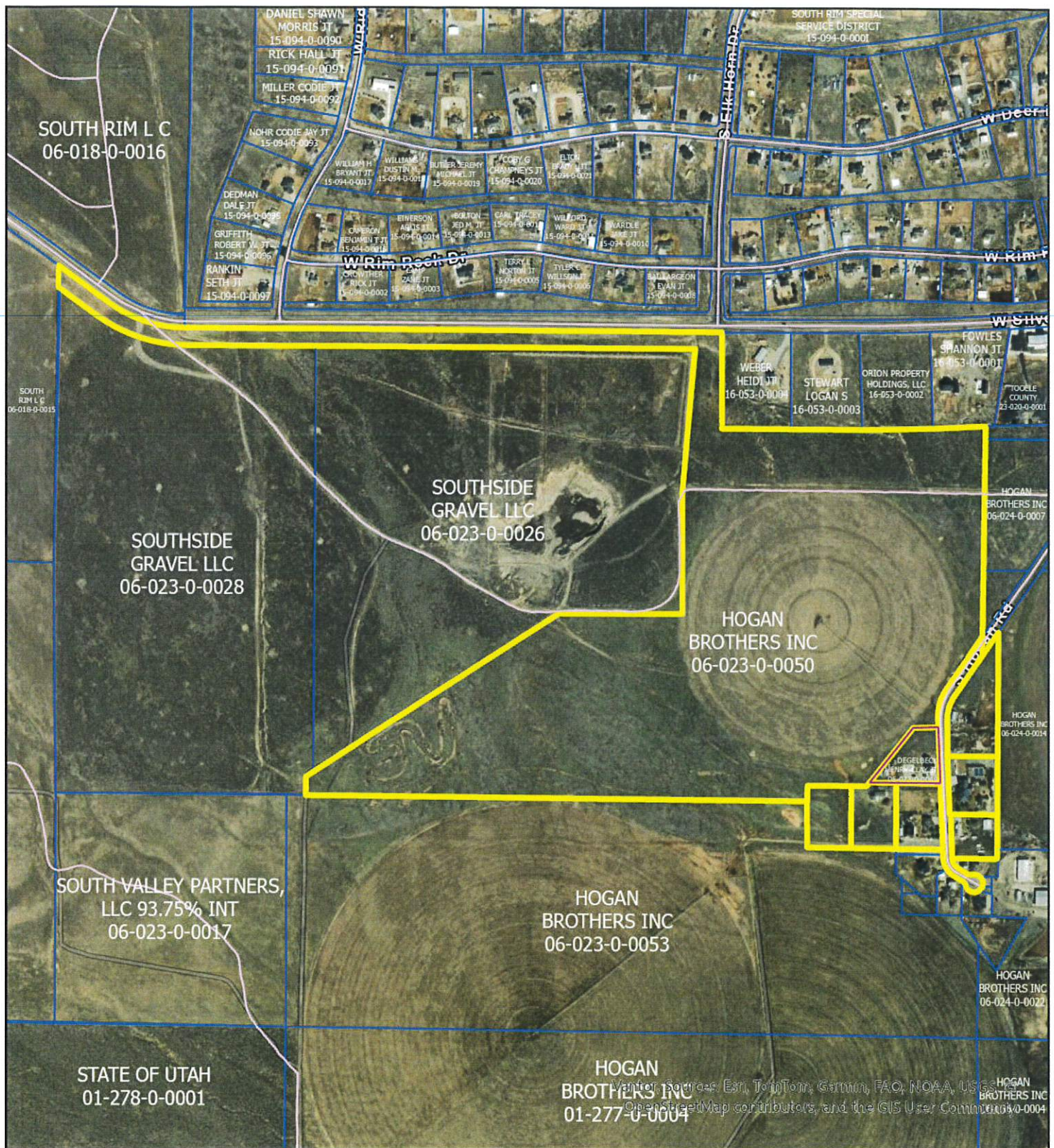
TOOELE
3950 N Tealby Way, Ste 200
Erd, UT 84074
Phone: 435.843.3590
WWW.ENSIGNENG.COM

SANDY
Phone: 801.285.0129

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1455

RICHFIELD
Phone: 435.895.2550



RADIUS REPORT

William Hogan
06-023-0-0049



TOOELE COUNTY

GIS Map Disclaimer:

This is not an official map but for reference use only. The data was compiled from the best sources available, but various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For boundary information, the pertinent County Departments or Municipalities should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represented is approximate so this is NOT a Survey or Engineering grade map and should be no means be used as such. This map is not intended for all uses. Tooele County is not responsible or liable for any derivative or misuse of this map.

0 350 700 1,400 US Feet

PRIVATE ROAD MAINTENANCE AGREEMENT

An Agreement made this original date of April 16, 2026, applicable to the undersigned parcel owners and users,

RECITALS

WHEREAS, Wildseed Lane Road (Road) is a private road situated in South Rim City/Township/Village, County of Tooele, State of Utah, and

WHEREAS, the parties desire to enter into an Agreement regarding the costs of maintenance and improvements to the Road; and

WHEREAS, it is agreed that future parcel owners or users will be bound by this agreement;

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. **Vehicle and Pedestrian Access Easement.** The Road shall be subject to a perpetual, nonexclusive easement for ingress and egress granting access to all the parcel owners and their occupants, agents, employees, guests, services and emergency vehicles, and those individuals appointed by the Town Board to conduct semi-annual road reviews.
2. **Utility Easement.** The Road shall be subject to a perpetual, nonexclusive public utility easement for the purpose of permitting above and below ground public utilities to be installed and maintained.
3. **Road Manager.** A Road Manager shall be elected by a majority of the property owners, will serve a term as agreed to by the property owners, and can be replaced or renewed at any time by a simple majority vote of the parcel owners. The Road Manager shall be responsible for monitoring the condition of the road surface and initiating maintenance activities as needed to maintain the minimum road surface standards.
4. **Road Maintenance.** Road maintenance and road improvements will be undertaken and made whenever necessary to maintain the road in good operating condition at all times and to insure the provision of safe access by emergency vehicles. A majority vote of all parcel owners is required for any road improvements and to accept the bid for any road improvement contract. Before authorizing expenditures for future road improvements, parcel owners will be notified by the Road Manager, cost estimates will be provided, and an agreement will be required. If any parcel owner performs improvements, maintenance, repairs or replacements without the approval of the other lot owners prior to performing such work, the lot owner performing such work shall become liable for the entire cost thereof, unless such work is deemed an emergency.
5. **Parking.** For the safety of the residents, no machinery, trailers, vehicles or other property may be stored or parked upon the Private Road except parking of vehicles for limited periods of time (not to exceed twelve hours).
6. **Cost Sharing.** Road maintenance, snowplowing and road improvement costs shall be shared on a pro-rata basis between the parcel owners sharing access to the above mentioned road.
7. **Prepayment.** Prepayment of maintenance, snowplowing and improvement costs will be made to the road maintenance account by each property owner. Annually, on or before a date as specified by the Road Manager, each parcel owner will contribute their pro-

rated share of the estimated annual cost for road maintenance, road improvements, and annual snow removal. The Road Manager shall send each parcel owner a two week notice of the annual payments due.

8. **Definition of a Parcel/Parcel Owner.** A parcel is defined as a land having a parcel identification number and having frontage on the road. Each parcel is assessed and granted (1) vote regardless of the number of owners. If a parcel is owned by more than one person, all of the owners of the parcel will collectively be referred to as the "parcel owner" for purposes of this Agreement, and will be entitled to one collective vote (i.e. each parcel represents one vote in the matters covered by this Agreement). When a parcel is being sold on a land contract, the land contract vendee shall be deemed the owner of record.

9. **Future Parcels.** Any additional parcels gaining access to the Private Road by way of splitting existing parcels will be bound by all terms and conditions of this agreement, and will be required to pay that portion of the maintenance, snowplowing and improvement costs incurred after the split as determined using the formula contained in Paragraph No. 6 above.

10. **Snow Plowing.** The Private Road shall be snowplowed so as to permit year round access. The cost shall be shared by the parcel owners as indicated in Paragraph No. 6 above.

11. **Checking Account.** The Road Manager shall establish and/or maintain a bank checking account with a local bank, and will prepare and distribute to the herein affected parcel owners an annual income and expense report and a year end balance sheet, accounting for all funds received and disbursed.

12. **Effective Term.** This Agreement shall be perpetual, and shall encumber and run with the land as long as the road remains private.

13. **Binding Agreement.** This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.

14. **Amendment.** This Agreement may be amended only by a two-thirds majority consent of all parcel owners.

15. **Enforcement.** This Agreement may be enforced by a majority of parcel owners. If a court action or lawsuit is necessary to enforce this Agreement, the party commencing such action or lawsuit shall be entitled to reasonable attorney fees and costs, if the party prevails.

16. **Disputes.** If a dispute arises over any aspect of the improvements, maintenance, repair or replacement, a third party arbitrator shall be appointed to resolve the dispute. The decision of the arbitrator shall be final and binding on all of the lot owners. Contact information for local arbitrators can be obtained through the American Arbitration Association. In selecting a third party arbitrator, each lot shall be entitled to one vote, and the nominee receiving a majority of the votes shall be the arbitrator. All parties shall share in the cost of any arbitration.

17. **Notices.** Parcel owners under the Agreement shall be notified by mail or in person. If an address of a parcel owner is not known, a certified notice will be mailed to the address to which the parcel owner's property tax bills are sent.

18. **Invalidity.** Should any provision in this Agreement be deemed invalid or unenforceable, the remainder of the Agreement shall not be affected and each term and condition shall be valid and enforceable to the extent permitted by law.

19. Other Agreements. This Private Road Maintenance Agreement replaces all previous Private Road Maintenance Agreements regarding the described Private Road.

20. Recording This Document. Original and amended copies of this document , shall be recorded and provided to the County Clerk by the Road Manager.

Signed,

<name> <date>

<name>	<date>	Diana Degelbeck	4-16-26
<name>	<date>	Henry C. Degelbeck	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	Joe J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26
<name>	<date>	William J. Hogan	4-16-26

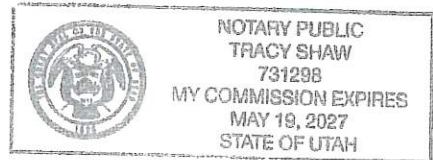
The foregoing instrument was acknowledged / Subscribed and sworn to before me on

April 16, 2026 by George

Tracy Shaw

/s/ _____

Notary public, State of Utah, County of Tooele.
 My commission expires May 19, 2027
 Acting in the County of Tooele



STATE OF Utah
 COUNTY OF Tooele

Sworn to (or affirmed) and subscribed before me
 this 16 day of April 2026 by _____

Diana Degelbeck Notary Name
 Notary Public's Signature
 Personally Known X OR
 Type of Identification Produced _____





NOTICE OF PUBLIC HEARING

- **SUBJECT:** TCLUO 2026-014
- **PROJECT SUMMARY:** Tooele County Land Use Ordinance text amendment to Chapter 24 – Sign Regulations.
Unincorporated: Tooele County **Planner:** Mili Pioquinto

On **June 3, 2026** the Tooele County Planning Commission will hold a public hearing regarding the request described above. The meeting will be held at 7:00 p.m. at the Tooele County Administration Building (Council Chamber, Third Floor), 47 S. Main Street, Tooele, UT 84074. Also via zoom located on the Tooele County Website: <https://tooeleco.gov/> under “Agendas and Meetings.”

You have the right to attend and speak at the public hearing. Please be advised that, in rendering its decision, the Planning Commission can only rely on evidence, not opinion or conjecture. Written comments may also be submitted; however, such comments must be received no later than twenty-four (24) hours prior to the scheduled meeting date to allow for proper distribution to the Planning Commission and the applicant.

For questions or additional information, please contact the Community Development Office at 435-843-3160.

The future meeting regarding this application will also be posted at the Tooele County Building, posted on the Tooele County Website and Utah Public Notice Website.





**Tooele County Planning
Commission
Agenda Item Summary**

Department Making Request:

Community Development

Meeting Date:

June 3, 2026

Item Title:

TCLUO 2026-014: Tooele County Land Use Ordinance text amendment to Chapter 24 - Sign Regulations.

Summary:

Charles Akerlow, and Shane Sell, is requesting a text amendment to Tooele County Land Use Ordinance Chapter 24. Specifically changing Table 24-9-4 item 24-8-5., to allow freestanding signs in M-G as a permitted use, as well as directional sign sizing.



Planning and Zoning

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

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

<https://tooeleco.gov/government/county-departments/community-development/>

TCLUO 2026-014

Text Amendment Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: June 3, 2026

Request: A text amendment to Tooele County Land Use Ordinance Chapter 24 – Sign Regulations.

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting

Applicant Name: Charles Akerlow, and Shane Sell.

PROJECT DESCRIPTION

Charles Akerlow with Zenith Partners and Shane Sell with Golden Leaf Management, are requesting a text amendment to the Tooele County Land Use Ordinance Chapter 24 – Sign Regulations. Specifically changing Table 24-9-4 to allow freestanding signs in industrial zones as a permitted use, as well as directional signage requirements.

As part of the Inland Port Project Area, Charles and Shane have been coordinating efforts to attract a Love's Travel Stops & Country Stores location to the area. During review of the proposed signage package, Shane and Planning staff identified that the current code does not permit freestanding signs within industrial zoning districts. To accommodate the proposed Love's signage package, as well as similar future developments, the code should be amended to allow on-premises freestanding signs in industrial zoning districts.

PROPOSED ORDINANCE AMENDMENT

24-8-5. On-Premise Free-Standing Signs		
Figure 13 – Freestanding sign, measurements in 24-7-5.		
(1) Permanent or temporary signs:		I Permanent
(2) On-premise freestanding signs are only allowed as follows:		
	(a)	permitted use in all commercial (C) zones except in the commercial neighborhood (C-N) zoning district
	(b)	limited to only one per business or planned center/commercial complex whichever is fewer;
	(c)	if located on a corner lot or double frontage lot, the planning commission may approve two such signs by conditional use only if one double sided or angles sign is conclusively proven to be unfeasible;
	(d)	reader boards, changeable copy areas and electronic message centers are allowed but discouraged. No such device may exceed 75% of the total sign copy area of the sign.

	(e)	shall not extend over any pedestrian or vehicular access area unless specifically approved by the county engineer;
	(f)	all on-premise freestanding signs must have the structural supports covered or concealed with pylon covers and the covers must be architecturally and aesthetically designed to match the building;
	(g)	on parcels within 1000 ft. of an exit off of Interstate 80:
		(1) signs shall have a height not greater than 35 feet above the nearest traffic lane of Interstate 80;
		(2) signs must be located withing a 30-foot setback from the property line on such parcel;
		(3) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 200 square feet; and
		(4) locations that are adjacent to a freeway overpass or similar view obscuring structure may request an additional height allowance from the zoning administrator which shall only minimally give enough height to provide reasonable visibility above the view-obscuring-obstruction.
	(h)	All other locations:
		(1) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 150 square feet;
		(2) the sign structure shall not exceed 25 feet in height as measured from the highest point of the sign to the crown of the street unless specifically authorized by the zoning administrator.
	(i)	all lighting and/or illumination must face downward or be contained in a cabinet and must illuminate only the sign such that it remains unobtrusive and does not constitute a nuisance;
	(j)	unless excepted by the zoning administrator, all signs must be incorporated into a landscape design or planter box;
	(k)	in no case shall the permitted freestanding sign be placed closer than 100 feet to any other monument, freestanding or pole sign located on the same side of the street.
(3) On-premise freestanding signs are only allowed as follows:		
	(a)	permitted use in all industrial (M) zones.
	(b)	limited to only one per business or planned center/commercial complex whichever is fewer, <u>or as approved by the zoning administrator;</u>
	(c)	if located on a corner lot or double frontage lot, the planning commission may approve two such signs by conditional use only if one double sided or angled sign is conclusively proven to be unfeasible;

	(d)	reader boards, changeable copy areas and electronic message centers are allowed but discouraged. No such device may exceed 75% of the total sign copy area of the sign;
	(e)	shall not extend over any pedestrian or vehicular access area unless specifically approved by the county engineer;
	(f)	all on-premise freestanding signs must have the structural supports covered or concealed with pylon covers and the covers must be architecturally and aesthetically designed to match the building;
	(g)	On parcels within 2000 ft. of an exit off of Interstate 80:
		(1) signs shall have a height not greater than <u>80 feet maximum 70 feet</u> above the nearest traffic lane of Interstate 80;
		(2) signs must be located within a 30-foot setback from the property line on such parcel so long as it does not impede line-of-sight;
		(3) the allowable sign area for one of these signs shall not exceed 1 square feet in sign area for each lineal foot of property frontage with a maximum sign area of <u>1000 square feet</u> ; and
		(4) locations that are adjacent to a freeway overpass or similar view obscuring structure may request an additional height allowance from the zoning administrator which shall only minimally give enough height to provide reasonable visibility above the view-obscuring obstruction.
	(h)	All other locations:
		(1) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 200 square feet;
		(2) the sign structure shall not exceed 35 feet in height as measured from the highest point of the sign to the crown of the street unless specifically authorized by the zoning administrator;
	(i)	all lighting and/or illumination must face downward or be contained in a cabinet and must illuminate only the sign such that it remains unobtrusive and does not constitute a nuisance;
	(j)	unless excepted by the zoning administrator, all signs must be incorporated into a landscape design or planter box ;
	(k)	in no case shall the permitted freestanding sign be placed closer than 100 feet than any other monument, freestanding or pole sign located on the same side of the street.
(4) On-Premise Freestanding signs require the following information to be issued permits:		
	(a)	a plot plan showing the relationship of the sign to buildings, property lines, the setback from public rights-of-way, intersections, easements and driveways;

	(b)	two accurately dimensioned, scaled drawings showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street;
	(c)	details of the sign constructions including the electrical plan, foundation scheme, and value of the sign; and
	(d)	the number of acres and length of lineal frontage of property.

24.9.1 Codes and symbols.

- In this part are uses of signs allowed in the various districts as **follows**:
 - “permitted uses,” indicated by a “P” in the appropriate column; or
 - “conditional uses,” indicated by a “C” or “C1” in the appropriate column.
- Conditional Uses marked by a “C” mean issuance by planning commission. Those marked by “C1” mean it may be approved administratively by the zoning administrator.
- If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, “-”.
- If a regulation applies in a given district, it is indicated in the appropriate column by an alphanumeric character that will show the linear feet or square feet or acres required or by the letter “A”. If the regulation does not apply, it is indicated in the appropriate column by a dash, “-”.

Table 24-9-4. Commercial and industrial zones. (Ord.2002-13, 06/18/02)								
	Commercial				Industrial			
	C-N	C-5	C-H	C-G	MG-EX	M-D	M-G	MG-H
24-8-5. Free-Standing Signs	-	P	P	P	P	P	P	P

- Current Tooele County Land Use Chapter 24 located on page ___ of staff report.

NEIGHBORHOOD RESPONSE

Any comments that are received from the general public or the surrounding neighbors after this staff report is submitted will be forwarded to the Tooele County Planning Commission for review and will be summarized on June 3, 2026.

APPLICANT CONCERNS

While Planning and Engineering Staff have worked collaboratively to evaluate the applicant’s request and formulate a proposed text amendment that aligns with the County’s long-range planning objectives and best interests, the applicant continues to express concerns that the recommended amendment does not fully satisfy their desired signage outcomes.

Concern	Applicant Response	Planning Staff Recommendation
Directional signs cannot exceed 4 sq. ft. according to current Tooele County Code	It is asked that an amendment be made to the code to be able to increase the size of the directional signage. Having a sign that is 2'x2' is not adequate for this location and its purpose. We propose to enlarge the directional signage to at least 3'x6'. The size of the directional sign is very important to ensure that the semi-truck drivers know where to go, and don't end up in the auto area. There have been many past experiences with large semi-trucks entering the auto area that creates a major safety risk to both the cars and pedestrians. The larger directional signage helps clearly distinguish which type of vehicle should go in each area. The semi-trucks sit up much higher than normal vehicles. Signage that is 2'x2' that is low to the ground, cannot be adequately seen by semi-truck drivers. In similar Love's Truck Stop locations, Love's has used 8'x4' directional signage that has been approved. The directional signage that is used at Flying J truck stop in Lake Point, Utah is 3'x5'.	No change Reason: Planning staff identified a section in the LUO Chapter 24 that allows up to 24 square feet in aggregate area and 6 feet maximum in height for a free-standing sign. (24-5-1.) Although directional signs are generally limited to 2'x2', Chapter 24 also permits free-standing signs up to 24 sq. ft. and 6 feet high. The proposed 3'x6' sign qualifies as a permitted free-standing directional sign and therefore no code amendment is necessary.
Under proposed code 24-8-5 On-Premise Free Standing Signs, bullet (g)(2) states on parcels within 1000 ft. of an exit off of Interstate 80: Signs must be located within a 30' setback from the property line on such parcel.	The current location of the proposed signs does not comply with this code. Please refer to the sign package from Love's. The setback needs to be reduced from 30' to 15' from the property line along Sunstone Road. It's recommended that there be no setback along the southern property line that abuts to the wetlands.	No Change. Reason: The existing standard already allows flexibility in sign placement by permitting signs to be located anywhere between the property line and 30 feet from the property line, provided the sign does not create a line-of-sight obstruction.
Under current code 24-8-5 On-Premise Free Standing Signs, bullet (g)(1) states on parcels within 1000 ft. of an exit off of Interstate 80: Signs shall have a height not greater than 35' above the nearest traffic lane of Interstate 80.	Effective Images has conducted a sign survey and provided a write-up of what they have found regarding Signage Heights needed. It is asked that Love's Hi-Rise sign have a height of no more than 70' where designated on the drawings allowed. Pictures have been provided with a sample Hi-Rise Sign at different locations off the freeway. There are some challenges with the current Billboards on Interstate 80 already blocking some of the view of Love's Hi-Rise sign from the freeway. For people to find the Love's Sign and location, they will need an unobstructed view maintained all the way from the off-ramp. Ideally the sign will be able to be seen from at least a mile away on the freeway. Having this visibility ensures that cars and trucks will be able to safely change lanes, get over and exit to Love's location. In order to be able to safely change lanes and exit.	(g) On parcels within <u>2000</u> ft. of an exit off of Interstate 80: (1) signs shall have a height not greater than <u>80 feet, maximum 70 feet</u> above the nearest traffic lane of Interstate 80. (4) locations that are adjacent to a freeway overpass or similar view obscuring structure may request an additional height allowance from the zoning administrator which shall only minimally give enough height to provide reasonable visibility above the view-obscuring obstruction. Reason: The proposed amendment provides flexibility for sites impacted by

		freeway overpasses or other view-obscuring structures while maintaining administrative review authority over sign height requests. The applicant's submitted sign survey supports the need for additional height at this location to maintain reasonable freeway visibility.
Under proposed code 24-8-5 On-Premise Free Standing Signs, bullet (g)(3) states on parcels within 1000 ft. of an exit off of Interstate 80: the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 200 sq. ft.	Please refer to the Love's Sign package for details of the proposed Hi-Rise Sign. Love's would need a minimum of 1000 sq. ft. per side of their Hi-Rise sign. This would exceed the maximum 200 sq. ft. This follows what other Truck Stops have done in Utah.	(g) On parcels within <u>2000 ft.</u> of an exit off of Interstate 80: (3) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of <u>1000 square feet</u> ; Reason: The proposed amendment allows sign area to scale proportionately with property frontage while maintaining a maximum allowable sign size.
Under current code 24-8-5 On-Premise Free Standing Signs, bullet (b) limits free standing signs to only one per business or planned center/commercial complex whichever is fewer.	Consistent with other gas stations and truck stop travel centers, one free standing sign is used for directing freeway traffic to the location and a separate "street sign" is used to direct street traffic to the location. It is proposed that both free-standing signs be allowed at the Love's truck stop location. Truck's stops are usually not a destination location where someone will preplan their trip to a specific location. The majority of the traffic going to the truck stop will be people who see the signage while passing on the I-80.	(b) Limited to only one per business or planned center/commercial complex which ever is fewer; or as approved by the zoning administrator. Reason: The proposed amendment maintains the general limitation on freestanding signs while allowing administrative review of additional signage requests based on site specific visibility and circulation needs.

PLANNING STAFF ANALYSIS

The applicant has worked with Planning Staff to provide materials supporting the proposed text amendment, and Planning Staff has coordinated with Engineering Staff to ensure the amendment supports the continuation of responsible industrial growth. Through review of the proposal and supporting materials, Planning Staff identified a need to permit on-premise freestanding signs, provided future projects comply with the requirements outlined in the applicable sections of the County's Land Use Code, rather than relying on variance requests.

The majority of the supporting documentation references past projects completed in other states, many of which were approved through variance processes. Planning Staff also verified with said project areas that variances were granted due

to the lack of code. However, Tooele County Code 4-8-4(2)(b) requires that a variance be based upon unique conditions inherent to the property itself and not circumstances that are self-imposed.

At this stage of the review process, Planning Staff and the applicant remain in disagreement regarding certain requested amendment provisions.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission review the information contained in the staff report prior to making any additional adjustments to the proposed ordinance amendments and making a recommendation to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Non-Approval

- “I move we table the text amendment request by Charles Akerlow, and Shane Sell for the text amendment to Tooele County Land Use Ordinance Chapter 24 – Sign Regulations, application number 2026-014, based on the findings and subject to the considerations listed by the Planning Staff.”

Sample Motion for Approval

- “I move we recommend approval to the County Council of the text amendment request by Charles Akerlow, and Shane Sell for the text amendment to Tooele County Land Use Ordinance Chapter 24 – Sign Regulations, application number 2026-014, based on the findings and subject to the recommendations listed by the Planning Staff.”



Text Amendment of Tooele County's Land Use Ordinance Application

Required to go before Planning Commission and County Council.

Fee \$1,000.00

Text amendments to the zoning ordinance shall be completed in full, signed, and supplemented with any additional information required by staff and the planning commission. An application which is incomplete or provides insufficient data is just cause for denial. Submittals must be filed with the Community Development Department.

(For office use only)

TCLUO #: 2024-014 ORD # _____ 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: _____

Petitioner(s) Information

Name(s): Charles Akerlow, Interstate 80 LLC, Manager

Address (Must reside in Tooele County): Interstate Business

City/County: Tooele County State: UT Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Petitioner(s) Agent's Information

*Petitioner's Authorization notarization needed

Name(s): Shane Sell

Address per tax rolls: _____

City/County: Sandy State: UT Zip: 84070

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email: _____

Each application for a text amendment shall have all required submittals before it is accepted as a complete application.

There shall be no presumption of approval of any aspect of the process.
Each applicant bears the burden of proof to show that the amendment requested furthers the goals and policies of the general plan.

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT:

See pages 4 and 5

Include the following with the application:

Applicant

☒
☒
☒
☒

County

☒
☒
☐
☐

Original text

Requested change(s) to original text or additions to what sections.

Examples from other areas in Utah similar to Tooele County that have similar ordinances.

Examples of how the requested change(s) further the goals and policies Tooele County's General Plan 2022.

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

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.

PETITIONER'S SIGNATURE

DATE

DATE

AFFIDAVIT

PETITIONER'S AUTHORIZATION

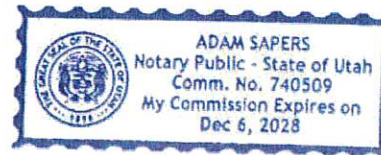
I (we), Charles W. Askerlow the owner(s) of the real property located in Tooele County and further described in the attached application, do authorize the applicant(s) listed in this application permissions to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Charles W. Askerlow
(Petitioner)

[Signature]
(Petitioner)

(Petitioner)

Notary



STATE OF UTAH)

:SS

County of Tooele)

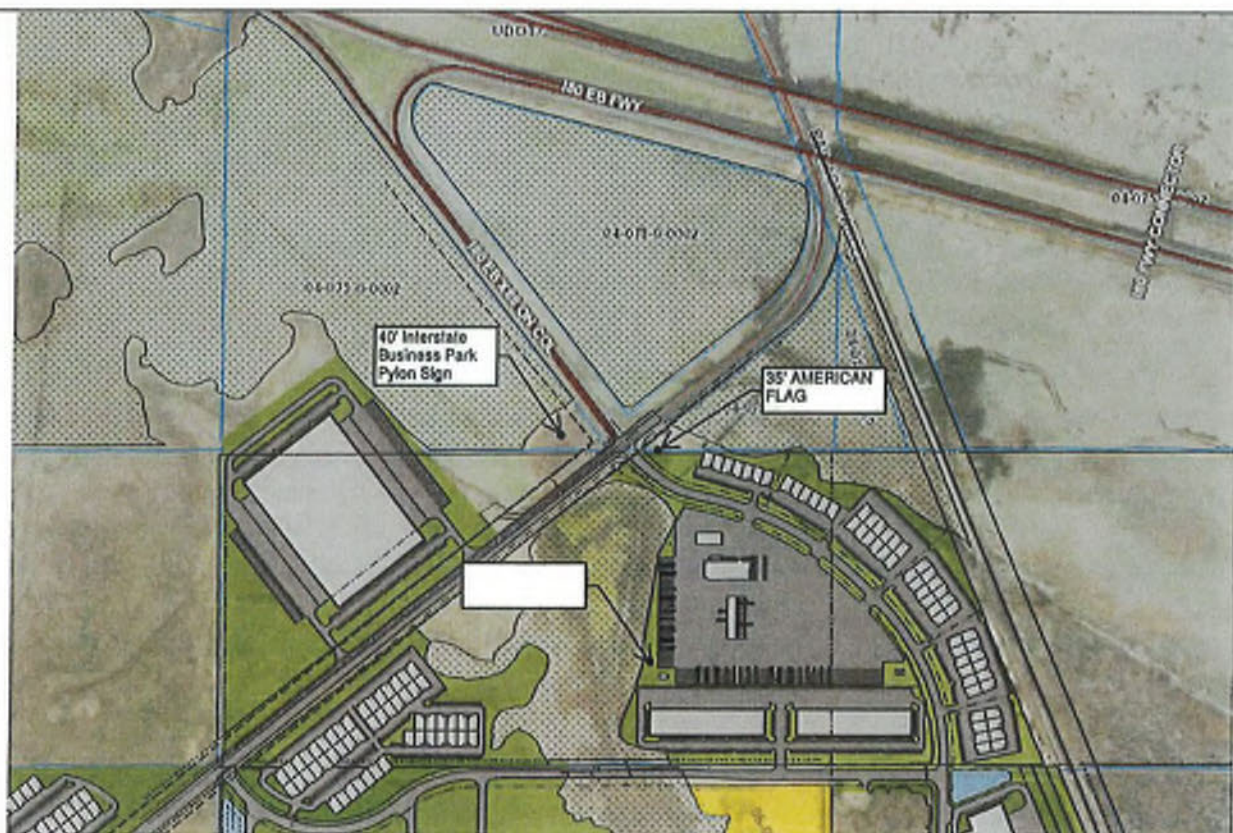
Dated this 9 day of January, 20 26, the property owners above personally appeared before me and acknowledged that he/she signed the above Notice and that the statements contained therein are true.

12/6/28
My Commission Expires

[Signature]
Notary Public

We are proposing a text amendment to allow (2) freestanding pylon signs located at the Interstate Business Park off Exit 88 on I-80. We are also proposing to add a 35 foot American Flag Pole to the Business Park. The current zoning of the property is MG Zoning which does not allow for a freestanding sign. A monument sign is allowed but is restricted to a maximum height of 6 feet.

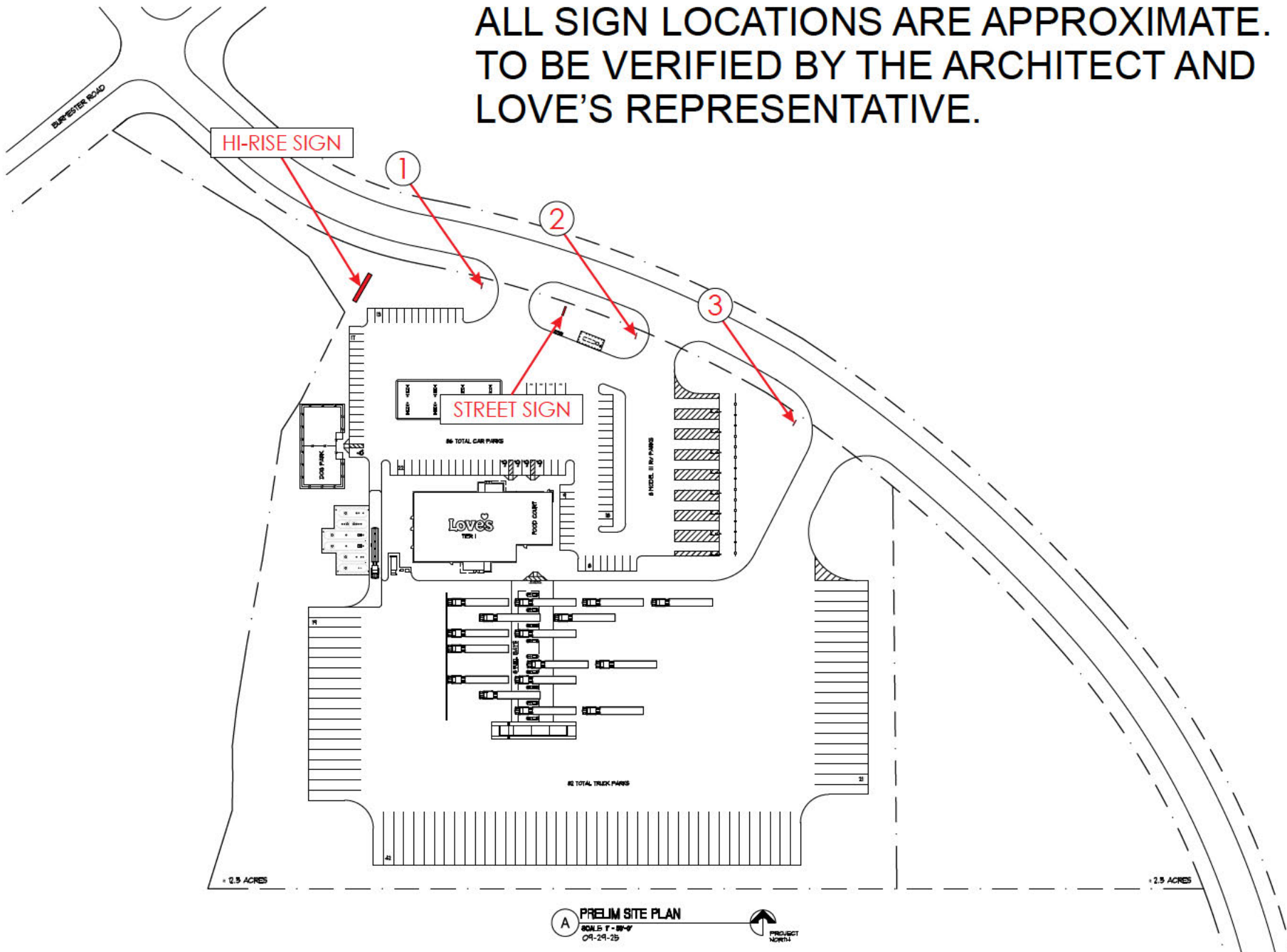
We are requesting a text amendment change to allow for freestanding signs and a flag pole at the following locations:



PROJECT MAP



ALL SIGN LOCATIONS ARE APPROXIMATE.
TO BE VERIFIED BY THE ARCHITECT AND
LOVE'S REPRESENTATIVE.



Pascal Aughtry & Associates, PC

405.483.3494
Fax 405.483.3493
817 East Britton Road
Oklahoma City, OK 73114
pascalarch.com



A NEW TRAVEL STOP
TIER I
GRANTSVILLE, UT



Revisions:	
No.	Date
1	
2	
3	
4	
5	

Project No.: LVIS-
Date: 04-29-25
Sheet No.:

A-X

OF: XX

We feel that the text amendment is necessary to allow signage to be visible from the I-80 freeway. With the location of the Interstate business park, signs restricted to 35' will not be easily visible to traffic on I-80. Having the signs visible from the freeway will increase awareness of the businesses located in the Interstate Business Park.

The signs from Love's Gas Station have been placed in over 650 locations in 42 US states. We are providing 4 separate Love's gas station locations with pictures and examples of signs that are similar and at least 90' tall with similar square footage of signage face size. The approved permit for each individual sign location is also included, showing that these signs have been approved in other locations as well.

These changes help to solidify the project area including its surrounding acreage as general industrial space in accordance with the Tooele County General Mater Plan.

districts announcing the location, availability, or development of property are necessary and do not require a permit, subject to the following:

(a) On-Premise Development Identification Signs:

(i) Individual Lots: One sign announcing the name of the construction/development company is allowed. The area of the sign may not exceed 12 square feet or five feet in height. The sign may not be erected more than five days prior to the beginning of construction for which a building permit has been issued. It must be removed before final occupancy.

(ii) Subdivisions or Planned Unit Developments: One development promotional sign may be placed on the premises of each development having five or more lots or approved unit sites in any residential zone. The size allowed for the sign depends on the number of lots to be developed:

5-24 units (lots):	24 square feet
25-49 units:	32 square feet
50 or more units:	48 square feet
Maximum height:	10 feet

Such signs shall be removed within five years of the issuance of the first building permit in the project or if the lots are sold out before five years, immediately upon sale of the last lot.

(b) On-Premise Real Estate Signs:

(i) Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each such sign shall not exceed six square feet in size and six feet in height.

(ii) One real estate sign per street frontage is allowed for any multi-use residential or professional office building or lot intended for such and may not exceed 16 square feet in area and six feet in height. If the parcel is over two acres in size, the sign may not exceed 64 square feet.

(iii) Model home signs shall not exceed 16 square feet in area nor exceed six feet in height and shall be placed entirely upon the premises of the model.

(iv) Temporary/Open House Real Estate Signs shall not exceed six square feet in area and four feet in height. Advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. They may be placed in the parking strip with the consent of the immediately adjacent property owner. They shall not be attached to trees, poles or street signs. Open house signs should be displayed only during those hours and days during which the house is open for actual inspection. (Ord.2002-13, 6/18/02)

24-5-5. Development and real estate signs in commercial and industrial areas.

(1) Signs in commercial and industrial zones announcing the location, availability, or development of property are necessary and require no permit subject to the following:

(a) On-Premise Development Identification Signs: Signs announcing or identifying the future development of commercial or industrial property are allowed at the rate of one per street frontage. Such signs may not be erected before the proposed development has been submitted for site plan review. They must be removed before final inspection or before permanent signs are installed. The size of the sign depends on the number of acres involved in the project as follows:

Less than 2 acres:	16 square feet
2 to 5 acres:	24 square feet
5 to 10 acres:	32 square feet
10 to 20 acres:	48 square feet
More than 20 acres:	64 square feet
Maximum height:	10 feet

(b) On-Premise Real Estate Signs:

(i) One on premise real estate sign advertising the sale of property per street frontage is allowed for any lot and may not exceed 12 square feet in area or eight feet in height. If the parcel is over two acres in size, the sign may not exceed 16 square feet.

(ii) One on premise real estate sign advertising the sale of property per street is allowed for any planned center; building or lot zoned for such and may not exceed 16 square feet in area or eight feet in height. If the parcel is over two acres in size, the sign may not exceed 24 square feet.

(iii) One on premise sign advertising commercial or industrial space for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question. It may not exceed 16 square feet in area. (Ord. 202-13, 6/18/02)

24-5-6. Signs allowed in all zoning districts.

(1) The following signs are allowed without a permit in any zoning district, except on public property, unless specified otherwise:

(a) Directional or instructional signs such as for restrooms, telephones, walkways, or parking lot entrances and exits, that are located entirely on- premise and do not in any way advertise a business or commercial activity, but such signs shall not exceed four square feet in area or four feet in height;

(b) "No Trespassing" or "No Dumping" signs, but they may not exceed four square feet in area for a single sign unless the zoning administrator makes a written finding that larger signs are required to prevent violation;

(c) Plaques or name plate signs not more than two square feet which are fastened directly to the building;

(d) Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such

24-8-5. On-Premise Free-Standing Signs

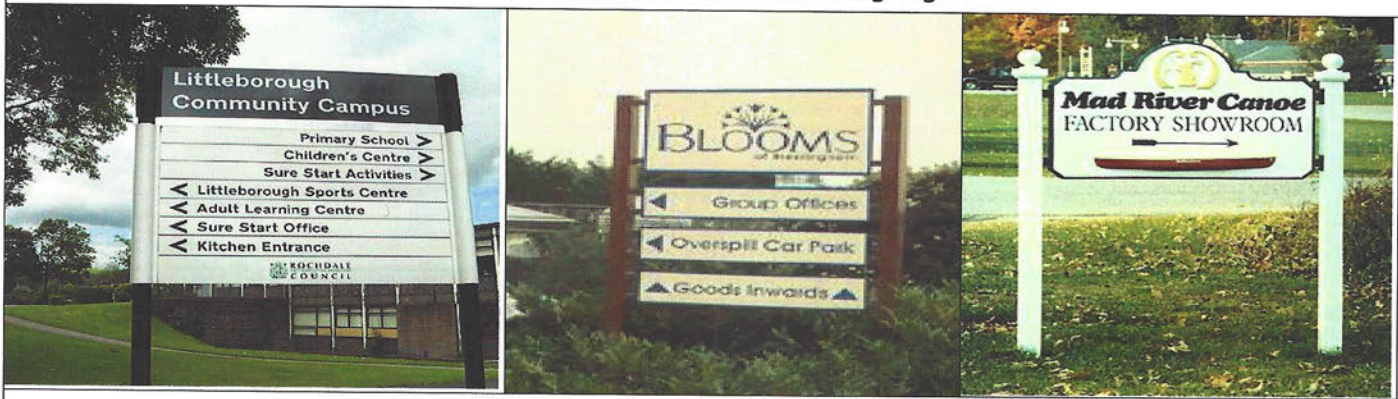


Figure 13 - Freestanding sign, measurements in 24-7-5.

(1) Permanent or temporary signs: I Permanent

(2) On-premise freestanding signs are only allowed as follows:

	(a)	permitted use in all commercial (C) zones except the commercial neighborhood (C-N) zoning district
	(b)	limited to only one per business or planned center/commercial complex whichever is fewer;
	(c)	if located on a corner lot or double frontage lot, the planning commission may approve two such signs by conditional use only if one double sided or angled sign is conclusively proven to be unfeasible;
	(d)	reader boards, changeable copy areas and electronic message centers are allowed but discouraged. No such device may exceed 75% of the total sign copy area of the sign;
	(e)	shall not extend over any pedestrian or vehicular access area unless specifically approved by the county engineer;
	(f)	all on-premise freestanding signs must have the structural supports covered or concealed with pylon covers and the covers must be architecturally and aesthetically designed to match the building;
	(g)	on parcels within 1000 ft. of an exit off of Interstate 80:
		(1) signs shall have a height not greater than 35 feet above the nearest traffic lane of Interstate 80;
		(2) signs must be located within a 30-foot setback from the property line on such parcel;
		(3) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 200 square feet; and
		(4) locations that are adjacent to a freeway overpass or similar view-obscuring structure may request an additional height allowance from the zoning administrator which shall only minimally give enough height to provide reasonable visibility above the view-obscuring
	(h)	All other locations:
		(1) the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 150 square feet;
		(2) the sign structure shall not exceed 25 feet in height as measured from the highest point of the sign to the crown of the street unless specifically authorized by the zoning administrator;
	(i)	all lighting and/or illumination must face downward or be contained in a cabinet and must illuminate only the sign such that it remains unobtrusive and does not constitute a nuisance;

24-8-5. On-Premise Free-Standing Signs

	(i)	unless excepted by the zoning administrator, all signs must be incorporated into a landscape design or planter box;
	(k)	in no case shall the permitted freestanding sign be placed closer than 100 feet to any other monument, freestanding or pole sign located on the same side of the street.
(4) On-Premise Freestanding signs require the following information to be issued permits:		
	(a)	a plot plan showing the relationship of the sign to buildings, property lines, the setback from public rights-of-way, intersections, easements and driveways;
	(b)	two accurately dimensioned, scaled drawings showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street;
	(c)	details of the sign construction including the electrical plan, foundation scheme, and value of the sign; and
	(d)	the number of acres and length of lineal frontage of property.

(Ord. 2013-17, 11/19/13)
(Amended Ord. 2015-12, 4/21/2015)

PART 24-9
SIGN REQUIREMENT BY ZONING DISTRICT

Section

- 24.9.1. Codes and symbols.
- 24-9.2. Residential and multiple residential zones
- 24-9-3.** Rural residential, agricultural and multiple use zones.
- 24-9-4.** Commercial and industrial zones.

"C1" in the appropriate column.

(2) If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-."

(3) If a regulation applies in a given district, it is indicated in the appropriate column by an alphanumeric character that will show the linear feet or square feet or acres required or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-."

24-9-1. Codes and symbols

(1) In this part are table describing uses of signs that are allowed in the various districts as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit issued by the zoning administrator are indicated by a

24-9-2. Use tables

Table 24.9.2. Residential and multiple residential zones.

(Ord.2002-13, 6/18/02)

	Residential				Multiple residential districts		
	R-1-8	R-1-10	R-1-12	R-1-21	R-M-7	R-M-15	R-M-30
Certain signs may be allowed by conditional use permit in residential zones. If deemed appropriate upon planning commission review, conditional uses are limited to one monument sign of 32 square feet. Such signs may not have changeable copy capability. Wall signs shall be regulated as set forth in this section. Multi-tenant buildings with monument signs must identify the center primarily.	C	C	C	C	C	C	C
24-8-4. Community signs	P	P	P	P	P	P	P
24-8-5. Freestanding signs	-	-	-	-	-	-	-
24-8-6. Monument signs	-	-	-	-	-	-	-
24-8-7. Wall and painted signs	-	-	-	-	-	-	-
24-8-8. Billboard (off-premise) advertisement signs	-	-	-	-	-	-	-
24-9-9. Suspended signs	-	-	-	-	-	-	-
24-8-10. Awning signs	-	-	-	-	-	-	-
24-8-11. Canopy signs	-	-	-	-	-	-	-
24-5-2. Notice bulletin boards that are accessory to a permitted or conditionally permitted sign	P	P	P	P	P	P	P
24-5-3. Political or campaign signs	P	P	P	P	P	P	P
24-5-4. Development and real estate signs in residential areas	P	P	P	P	P	P	P
24-5-6. Directional or instructional signs	P	P	P	P	P	P	P
24-5-6. "No Trespassing" or "No Dumping" signs	P	P	P	P	P	P	P
24-5-6. Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies	P	P	P	P	P	P	P
24-5-6. Neighborhood identification signs of masonry, wall,	P	P	P	P	P	P	P

Table 24-9-3.

Residential and multiple residential zones.
(Ord.2002-13, 6/18/02)

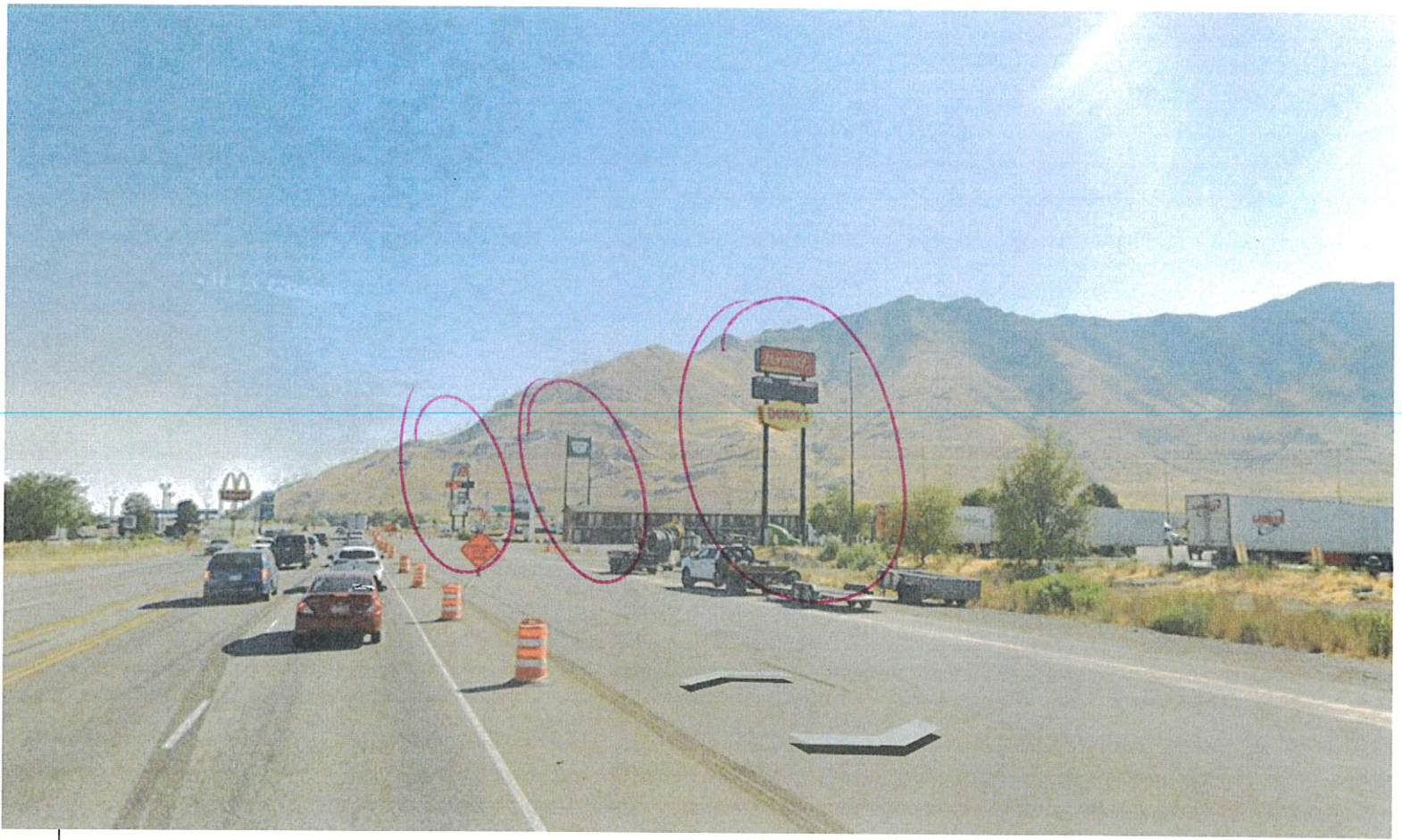
	Residential			Agricultural		Multiple Use		
	RR 1	RR5	RR 10	A20	A40	MU40	MU80	MU160
commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies								
24-5-6. Neighborhood identification signs of masonry, wall, landscaping, and other similar materials or features	P	P	P	P	P	P	P	P
24-5-6. Institutional use signs for churches, public schools, public utility companies, libraries, governmental buildings, parks, public golf courses	P	P	P	P	P	P	P	P
24-5-6. The flags, emblems, or insignia of any corporation, nation or political subdivision	P	P	P	P	P	P	P	P
24-5-6. Public necessity signs installed by a unit of the government	P	P	P	P	P	P	P	P
24-5-6. Memorial signs or tablets with the names of buildings and date of erection.	P	P	P	P	P	P	P	P
24-5-6. Holiday decorations and non-commercial signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local, or religious holiday.	P	P	P	P	P	P	P	P
24-5-6 Signs required or specifically authorized for a public purpose, notice or posting by any law or statute.	P	P	P	P	P	P	P	P
24-5-6 Agricultural signs identifying permitted agricultural uses.	P	P	P	P	P	P	P	P
24-5-6 Business related temporary sign	P	P	P	P	P	P	P	P
24-5-6 Community event banner sign	P	P	P	P	P	P	P	P

(Ord. 2002-13, 6/18/02)

Table 24-9-4. Commercial and industrial zones.

(Ord.2002-13,6/18/02)

	Commercial				Industrial			
	C-N	C-5	C-H	C-G	MG-EX	M-D	M-G	MG-H
24-8-4. Community signs	C1	C1	C1	C1	C1	C1	C1	C1
24-8-5. Freestanding signs	-	P	P	P	-	-	-	-
24-8-6. Monument signs	P	P	P	P	P	P	P	P
24-8-7. Wall and painted signs	P	P	P	P	P	P	P	P
24-8-8. Billboard (off-premise advertisement) signs	-	-	C	C	C	C	C	-
24-8-9. Suspended signs	P	P	P	P	P	P	P	-
24-8-10. Awning signs	P	P	P	P	P	P	P	-
24-8-11. Canopy signs	C	C	C	C	C	C	C	-

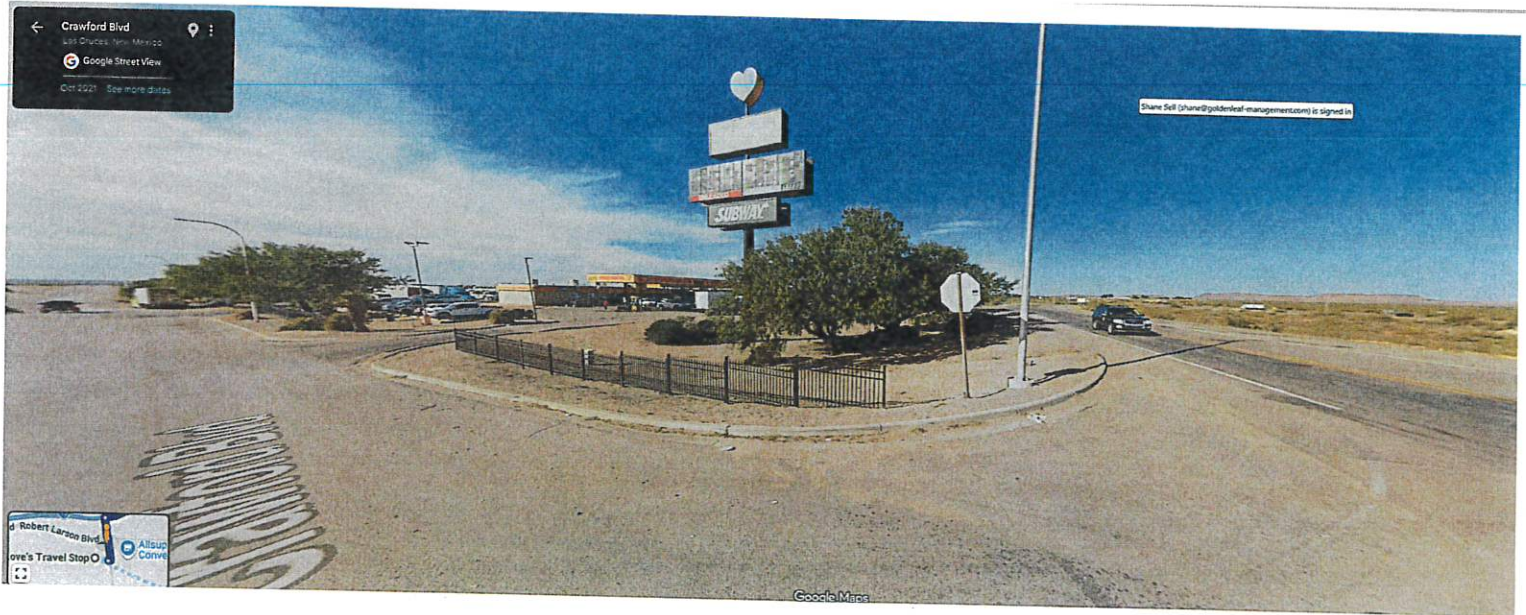


Lake Point , UT

13.10.9 Sign- Size, Height, and Placement Regulations

1. Signs shall not be placed within any public right-of-way, within the clear view zone on corners, or in any place that would impede traffic visibility or safety.
2. Shall not extend over a pedestrian or vehicular access area unless specifically approved by the city engineer.
3. On Premise Signs

1. An animated sign shall be no larger than one hundred (100) square feet, in face size.
2. Signs in the commercial general and commercial industrial zones may be constructed up to 80 ft in height if they are located within 500 ft of the centerline between both north and south corridors of I -80, but no further south of Sunset Rd. if Sunset Rd. were extended on the west end in a straight path that intersects perpendicularly to I-80, and such signs must face the freeway. All other freestanding signs shall not exceed 40 feet in height.
3. The maximum height for monument signs shall not exceed 16 feet from the surface of the ground where the sign is planted.
4. All freestanding and monument signs shall have a minimum setback of five (5) feet from the front property line and shall not interfere with any municipal easements.
5. No sign more than three feet in height above the top back of curb shall be erected at any intersection for vehicular traffic within a triangular area forward by the intersection of straight lines extended from the back of curb or future curb and a line connecting them at points 40 feet from the intersection of lines. Monument signs may be erected in the above-mentioned area if they are less than 3 feet above the curb grade to the top of the sign.
6. Signage Square Footage Calculations
 - a. The following calculations are for all on premise signs except; incidental, window, temporary, flag, and banner signs.
 - b. Total wall and/or canopy sign square footage shall be equal to or less than 25% of the total square footage of any road facing wall of the building where a business is being operated.
 - c. Any pole or pylon sign shall not exceed 400 ft.² if the sign is taller than 40 ft.
 - d. Any pole or pylon sign shall not exceed 200 ft.² for pole or pylon signs 40 ft or less.
 - e. Total on premise square footage shall be equal to or less than 25% of the total square footage of the main building where a business is being operated.
 - f. No more than one pole/pylon signs are allowed that are higher than the height of the main business building.



Las Cruces, NM

Las Cruces, new mexico
 Zoning: Innovation and Industrial Park. light industrial.
 aesthetics or view sheds in the general plan. language or policy view sheds/protections
 height. consistency for the genreal plan.

Chapter 38. Development Standards

Sec. 38-10. Signs | H. Planned Unit Development

Temporary Wall Banner Sign	X	X	X	X	X	X	X		X	X	
----------------------------	---	---	---	---	---	---	---	--	---	---	--

3. Maximum Number of Freestanding Signs

Each lot or parcel shall be limited to one freestanding sign unless there is more than 600' of frontage (can be combined by adding both street frontages except in NH-1 zoning districts) than two freestanding signs are permitted.

4. Maximum Height

The maximum height for freestanding signs is determined by zoning district and street class, as indicated in **Figure 38-10-6**.

5. Minimum Setback

The minimum setback for the placement of freestanding signs is determined by street class, indicated in **Figure 38-10-6**. Setbacks are measured from the property line.

Figure 38-10-6. Maximum Height and Minimum Setback for Freestanding Signs

Street Class	Maximum Height by Zone								Minimum Setback	
	NH-1, Neighborhood 1 District (Rural, Suburban, Urban)	NH-2, Neighborhood 2 District (Rural, Suburban, Urban)	NH-3, Neighborhood 3 District (Rural, Suburban, Urban)	CR, Commercial/Retail District (Rural, Suburban, Urban)	LI, Light Industrial District (Rural, Suburban, Urban)	HI, Heavy Industrial District (Rural, Suburban, Urban)	OS-1, Open Space-Preserve and Recreational District (Rural, Suburban, Urban)	OS-2, Open Space-Drainage District (Rural, Suburban, Urban)	Front Yard	Side Yard
Local Street	3'	3'	6'	6'	18'	30'	6'	6'	10'	5'
Collector Street	6'	6'	18'	30'	30'	30'	12'	12'	12'	5'
Minor Arterial	6'	6'	30'	30'	30'	30'	12'	12'	15'	5'
Principal Arterial	6'	12'	30'	30'	30'	30'	18'	18'	15'	5'

H. Permitted Locations and Dimensional Standards

1. Permitted Locations

Signs types are permitted by zoning district, as indicated in **Figure 38-10-5**.

2. Combined Maximum Area

The maximum size is determined by the combined area of all attached signs and all freestanding signs. The maximum size for each grouping is indicated in **Figure 38-10-5**.

a) For attached signs, the building on which the sign shall be placed is used to calculate the square footage of the sign. The exterior is considered the entire perimeter of the building.

b) For freestanding signs, frontage is calculated based on the largest single frontage along the drive.

c) For buildings with frontage on more than one street, the sign area is calculated by the longest frontage. Figure 38-10-5. Permitted Sign Locations and Standards

Zoning Districts											
	NH-1, Neighborhood 1 District (Rural, Suburban, Urban)	NH-2, Neighborhood 2 District (Rural, Suburban, Urban)	NH-3, Neighborhood 3 District (Rural, Suburban, Urban)	CR, Commercial/Retail District (Rural, Suburban, Urban)	LI, Light Industrial District (Rural, Suburban, Urban)	HI, Heavy Industrial District (Rural, Suburban, Urban)	OS-1, Open Space-Preserve and Recreational District (Rural, Suburban, Urban)	OS-2, Open Space-Drainage District (Rural, Suburban, Urban)	MXCO, Mixed Use Corridor Overlay District	TCO, Town Center Overlay District	NCO, Neighborhood Center Overlay District
Attached Signs	Max. Combined Area of Attached Signs										
	1 linear foot of exterior wall = 1 sqft			1 linear foot of exterior wall = 1.5 sqft					1 linear foot of exterior wall = 1.25 sqft	1 linear foot of exterior wall = 1 sqft	
Awning or Canopy Sign		X	X	X	X	X			X	X	X
Projecting Sign		X	X	X	X	X			X	X	X
Roof-Mounted Sign				X	X	X					
Wall Sign	X	X	X	X	X	X	X		X	X	X
Window Sign	X	X	X	X	X	X	X		X	X	X
Freestanding Signs	Max. Combined Area of Freestanding Signs										
	0-100' frontage = 50 sqft 101-300' frontage = 75 sqft 301'+ frontage = 100 sqft			0-100' frontage = 100 sqft 101-300' frontage = 150 sqft 301'+ frontage = 200 sqft					0-100' frontage = 75 sqft 101-300' frontage = 125 sqft 301'+ frontage = 150 sqft	0-100' frontage = 50 sqft 101-300' frontage = 75 sqft 301'+ frontage = 100 sqft	
Menu Board Sign				X	X	X			X	X	
Monument Sign	X	X	X	X	X	X	X	X	X	X	X
Pole Sign				X	X	X					
Sidewalk Sign	X	X	X	X			X		X	X	X
Temporary Signs	See individual sign types for dimensions										
Feather Sign	X	X	X	X	X	X	X	X	X	X	X
Political Sign	X	X	X	X	X	X	X	X	X	X	X
Temporary Ground Sign	X	X	X	X	X	X	X	X	X	X	X
Temporary Special Event Banner	X	X	X	X	X	X	X	X	X	X	

LOVE'S HI-RISE SIGN ~ WINNEMUCCA, NV

OVERALL HEIGHT: 90'

TOTAL SQ. FT.: 1153.75

8' X 10' LED HEART = 80 SQ. FT.

9' X 22' LOVE'S = 198 SQ. FT.

11' X 41' 6" PRICE SIGN = 456.5 SQ. FT.

- 89" NUMERALS

9' X 26' CARL'S JR. = 234 SQ. FT.

9' X 20' 7" CHESTER'S = 185.25 SQ. FT.

45' FROM BOTTOM OF SPEEDCO SIGN TO GRADE

LOVE'S & DIESEL INSTALLED TOWARDS INTERSTATE / HIGHWAY



SIDE B
* SCALE: 3/64" = 1'



** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	effective images, Inc. PHONE: 605.753.9700
WINNEMUCCA, NV	4/4/19	E1194-0401	1 - 3/2/20 JW	3/32" = 1'	JW	



REGIONAL PLANNING DEPARTMENT

November 26, 2019

Sue Trively
Effective Images, Inc.

RE: Notice of Decision VW-19-10

Dear Ms. Trively:

As you are aware, the Winnemucca City Council, at their November 26, 2019 meeting voted to **approve** the above referenced variance application. Your request is to increase the maximum allowed sign height from 60 feet to 90 feet; to increase the maximum sign area from 360 square feet to 1,153.75 square feet. Subject property is located at 3550 West Winnemucca Boulevard (Assessor's Parcel #15-0471-01).

Should you have any questions concerning the above, please do not hesitate to contact our office for clarification.

Sincerely,

Betty Lawrence
Senior Planning Technician

cc: City of Winnemucca Building Dept.

Date Submitted

APPLICANT TO COMPLETE THIS SECTION, WHERE APPLICABLE

Assessors' Par

Email CC

State

1750

State Lic No.

State Lic No.

x
Signature of Permittee

By:

Other

Floor use	Sq. Ft.	Rate/Sq.ft.	Value
TOTAL			➤

By:

By:

Date:

Chapter 17.27

SIGN STANDARDS

Sections:

17.27.010 Purpose.

17.27.020 Permitted signs by type and zoning district.

17.27.030 Sign size limitations by zoning district.

17.27.010 Purpose.

To encourage the effective use of signs as a means of communication in the community; to establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the procedures outlined in this title. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.27.020 Signs by type and zoning district.

SIGNS BY TYPE AND ZONING DISTRICT:

Sign Types or Characteristics	R-1 & R-2	R-3	Nbrhd Com'I N-C	Gen Com'I G-C	Lmt'd Mfg L-M	Mfg M-1
Animated	P	P	P	A	P	P
Changeable Copy	P	A	A	A	P	P
Illuminated Internal	P	A	A	A	A	A
Illuminated External	P	P	A	A	A	A
Illuminated exposed bulbs* or neon	P	P	A	A	P	P
Temporary	P	A	A	A	P	P
Window Signs	P	A	A	A	A	A
Directional Signs	P	A	A	A	A	A
Real Estate Signs	A	A	A	A	A	A

A = ALLOWED

P = PROHIBITED

*Includes traveling and flashing bulbs.

(Ord. 617 § 1.1 Exh. A (part), 1996)

17.27.030

17.27.030 Sign size limitations by zoning districts.

SIGN SIZE LIMITATIONS BY ZONING DISTRICTS:

Sign Type	R-1 & R-2	R-3	Nbrhd Com'l N-C	Gen Com'l G-C	Lmtd Mfg L-M	Mfg M-1
Freestanding						
Area (sq. ft.)	N/A	6	36	360	160	160
Height (ft.)	N/A	4	12	60 ^a	36	36
Setback (ft.)	N/A	0	0	0	0	0
Number Permitted						
Per Zone lot	N/A	1				
Per Feet of Street frontage			1 per 50	1 per 50	1 per 100	1 per 100
Building						
Area (sq. ft.)	2	4				
Wall area (%)	-	-	10%	30%	10%	10%
Temporary	N/A	N/A			N/A	N/A
Size (sq. ft.)			16 ^b	16 ^b		
Lighting			N/A	N/A		
Setbacks (ft.)			0	0		

N/A = Not allowed in this zoning classification

a = Maximum height at property line (street frontage) is twenty feet. For every two feet of setback, a sign height can be increased by one foot, to a maximum of sixty feet.

b = Square footage per face of sign, may be double-faced.

(Ord. 641 § 2.2, 1998; Ord. 617 § 1.1 Exh. A (part), 1996)

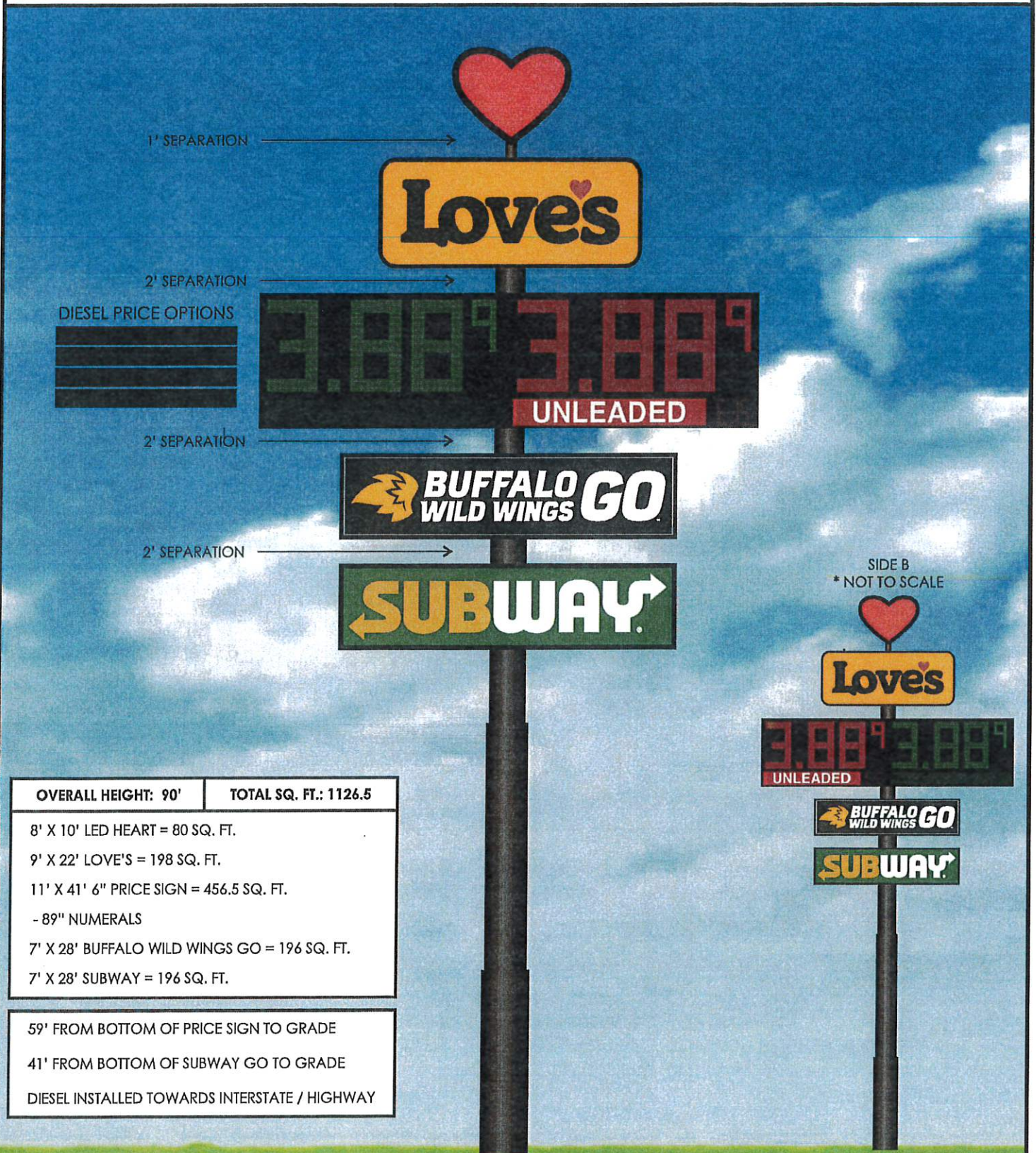


Winnemucca, NV

Zoning: Gen Com'l G-C

variance from 60' to 90'

LOVE'S HI-RISE SIGN ~ KINGMAN, AZ #970



OVERALL HEIGHT: 90'	TOTAL SQ. FT.: 1126.5
8' X 10' LED HEART = 80 SQ. FT.	
9' X 22' LOVE'S = 198 SQ. FT.	
11' X 41' 6" PRICE SIGN = 456.5 SQ. FT.	
- 89" NUMERALS	
7' X 28' BUFFALO WILD WINGS GO = 196 SQ. FT.	
7' X 28' SUBWAY = 196 SQ. FT.	

59' FROM BOTTOM OF PRICE SIGN TO GRADE
41' FROM BOTTOM OF SUBWAY GO TO GRADE
DIESEL INSTALLED TOWARDS INTERSTATE / HIGHWAY

** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:
KINGMAN, AZ #970	5/26/23	EI82305-2601	9 - 1/30/26 JLW	3/32" = 1'	JLW

effective
images, Inc.
PHONE: 605.753.9700



MOHAVE COUNTY DEVELOPMENT SERVICES

Scott Holtry
Department Director

www.mohave.gov

Sam Elters, P.E.
County Manager/Engineer

August 12, 2024

Anthony Beavers
[REDACTED]

RE: Adoption of BOS Resolution No. 2024-157 - A **SPECIAL USE PERMIT** for Assessor's Parcel No. 206-25-001 to allow for a 90-foot billboard in a C-MO (Commercial-Manufacturing/Open Lot Storage) zone, in the Yucca vicinity (west of Interstate 40 and north of Griffith Road), Mohave County, Arizona.

Dear Applicant:

At their regular meeting on Monday, August 5, 2024, the Mohave County Board of Supervisors **APPROVED** the above-referenced request as recommended by the Commission and subject to the conditions noted in the attached Board of Supervisors Resolution 2024-157.

If you have any questions, please contact your planner, Matthew Gunderson at 928-757-0903, extension 5814.

Sincerely,

Mohave County Development Services Department

ja

Encl: BOS Resolution No. 2024-157

WHEN RECORDED RETURN TO:
LAURA SKUBAL, CLERK OF THE BOARD


FEE# 2024040284

OFFICIAL RECORDS
OF MOHAVE COUNTY
LYDIA DURST,
COUNTY RECORDER



08/07/2024 02:35 PM Fee: \$0.00

PAGE: 1 of 3

BOS RESOLUTION NO. 2024-157

A RESOLUTION SETTING FORTH A SPECIAL USE PERMIT FOR ASSESSOR'S PARCEL NO. 206-25-001 TO ALLOW FOR A 90-FOOT-TALL FREESTANDING SIGN IN A C-MO (COMMERCIAL-MANUFACTURING/OPEN LOT STORAGE) ZONE, IN THE GRIFFITH VICINITY (WEST OF INTERSTATE 40 AND NORTH OF GRIFFITH ROAD), MOHAVE COUNTY, ARIZONA.

WHEREAS, at the regular meeting of the Mohave County Board of Supervisors held on Monday, August 5, 2024, a public hearing was conducted to determine whether approval should be granted for a Special Use Permit, for the above-described property, as requested by Anthony Beavers on behalf of Loves Travel Stops & Country Stores, Inc., of Oklahoma City, Oklahoma, and

WHEREAS, Assessor's Parcel No. 206-25-001 is described as Parcel 1 on Parcel Plat 03-20, located in Section 18, Township 19 North, Range 17 West, and

WHEREAS, the site is approximately 25.65 acres in size and is located along Interstate 40 and north of Griffith Road. The site is accessed from Interstate 40, then west on Griffith Road, approximately 0.01 miles to the site, and

WHEREAS, the site is currently vacant, and is the location of a proposed Love's Travel Stop. The terrain appears to be relatively flat with a wash running through the northwest corner of the property. The surrounding land uses consist of vacant land and industrial uses, and

WHEREAS, the applicant requests this Special Use Permit to allow for a 90-foot-tall freestanding sign in conjunction with the proposed travel stop. The Mohave County General Plan designates the site as Rural Development Area, and

WHEREAS, Section 42.G of the Mohave County Zoning Ordinance states that the standard maximum height of a freestanding sign is 45 feet, and that an increase to the maximum allowable area and/or height may be allowed with a Special Use Permit along federally identified Interstates, and

WHEREAS, the site is within the Golden Valley Fire District. Electric and water services appear to be available. Sewer service does not appear to be available. Interstate 40 is paved and is on the Arizona Department of Transportation's maintenance system. Griffith Road is paved and is on the County's road maintenance system, and

Total Sign Area = 850 SF
 Heart = 72
 Love's = 234
 Price Sign = 400
 Subway = 144

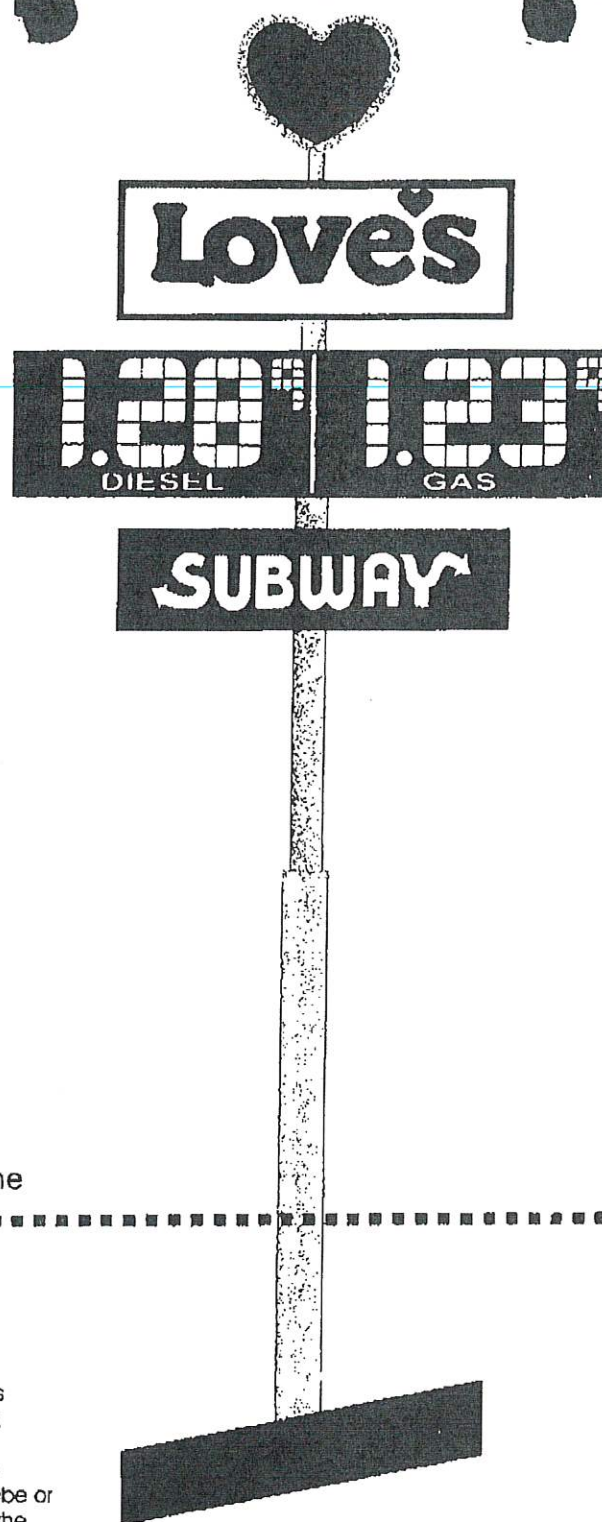
8' x 9' Heart

9' x 26' "Love's"

10' x 40' Price

2' Separation
 Typ. 4 Pics.

Subway 6' x 24'



10' total height
 of heart embellishment
 to logo sign

80' above Mirniva
 Road to top of
 Logo Sign

90' above grade
 level at sign location

Mirniva Road elevation line

Sign foundation is in a planter area that is 4' higher on the east edge than the west. assume grade difference of 3 to 4 feet across the foundation east to west - plan accordingly with fill around pole, sona-tube or combination and for vertical location of the price sign control box

NOTE: Slope is 90 deg. To that shown at right.
 i.e. Slopes from one face to the other not
 from end of sign to end of sign.

Love's Country Stores, Kingman, AZ HI-Rise Sign
 6' x 24' Food Sign, 49' to the bottom of lowest sign

Account: Love's Country Stores
 Location: Kingman, AZ
 Sign: HI-Rise,
 Dwg. #/Date: 01015-1 2/19/01 JTB



MOHAVE COUNTY PLANNING & ZONING DEPARTMENT

BUILDING PERMIT

B02-00274K
PERMIT NUMBER

LEGAL: 21N 15W 17 PT SEC 17 DESC AS COMM AT W4 TH S 0DEG 06MIN
40SEC E 916.87' TO TPOB TH CONT S 0DEG 06MIN 40SEC E
ADDRESS: 6035 E MINERVA LN KGMN
ASSESSOR PARCEL #: 354-30-002 ZONING: C2H

Applicant: YOUNG ELECTRIC SIGN CO/LOVES COUNTRY STORE
Mail to: [REDACTED]
Phone: [REDACTED]

Owner: LOVES COUNTRY STORE
Address: , , ,
Phone:

TYPE OF IMPROVEMENT: 850 sq.ft Sign Face/80' ht from l-40 grade(ok per
General Contractor:
Electrical Contractor:
Plumbing Contractor:
Mechanical Contractor:

ENVIRONMENTAL HEALTH DIVISION
Septic Permit #:

FLOOD CONTROL DIVISION
PFI / FUP #:

I UNDERSTAND AND THE RECEIPT OF THIS APPLICATION BY MOHAVE COUNTY PLANNING & ZONING OR
BUILDING DEPARTMENT DOES NOT IMPLY APPROVAL

X [Signature]
Signature

3/17/02
Date

Expiration of the Building Permit shall comply with Section 106.4.4 of the Uniform Building Code: "Construction must begin within 180 days of the date of this permit. Substantial progress must be demonstrated every 180 days or this permit will EXPIRE and become NULL and VOID".

Conditions:

VALUATION: \$0.00
DATE APPLIED: 02/26/2002

DATE APPROVED: 03/05/2002

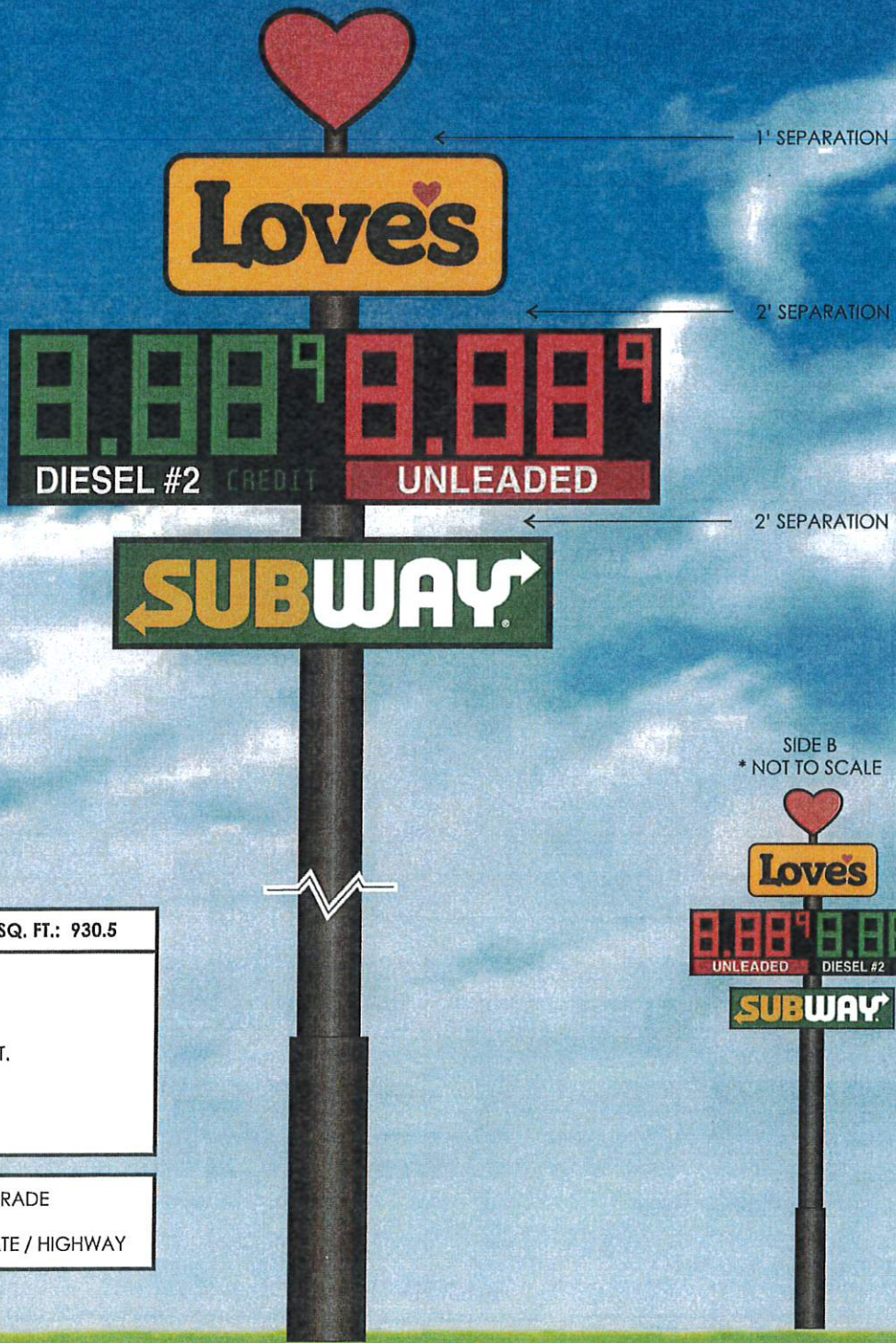
DATE ISSUED: 03/07/2002

Item#	Description	Account Code	Tot Fee	Paid	Prv. Pmts	Cur. Pmts
100	Zoning Permit	2400-322.10	75.00	75.00	75.00	.00
200	Building Permit	2600-322.10	126.50	126.50	126.50	.00
300	Plan Check	2600-322.20	82.23	82.23	82.23	.00



Kingman, AZ

HI-RISE SIGN ~ STERLING, ND #224



SIDE B
* NOT TO SCALE

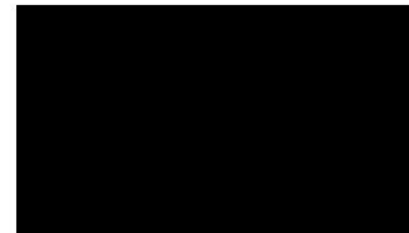


OVERALL HEIGHT: 90'	TOTAL SQ. FT.: 930.5
8' X 10' HEART = 80 SQ. FT.	
9' X 22' LOVE'S = 198 SQ. FT.	
11' X 41' 6" PRICE SIGN = 456.5 SQ. FT.	
- 89" NUMERALS ON PRICE SIGN	
7' X 28' SUBWAY = 196 SQ. FT.	
50' FROM BOTTOM OF SUBWAY TO GRADE	
DIESEL INSTALLED TOWARDS INTERSTATE / HIGHWAY	

** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
STERLING, ND #224	5/14/24	EI82405-1401	0	3/32" = 1'	JLW	
			.			

**C101-2025-006****COMMERCIAL NEW CONSTRUCTION****PROJECT NAME:** LOVE'S TRAVEL STOP**ISSUED:** 06/12/2025**SITE ADDRESS:** 3201 HIGHWAY 14 STERLING**EXPIRES:** 12/09/2025**PARCEL:** 35-139-76-00-21-610**LEGAL DESCRIPTION:** STERLING TOWNSHIP Section 21 PT SW1/4 LOT 'A'-IRREG PLAT #291-884 752392 21-139-76**APPLICANT:** EFFECTIVE IMAGES**OWNER:**ROSE ROCK HOLDINGS LLC
%GRANT THORNTON LLP PO BOX 5256
OAK BROOK, IL 60522-5256

FEES:	<u>Paid</u>	<u>Due</u>
BUILDING PERMIT FEES		\$100.00
Totals :		\$100.00

REQUIRED INSPECTIONSFinal ☐Footings ☐**CONDITIONS**

* It is the responsibility of the Permit Holder to notify BURLEIGH COUNTY for any inspections of work.

* **BUILDING:**

1. Scope of permit is for a 90' exterior signs:

a. 8' x 10'

b. 9' x 22'

c. 11' x 28'

d. Total sq./ft.: 930.5

2. 4- 32 sq./ft. directional signs.

3. 7 various wall mounted signs.

4. Structures have been reviewed for Code Compliance. No additional comments

Please Sign below and return to burleighcobuilding@nd.gov

Signature



Sterling, ND

Sterling Townshlp
Commercial.

No sign code. just building permit.

LOVE'S HI-RISE SIGN ~ TRUTH OR CONSEQUENCES, NM #1045

OVERALL HEIGHT: 95'

TOTAL SQ. FT.: 982.63

8' X 10' LED HEART = 80 SQ. FT.

9' X 22' LOVE'S = 198 SQ. FT.

11' X 41' 6" PRICE SIGN = 456.5 SQ. FT.

- 89" NUMERALS

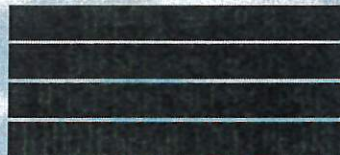
15' X 16' 6 1/2" ARBY'S B-18 = 248.13 SQ. FT.

61' FROM BOTTOM OF PRICE SIGN TO GRADE

LOVE'S & DIESEL INSTALLED TOWARDS
INTERSTATE / HIGHWAY



DIESEL PRICE OPTIONS



GAS PRICE OPTIONS



SIDE B
* NOT TO SCALE



** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:
TRUTH OR CONSEQUENCES, NM #1045	9/4/24	EI82409-0401	2 - 6/30/25 JLW	3/32" = 1'	JLW

effective
images, Inc.
PHONE: 605.753.9700

Permit #: 250015

Permit Date: 12/12/25

Permit Type:

Permit Type: Sign

Applicant Name: Loves Travel Stops Store #1045

Applicant Address:

City, State, Zip:

Phone Number:

Description: Various Signs

Project Cost: 0

Square Feet: 0

Status: Closed

Assigned To: Traci Alvarez

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
----------	---------	-------------------	------------	-------------	--------

Fees

Fee	Description	Notes	Amount
Sign	Sign Total All - Love's		\$880.00
	Total		\$880.00

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
12/22/2025	Effective Images INC	Loves/Arbys Signs		Traci Alvarez	\$880.00
				Outstanding Balance	\$0.00

Uploaded Files

Date	File Name
12/12/2025	29898354-Sign Permit Packet Reduced.pdf



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Clay Bailey, Superintendent
Clay Bailey, Director

POST IN A CONSPICUOUS PLACE
NOTICE

PERMIT NO: FOUC_20263402855

HAS BEEN ISSUED FOR THIS CONSTRUCTION BY
THE STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
CONSTRUCTION INDUSTRIES DIVISION
GENERAL CONSTRUCTION BUREAU

JOB SITE ADDRESS 224 Dr. Hubble Road, Truth or Consequences, New Mexico, USA		Issued:	01/12/2026
		Occupancy:	
PROPERTY OWNER Love's Travel Stop & Country Stores		Types of Construction:	
		Square Footage:	1170 sq. ft. of signage
CONTRACTOR	HILLIS OUTDOOR SPECIALIST INC	Valuation:	
PHONE NUMBER:	[REDACTED]	Total Fees:	310.00
INSPECTOR: Tom Maese			
INSPECTOR NUMBER: 575-639-2993			
SCOPE OF WORK: > Foundation			
DESCRIPTION OF WORK: Installation of pylon signs - (1) Hi-Rise sign and (1) street sign.			

This is General Construction Permit and does not cover electrical or mechanical permit requirements for the State of New Mexico.

Notice: it is the responsibility of the permit holder to call for the required inspections in advance. Please wait for the inspector to perform the inspection.

Notice: every permit issued by cid will expire and be voided if the work authorized by such permit is not commenced Within 180 days from the date such permit was issued.

To schedule an inspection please contact our call center at 505-222-9813 or 1-877-243-0979.
CID.inspection@rld.nm.gov. If by email you must include permit number, site address, contact name and phone number. The email submission is an easy, efficient method for requesting inspections. Upon receipt of emailed inspection request, a confirmation email will be sent to the requestor

Formal Response Letter

May 13, 2026

Mili Pioquinto

Tooele County Community Development

Dear Mili,

Text Amendment

The following issues were brought up from Mili Pioquinto, Planner & Code Enforcement Officer with Tooele County, regarding the text amendment to allow an entrance sign to the Interstate Business Park and Signage pertaining to Love's Truck Stop.

The Main Issues brought up are highlighted in Green. The responses are below.

1-Directional Signs cannot exceed 4 sq. ft. according to current Tooele County Code

It is asked that an amendment be made to the code to be able to increase the size of the directional signage. Having a sign that is 2'x2' is not adequate for this location and its purpose. We propose to enlarge the directional signage to at least 3'x6'. The size of the directional sign is very important to ensure that the semi-truck drivers know where to go, and don't end up in the auto area. There have been many past experiences with large semi-trucks entering the auto area that creates a major safety risk to both the cars and pedestrians. The larger directional signage helps clearly distinguish which type of vehicle should go in each area. The semi-trucks sit up much higher than normal vehicles. Signage that is 2'x2' that is low to the ground, cannot be adequately seen by semi-truck drivers. In similar Love's Truck Stop locations, Love's has used 8'x4' directional signage that has been approved. The directional signage that is used at Flying J truck stop in Lake Point, Utah is 3'x5'.

See examples below

14' - STANDARD SEMI HEIGHT



OAH = 4'

1' 6" x 2' 8"
4 SQ. FT.



OAH = 7'

3' x 6"
18 SQ. FT.



Flying J Lakepoint, UT 3'x5' directional signage



Flying J Lakepoint, UT 3'x5' directional signage



★ Please
provide
concrete
dimensions

Directional Signage in both Brigham City, UT and Springville, UT Love's Truck Stop has directional signage that is similar in size.

2-Under Code 24-8-5 On-Premise Free Standing Signs, bullet (g) (2) states on parcels within 1000 ft. of an exit off of Interstate 80: Signs must be located within a 30' setback from the property line on such parcel.

The current location of the proposed signs does not comply with this code. Please refer to the sign package from Love's. The setback needs to be reduced from 30' to 15' from the property line along Sunstone Road. It's recommended that there be no setback along the southern property line that abuts to the wetlands.

3- Under Code 24-8-5 On-Premise Free Standing Signs, bullet (g) (1) states on parcels within 1000 ft. of an exit off Interstate 80: Signs shall have a height not greater than 35' above the nearest traffic lane of Interstate 8. It was brought to our attention by Tooele County that the signs proposed by Love's would not be compliant with this code.

Effective Images has conducted a sign survey and provided a write-up of what they have found regarding Signage Heights needed. It is asked that Love's Hi-Rise sign have a height of no more than 70' where designated on the drawings allowed. Pictures have been provided with a sample Hi-Rise Sign at different locations off the freeway. There are some challenges with the current Billboards on Interstate 80 already blocking some of the view of Love's Hi-Rise sign from the freeway. For people to find the Love's Sign and location, they will need an unobstructed view maintained all the way from the off-ramp. Ideally the sign will be able to be seen from at least a mile away on the freeway. Having this visibility ensures that cars and trucks will be able to safely change lanes, get over and exit to Love's location. In order to be able to safely change lanes and exit.

4-Under Code 24-8-5 On-Premise Free Standing Signs, bullet (g) (3) states on parcels within 1000 ft. of an exit off Interstate 80: the allowable sign area for one of these signs shall not exceed 1 square foot in sign area for each lineal foot of property frontage with a maximum sign area of 200 sq. ft.

Please refer to the Love's Sign package for details of the proposed Hi-Rise Sign. Love's would need a minimum of one thousand sq. ft. per side of their Hi-Rise sign. This would exceed the maximum 200 sq. ft. This follows what other Truck Stops have done in Utah.

Please see examples below



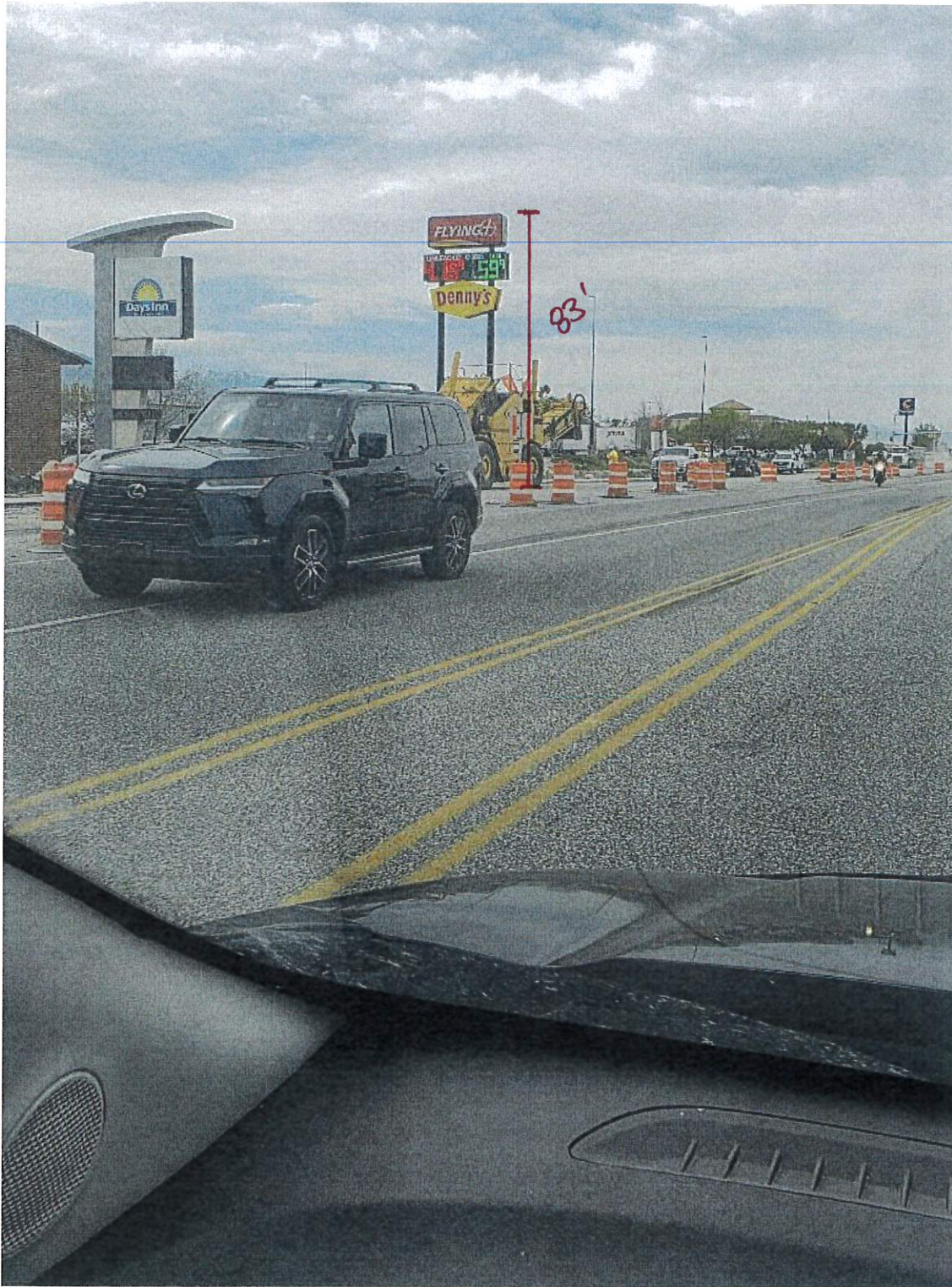
Love's Truck Stop Brigham City, UT

*Please provide concrete dimensions
eg. signage package or building permit.



Love's Truck Stop Brigham City, UT

*Please provide concrete dimensions
eg. signage package or building permit.



Flying J Lake Point, UT

* 83 feet according to sign package.
BP 13000



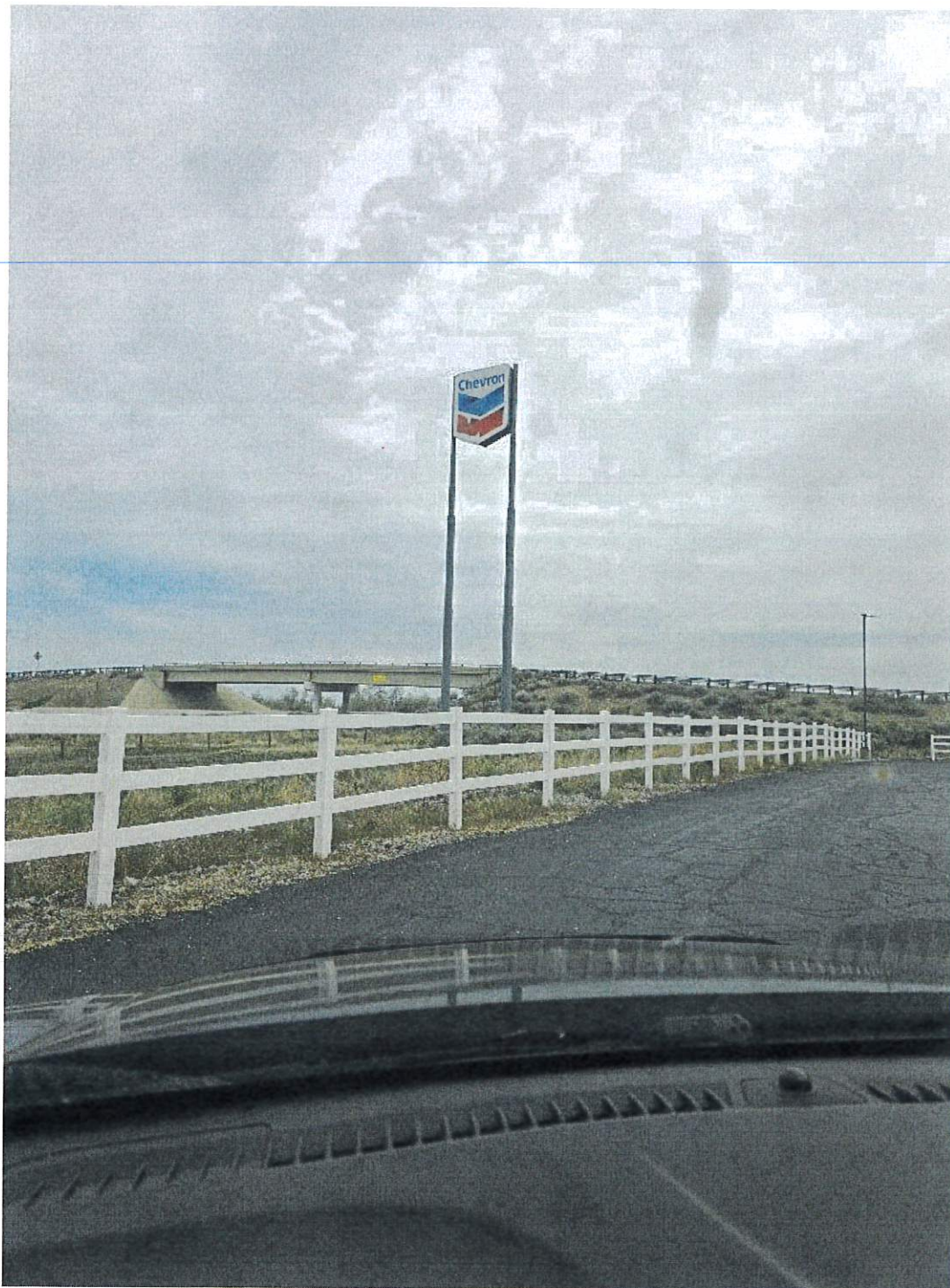
✦ according to sign permit. BP 2973-98
overall height : 75'

TA Travel Center Lake Point, UT

5- Under Code 24-8-5 On-Premise Free Standing Signs, bullet (b) limits freestanding signs to only one per business or planned center/commercial complex whichever is fewer. Under this code, Love's would only be limited to one free standing sign.

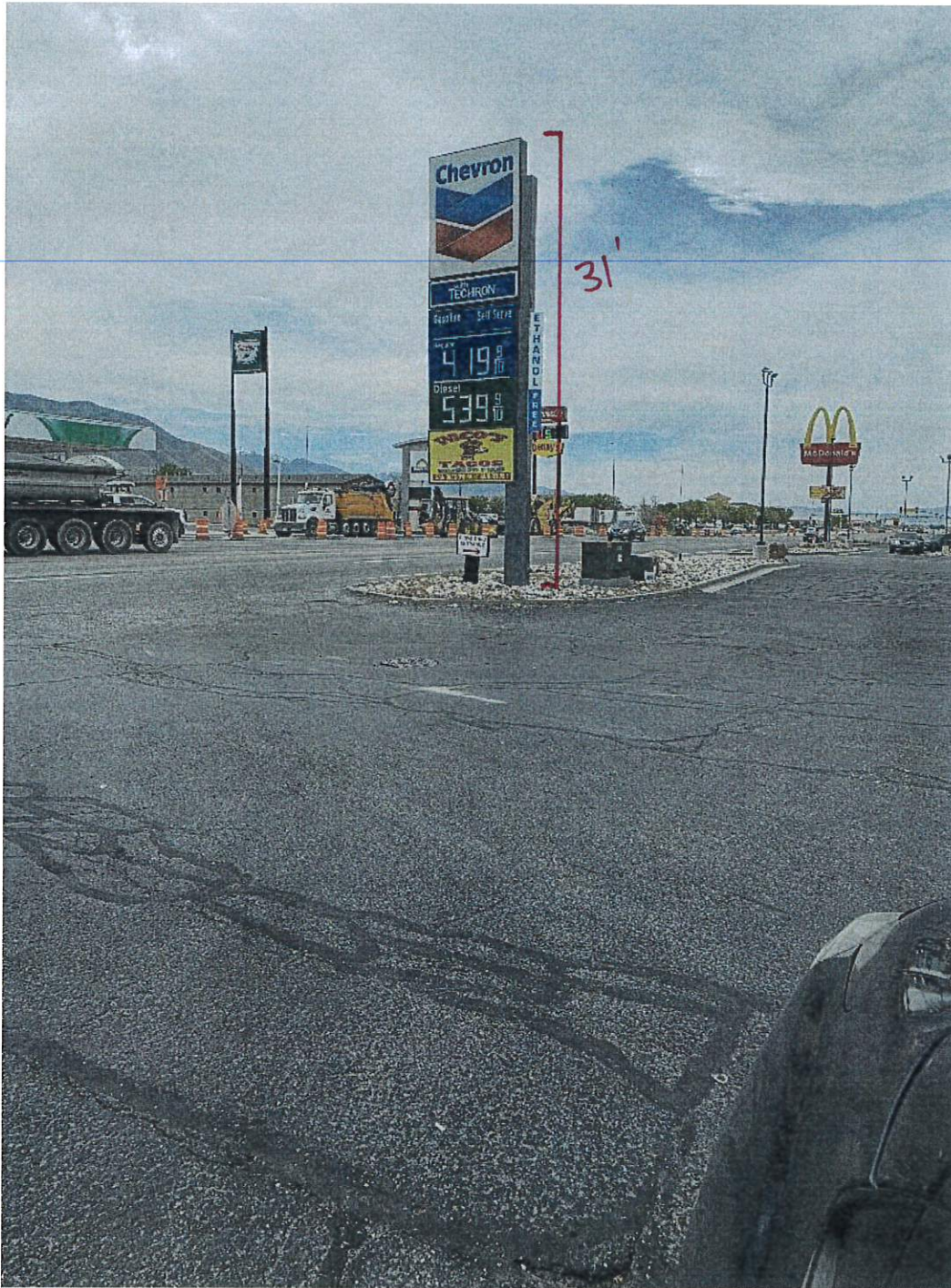
Consistent with other gas stations and truck stop travel centers, one free standing sign is used for directing freeway traffic to the location and a separate "street sign" is used to direct street traffic to the location. It is proposed that both free-standing signs be allowed at the Love's truck stop location. Truck's stops are usually not a destination location where someone will preplan their trip to a specific location. The majority of the traffic going to the truck stop will be people who see the signage while passing on the I-80.

Please see examples below.



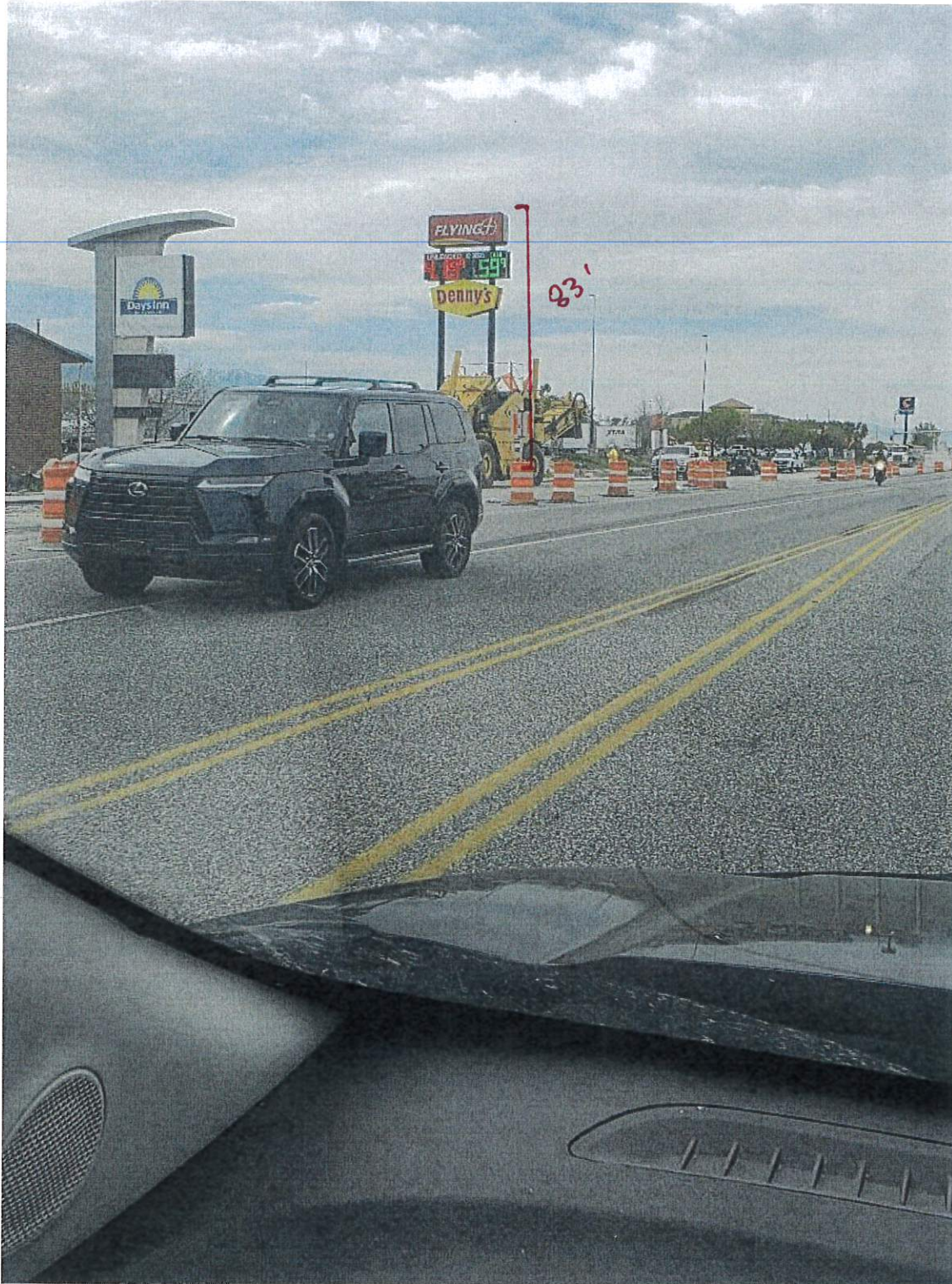
Chevron 1st Free Standing Sign Lake Point, UT

★ Could not locate permit.



Chevron 2nd Free Standing Sign at Lake Point, UT

* 31 feet according to permit
BP 95-0084



Flying J 1st Free Standing Sign at Lake Point, UT

May 6th, 2026

Re: Sign Survey – Grantsville, UT

Property Location: Southeast quadrant of Burmester Road and I-80 off ramp intersection, Exit 88

Survey Date: April 23rd, 2026

Blimp Information: Located at the northeast corner of the property, 70' OAH
Latitude: 40.679420 / Longitude: 112.442190 / Google Earth Elevation: 4222'

The blimp used in this survey was 70' OAH located on the northwest corner of the property. The Hi-Rise sign superimposed in this survey reflects a structure that is also 70' OAH located on the same spot on the property.

For westbound traffic, patrons will have a full read on the sign beginning approximately 1 mile prior to the exit, with a clear unobstructed view maintained all the way to the off-ramp.

Similarly, eastbound traffic will have their initial read on the sign 1 mile before the exit and will maintain a clear view continuously to the exit.

The property is in the jurisdiction of Toole County, and their sign code is as follows:

Freestanding Sign:

- One sign allowed per business.
- 35' OAH above the nearest lane of traffic on I-80.
- 200 sq. ft. in area.
- 30' setback from ROW.

Wall Signs:

- Area not to exceed 15% of the face of the wall on which it is located.

Directional Signs:

- Not to exceed 4' OAH and 4 sq. ft.

All Other Signs: Not specifically covered in the sign code.

Kym is working with the county on updates to their sign code which would allow multiple freestanding signs located in industrial (M) zones, with a max. height of 90' OAH and sign area of 2,000 sq. ft. We recommend a sign that is 70' OAH located at the northwest corner of the property via the blimp coordinates mentioned above, providing a clear view of the sign for both westbound and eastbound traffic.

A preliminary filing with the FAA was submitted and we were given a no-hazard determination for the proposed sign structure's height and location. No additional follow-up will be required however, any height and/or location change of the structure would require a new filing to confirm compliance with the FAA requirements.

Once you have had a chance to review the information, please let us know if you have any questions.

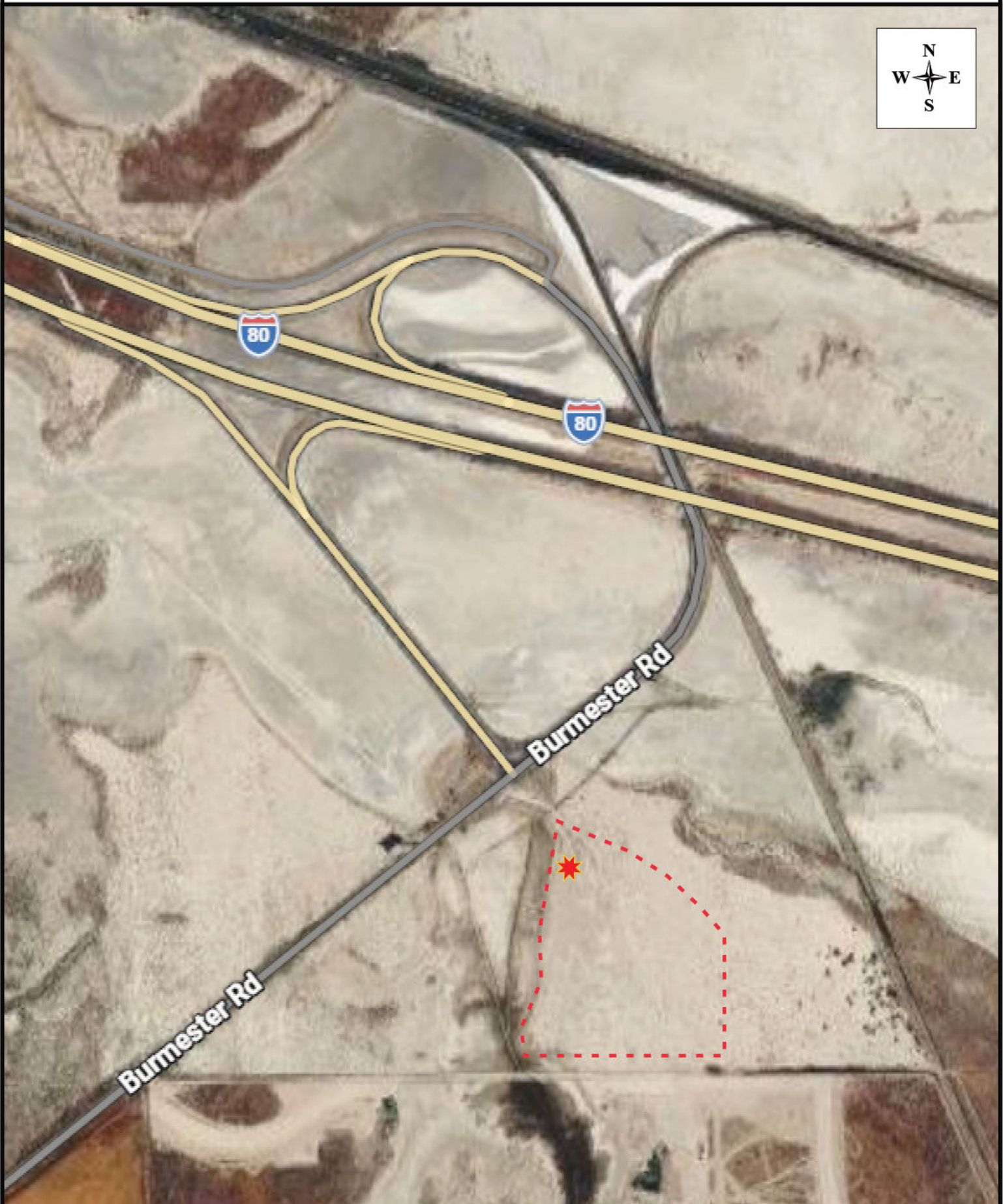
Thank You,

A handwritten signature in black ink, appearing to read "Kevin Keup", is written over a horizontal line.

Kevin Keup
Effective Images, Inc.

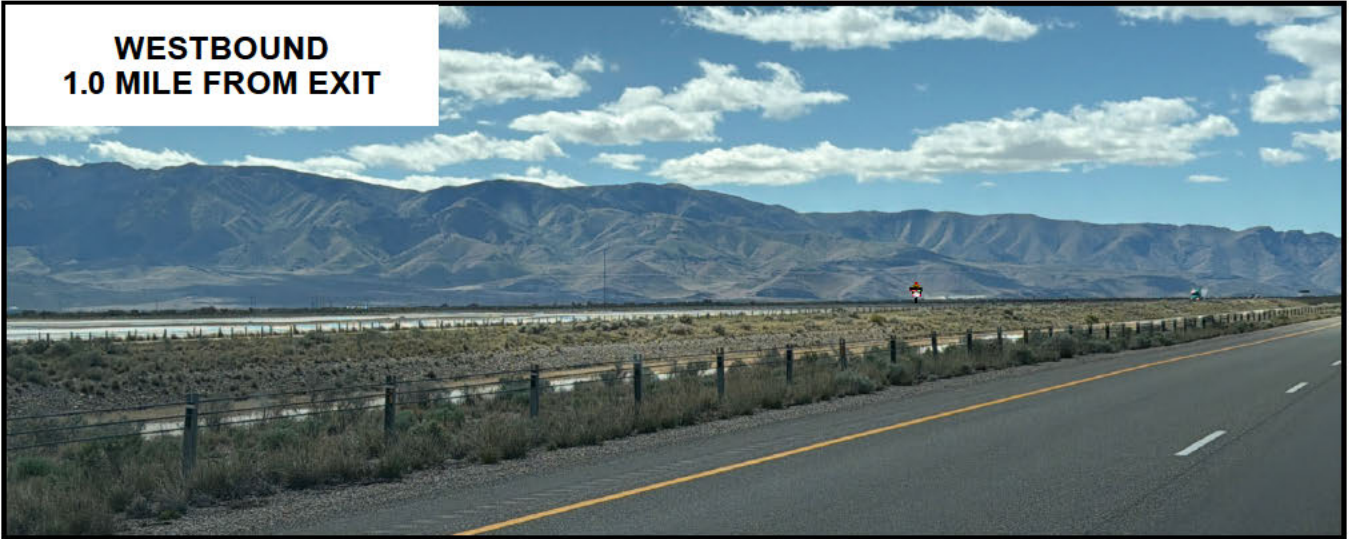
Emailed: Greg Love, Chad Bruner, Frank Ille, Kym Van Dyke, Kari Keup, Julie Schutt

GRANTSVILLE, UT

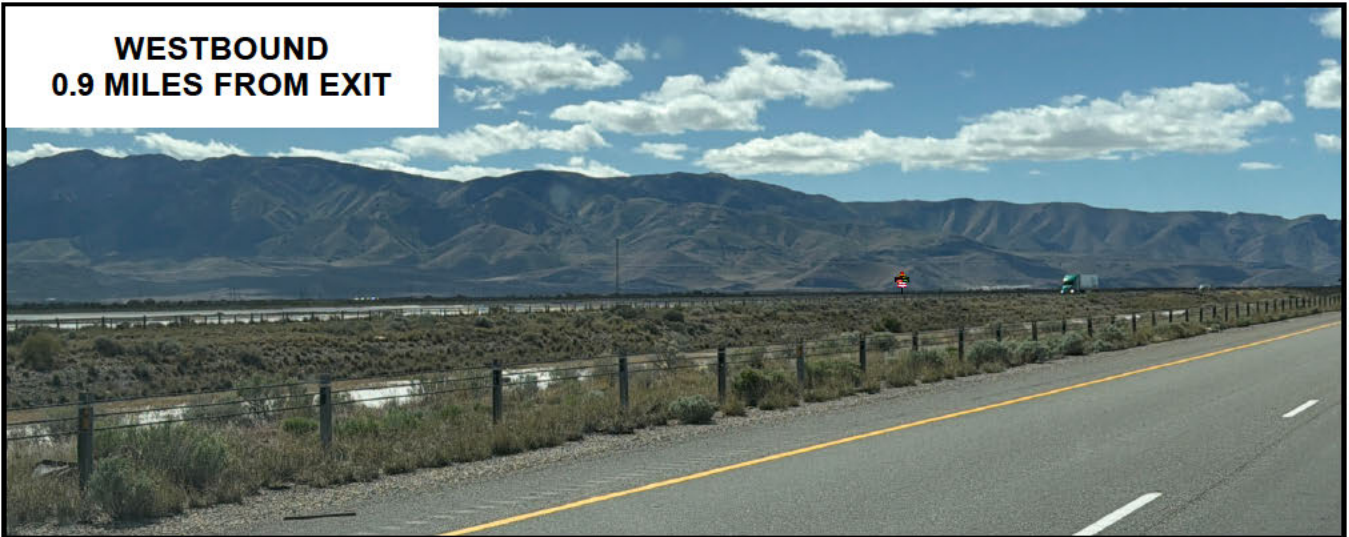


★ = BLIMP & RECOMMENDED SIGN LOCATION

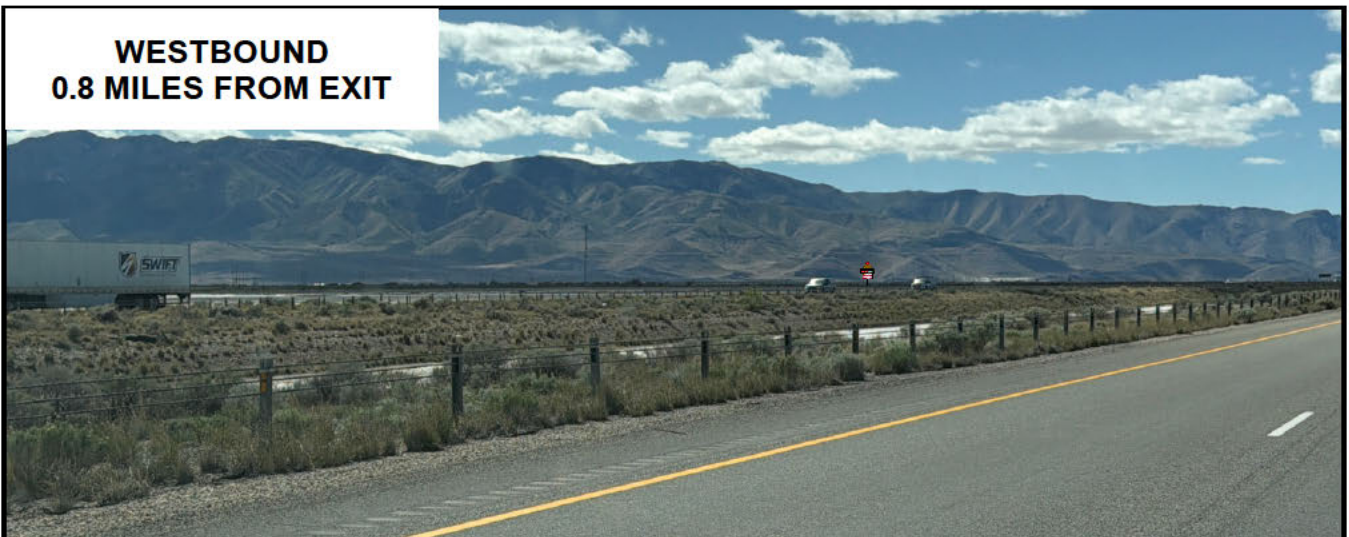
**WESTBOUND
1.0 MILE FROM EXIT**



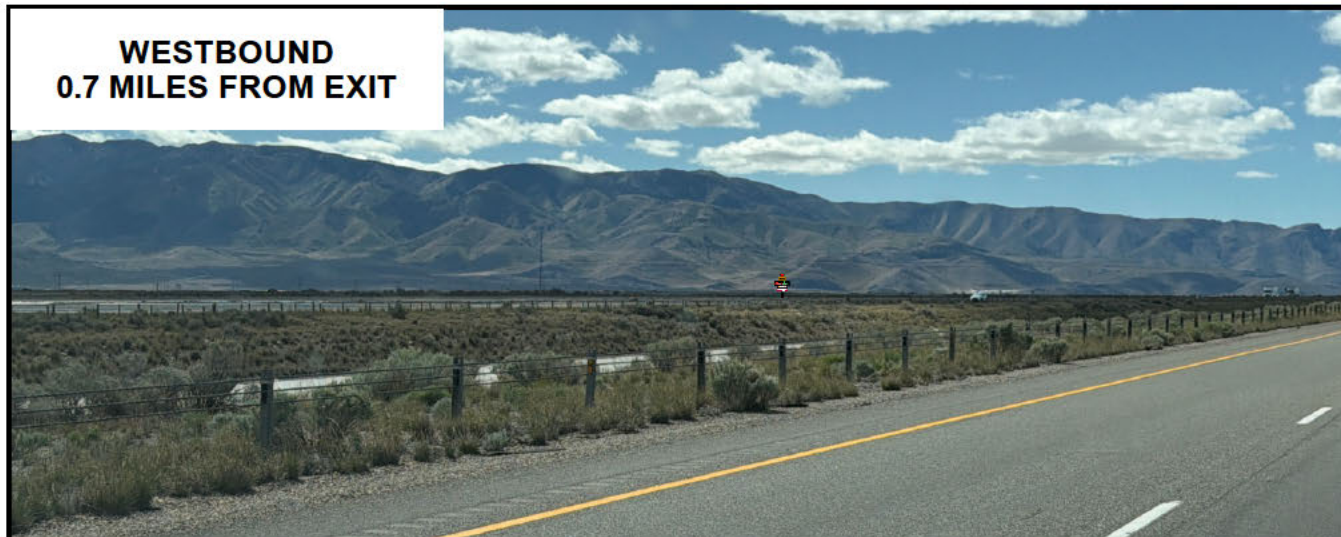
**WESTBOUND
0.9 MILES FROM EXIT**



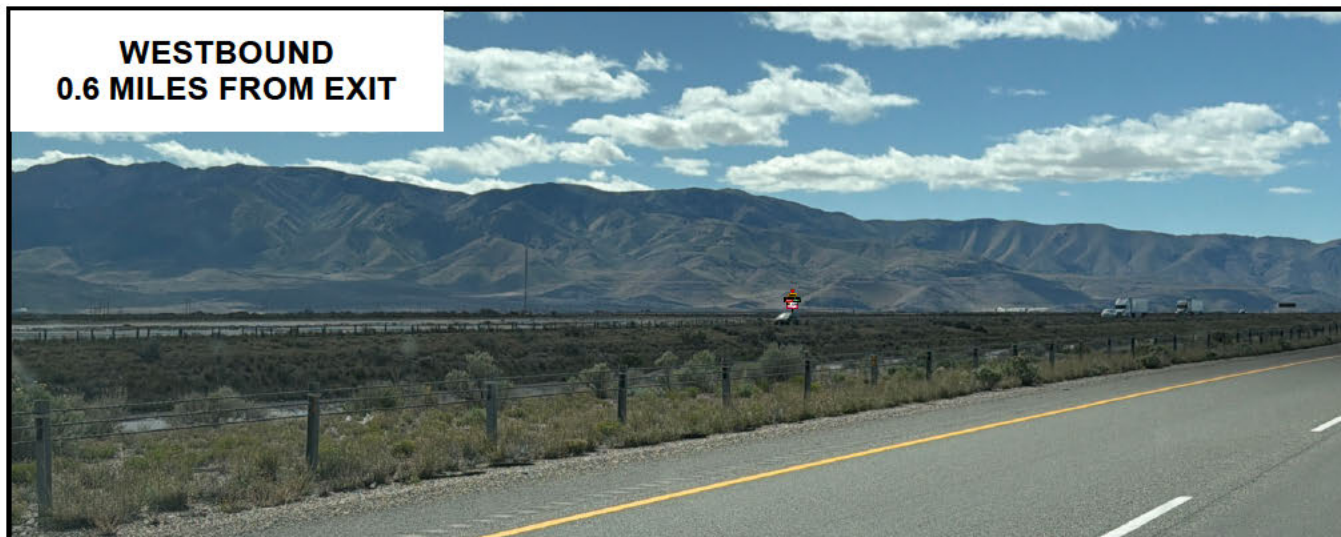
**WESTBOUND
0.8 MILES FROM EXIT**



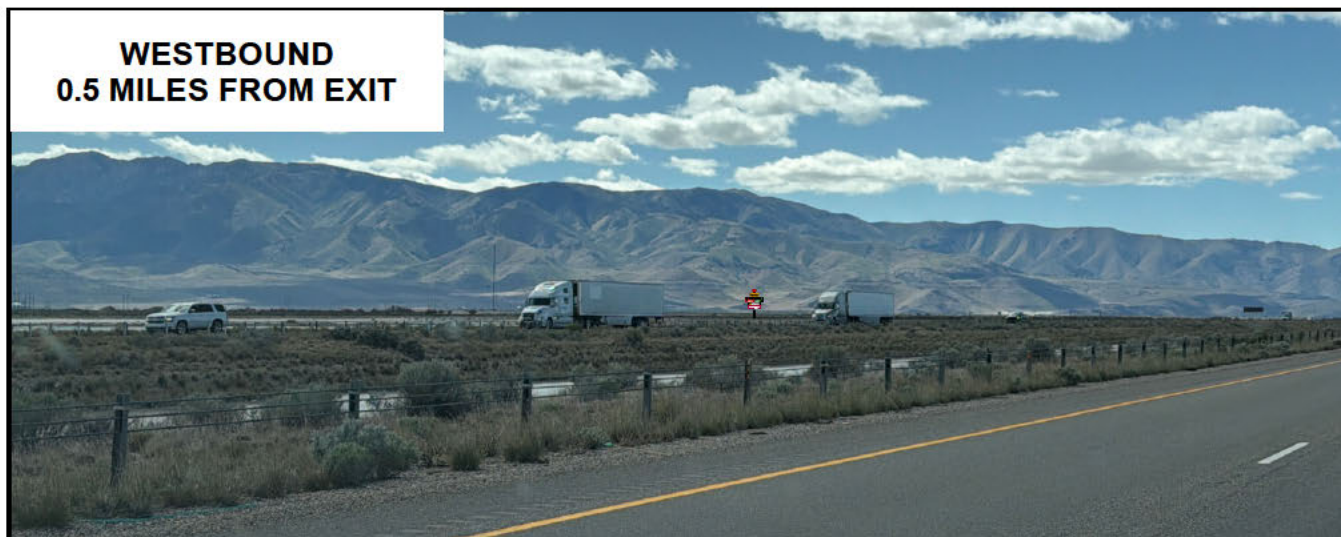
**WESTBOUND
0.7 MILES FROM EXIT**



**WESTBOUND
0.6 MILES FROM EXIT**



**WESTBOUND
0.5 MILES FROM EXIT**



**WESTBOUND
0.4 MILES FROM EXIT**



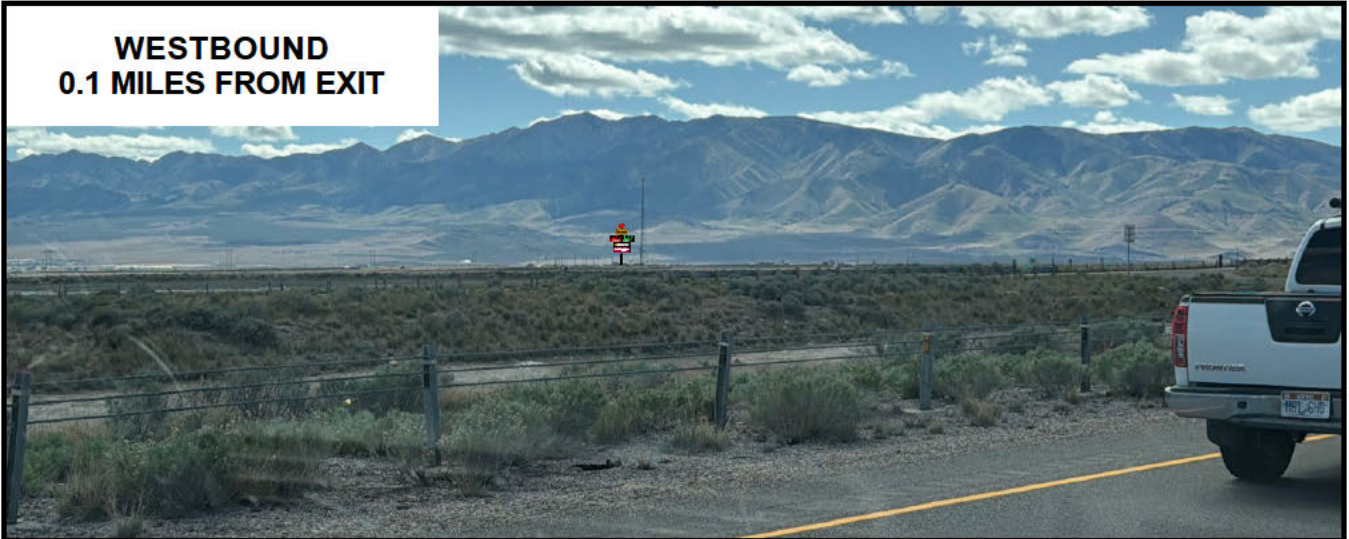
**WESTBOUND
0.3 MILES FROM EXIT**



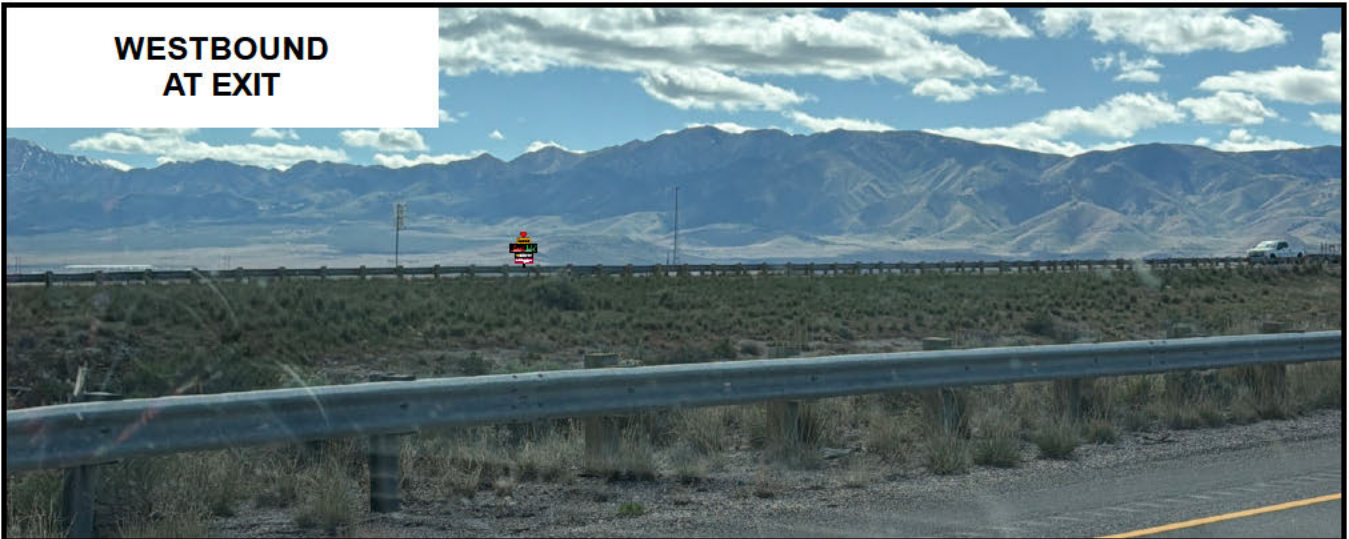
**WESTBOUND
0.2 MILES FROM EXIT**



**WESTBOUND
0.1 MILES FROM EXIT**



**WESTBOUND
AT EXIT**



**EASTBOUND
1.0 MILE FROM EXIT**



**EASTBOUND
0.9 MILES FROM EXIT**



**EASTBOUND
0.8 MILES FROM EXIT**



**EASTBOUND
0.7 MILES FROM EXIT**



**EASTBOUND
0.6 MILES FROM EXIT**



**EASTBOUND
0.5 MILES FROM EXIT**



**EASTBOUND
0.4 MILES FROM EXIT**



**EASTBOUND
0.3 MILES FROM EXIT**



**EASTBOUND
0.2 MILES FROM EXIT**



**EASTBOUND
0.1 MILES FROM EXIT**



**EASTBOUND
AT EXIT**

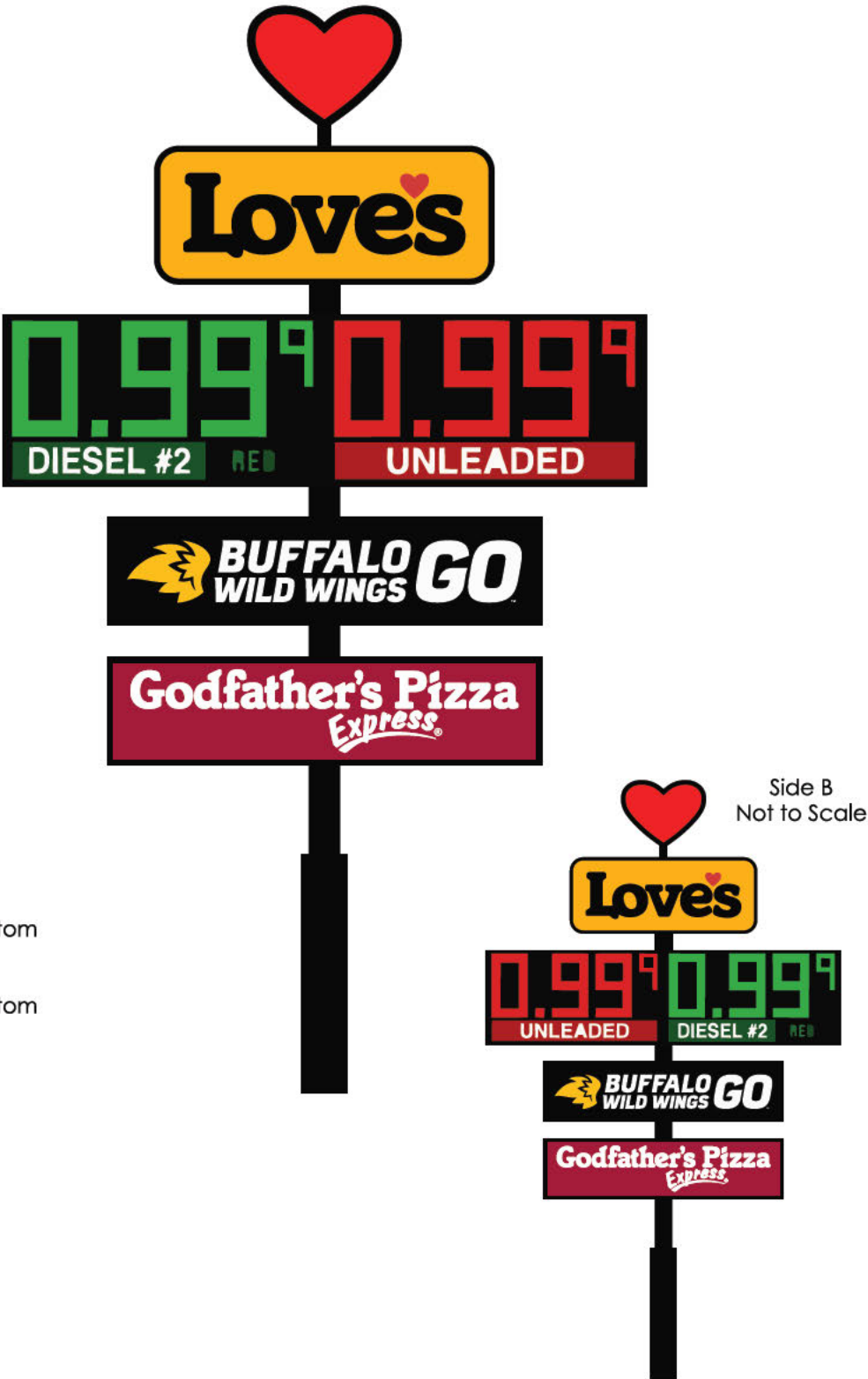


Overall Height: 70'
Total Square Feet: 1126.5

Love's Hi Rise

 Phone: 605.753.9700	
Client:	Love's
Location:	Grantsville, UT
Drawing #:	29603A
Date:	4/21/26
Revision:	2 - 5/5/26
Drawn By:	TB
Scale:	3/32" = 1'
Sales Order #:	.

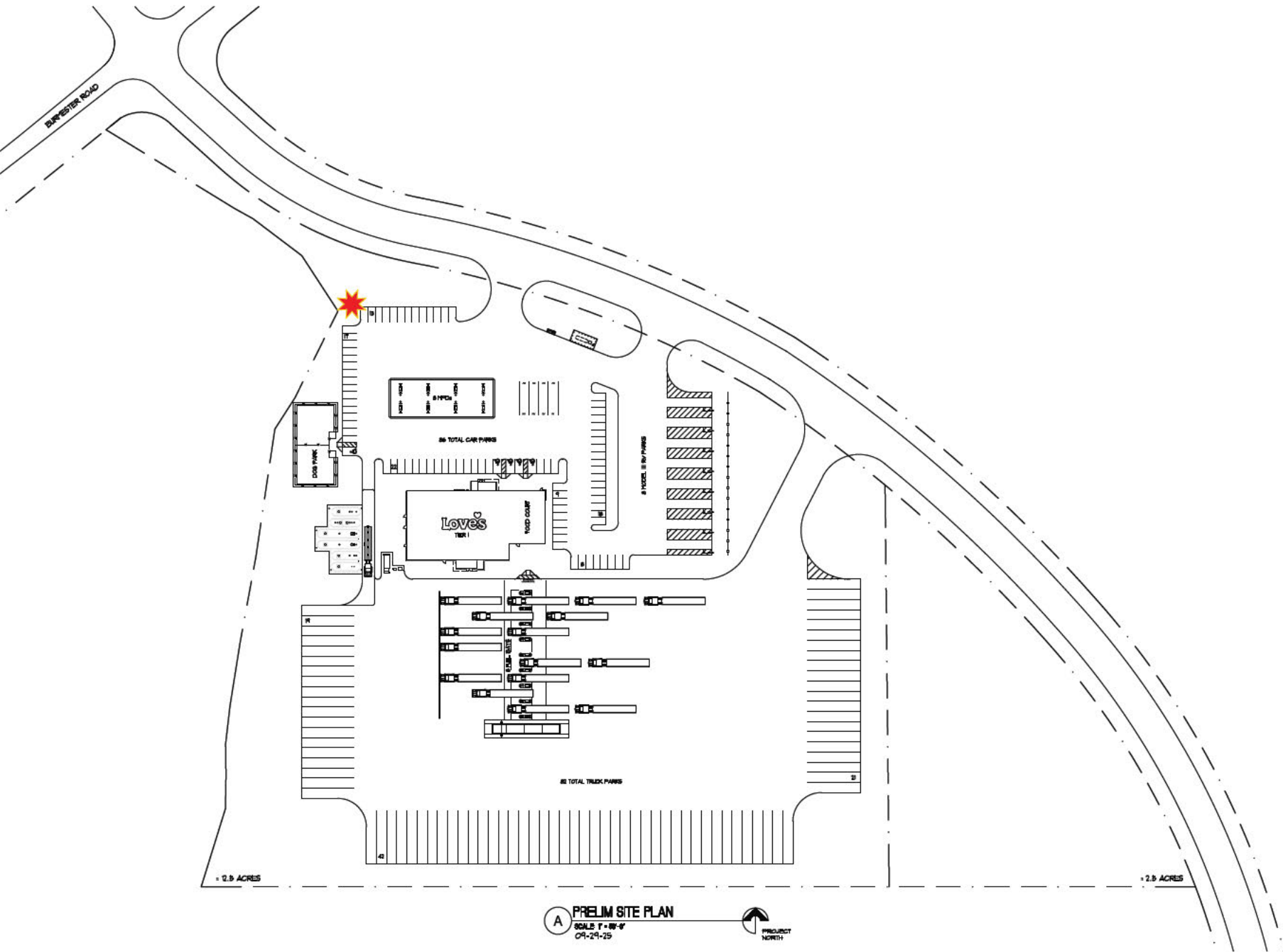
- 8' x 10' Led Heart
(80 Sq. Ft.)
- 1' Separation
- 9' x 22' Love's
(198 Sq. Ft.)
- 2' Separation
- 11' x 41' 6" Price
Sign By Sunshine
89" Numerals
(456.5 Sq. Ft.)
- 2' Separation
- 7' x 28' BWW Go
(196 Sq. Ft.)
- 2' Separation
- 7' x 28' Godfather's
(196 Sq. Ft.)
- 21' to Grade from Bottom
of Godfather's
- 39' to Grade from Bottom
of Price Sign



Diesel Installed Toward Interstate/Highway
** Note: Product panel copy and numeral details to be confirmed by others.

APPROVAL: _____ Date: _____

Computer generated colors in this artwork are not an exact match to the finished sign colors. Material samples are available upon request. This drawing is the property of Effective Images. Any reproduction is prohibited.



Pascal Aughtry & Associates, PC

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Fax 405.483.3493
837 East Broken Road
Oklahoma City, OK 73114
pascal@pc.com



A NEW TRAVEL STOP
TIER I
GRANTSVILLE, UT



Revisions:	
No.	Date

Project No.: LVS-
Date: 4-24-25
Sheet No.:

A-X
OF XX

LOVE'S SIGN PACKAGE - GRANTSVILLE, UT

		SIGN SQ. FT.
HI-RISE SIGN:	70' OAH	
	8' x 10' Heart - LED	80.00
	9' x 22' Love's	198.00
	11' x 41' 6" Price Sign - 89" Numeral	456.50
	7' x 28' Buffalo Wild Wings Go	196.00
	7' x 28' Godfather's	196.00
	TOTAL HI-RISE SQUARE FEET:	1126.50
STREET SIGN:	25' OAH	
	14' 10" x 10' Loves / Price Sign / Buffalo Wild Wings Go / Godfather's	148.33
	TOTAL STREET SIGN SQUARE FEET:	148.33
DIRECTIONAL SIGNS:	7' OAH	
	3' x 6' D/F Love's Directional	18.00
	3' x 6' D/F Love's Directional	18.00
	3' x 6' D/F Love's Directional	18.00
	TOTAL DIRECTIONAL SQUARE FEET:	54.00
BUILDING SIGNS:		
NORTH ELEVATION:		
	5' x 6' 3½" Heart	31.46
	3' 6" x 11' 8" Love's	40.84
	5' 11½" x 7' 6" Heart	44.69
	10" It's the love that drives us.	12.08
	2' 6¼" x 13' 3" Buffalo Wild Wings Go	33.40
	35" Godfather's Pizza Express	32.08
	TOTAL NORTH ELEVATION SQUARE FEET:	194.55
SOUTH ELEVATION:		
	5' x 6' 3½" Heart	31.46
	3' 6" x 11' 8" Love's	40.84
	5' 11½" x 7' 6" Heart	44.69
	12-5/8" Driven by love, fueled by you.	17.45
	TOTAL SOUTH ELEVATION SQUARE FEET:	134.44
EAST ELEVATION:		
	2' 6¼" x 13' 3" Buffalo Wild Wings Go	33.40
	35" Godfather's Pizza Express	32.08
	TOTAL EAST ELEVATION SQUARE FEET:	65.48
	TOTAL BUILDING SIGN SQUARE FEET:	394.47
FUEL CANOPIES:		
GAS CANOPY LOGOS:		
	2' 3½" x 10' 2½" Vinyl Logo - North Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - East Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - South Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - West Elevation	23.39
DIESEL CANOPY LOGOS:		
	2' 3½" x 10' 2½" Vinyl Logo - North Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - East Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - South Elevation	23.39
	2' 3½" x 10' 2½" Vinyl Logo - West Elevation	23.39
	TOTAL FUEL CANOPY LOGO SQUARE FEET:	187.12
CAT SCALE SIGNS:		
	5' 4½" x 20' Cat Scale Sign	107.50
	2' 5 ½ x 3' ½ Cat Scale Sign	7.48
	TOTAL CAT SCALE SQUARE FEET:	114.98
	TOTAL SQUARE FOOTAGE:	2025.40



1027 5th Avenue NW Watertown, SD 57201 605.753.9700

DATE:		DATE:	BY:	DATE:	BY:
**04/22/26	REV. #1	*4/29/26	JLW	REV. #5:	
DRAWN BY:	REV. #2	*4/30/26	JLW	REV. #6:	
JS	REV. #3	*5/4/26	JLW	REV. #7:	
	REV. #4	*5/20/26	JLW	REV. #8:	

HI-RISE SIGN ~ GRANTSVILLE, UT

OVERALL HEIGHT: 70'

TOTAL SQ. FT.: 1126.5

8' X 10' HEART = 80 SQ. FT.

9' X 22' LOVE'S = 198 SQ. FT.

11' X 41' 6" PRICE SIGN = 456.5 SQ. FT.

- 89" NUMERALS ON PRICE

7' X 28' BUFFALO WILD WINGS GO = 196 SQ. FT.

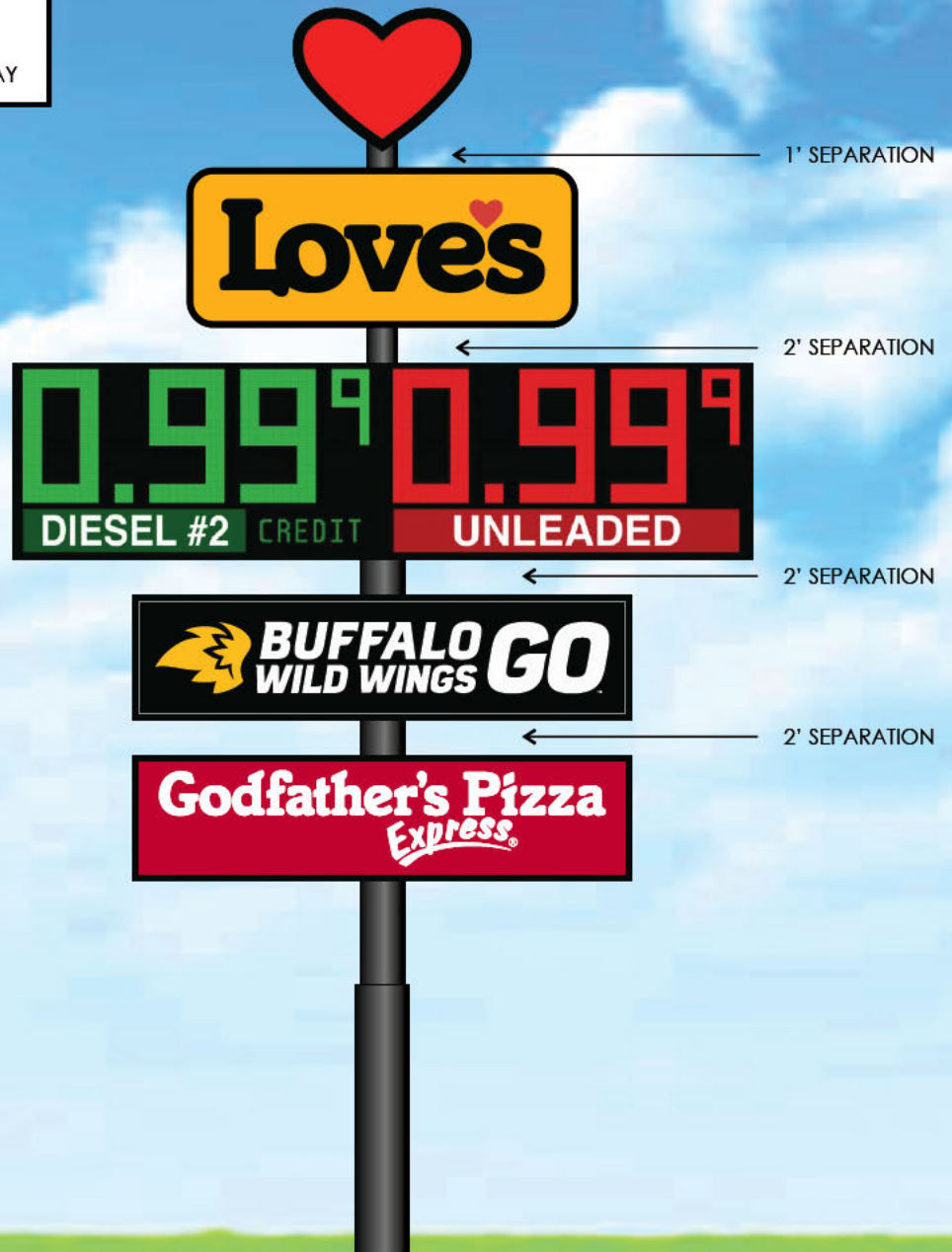
7' X 28' GODFATHER'S = 196 SQ. FT.

39' FROM BOTTOM OF PRICE SIGN TO GRADE

21' FROM BOTTOM OF GODFATHER'S TO GRADE

DIESEL INSTALLED TOWARDS INTERSTATE / HIGHWAY

SIDE B
* NOT TO SCALE



** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT	04/21/26	EI32604-2101	4 - 5/20/26 JLW	3/32" = 1'	JS	

STREET SIGN ~ GRANTSVILLE, UT

OVERALL HEIGHT: 25'

TOTAL SQ. FT.: 148.33

14' X 10' LOVE'S / PRICE SIGN / BWW GO / GODFATHER'S

5' 10" X 10' LOVE'S

4' X 10' PRICER - 24" NUMERALS

2' 6" X 10' BUFFALO WILD WINGS GO

2' 6" X 10' GODFATHER'S

10' 2" FROM BOTTOM OF GODFATHER'S TO GRADE

UNLEADED INSTALLED TOWARDS ROAD



SIDE B
* SCALE: 1/8" = 1'

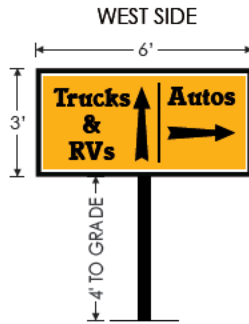


** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT	04/21/26	EI32604-2102	0	1/4" = 1'	JS	

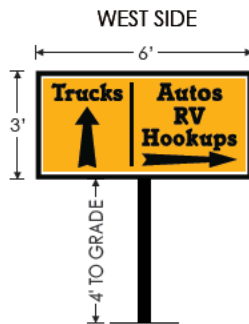
DIRECTIONAL SIGNS ~ GRANTSVILLE, UT



EAST SIDE



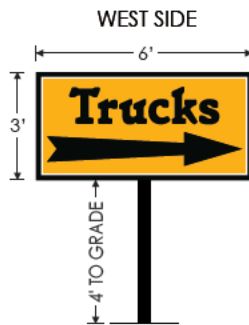
Love's Directional Sign #1
at Main Entrance
(copy may vary)
LED Illuminated
(18 Sq. ft./sign)



EAST SIDE



Love's Directional Sign #2
at Auto Entrance
(copy may vary)
LED Illuminated
(18 Sq. ft./sign)



EAST SIDE

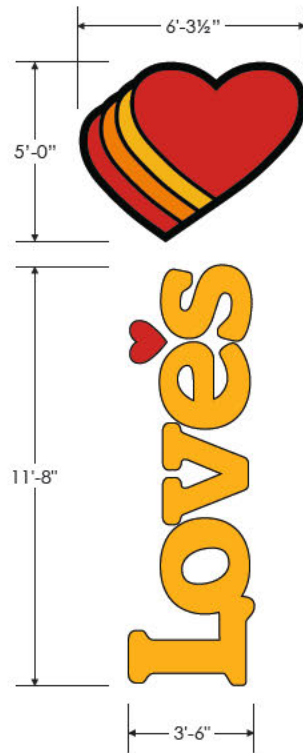


Love's Directional Sign #3
at Truck Entrance
(copy may vary)
LED Illuminated
(18 Sq. ft./sign)

** ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

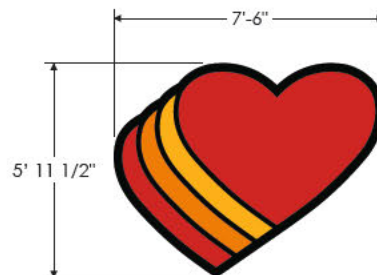
LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT 101 of 173	04/21/26	EI32604-2103	1 - 5/4/26	3/16" = 1'	JS	
			JLW			

BUILDING SIGNS ~ GRANTSVILLE, UT



Qty (1) North elevation
Qty (1) South elevation
LED Illuminated
(31.46 Sq. ft./sign)

Qty (1) North elevation
Qty (1) South elevation
LED Illuminated
(40.84 Sq. ft./sign)



Qty (1) North elevation
Qty (1) South elevation
LED Illuminated
(44.69 Sq. ft./sign)



Qty (1) North elevation
(12.08 Sq. ft./sign)



Qty (1) South elevation
(17.45 Sq. ft./sign)

** ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT	04/21/26	EI32604-2104	1 - 4/29/26 JLW	3/16" = 1'	JS	

BUILDING SIGNS ~ GRANTSVILLE, UT



Qty (1) North elevation
Qty (1) East elevation
LED Illuminated
(33.40 Sq. ft.)

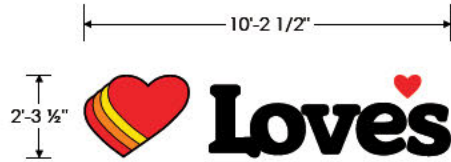


Qty (1) North elevation
Qty (1) East elevation
LED Illuminated
(32.08 Sq. ft./sign)

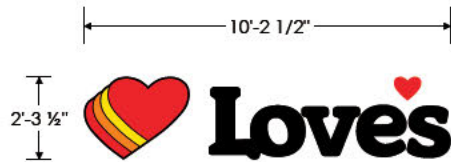
** ALL SIGN GRAPHICS ARE FOR REPRESENTATION PURPOSES ONLY. MANUFACTURER IS RESPONSIBLE FOR WRITTEN FRANCHISE APPROVAL TO VERIFY SIGN LAYOUTS AND MANUFACTURE SPECIFICATIONS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT 103 of 173	04/21/26	EI32604-2105	1 - 4/29/26	3/16" = 1'	JS	
			JLW			

FUEL CANOPY LOGOS ~ GRANTSVILLE, UT



Qty (4) Gas Canopy Logos
(23.39 Sq. ft./sign)



Qty (4) Diesel Canopy Logos
(23.39 Sq. ft./sign)

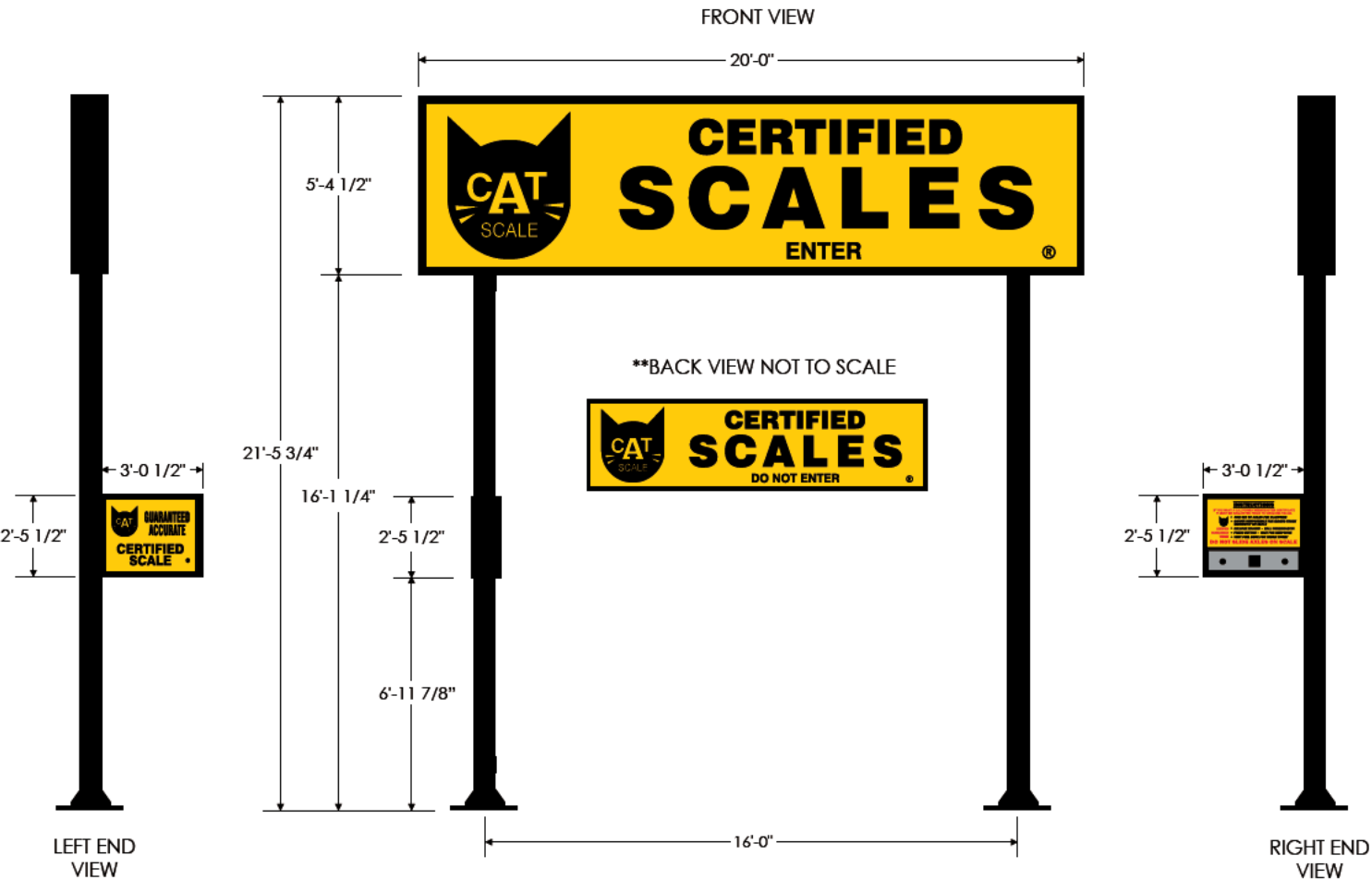
Gas / Diesel Canopy Illustration



LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT 104 of 173	04/21/26	EI32604-2106	0	3/16" = 1'	JS	
			.			

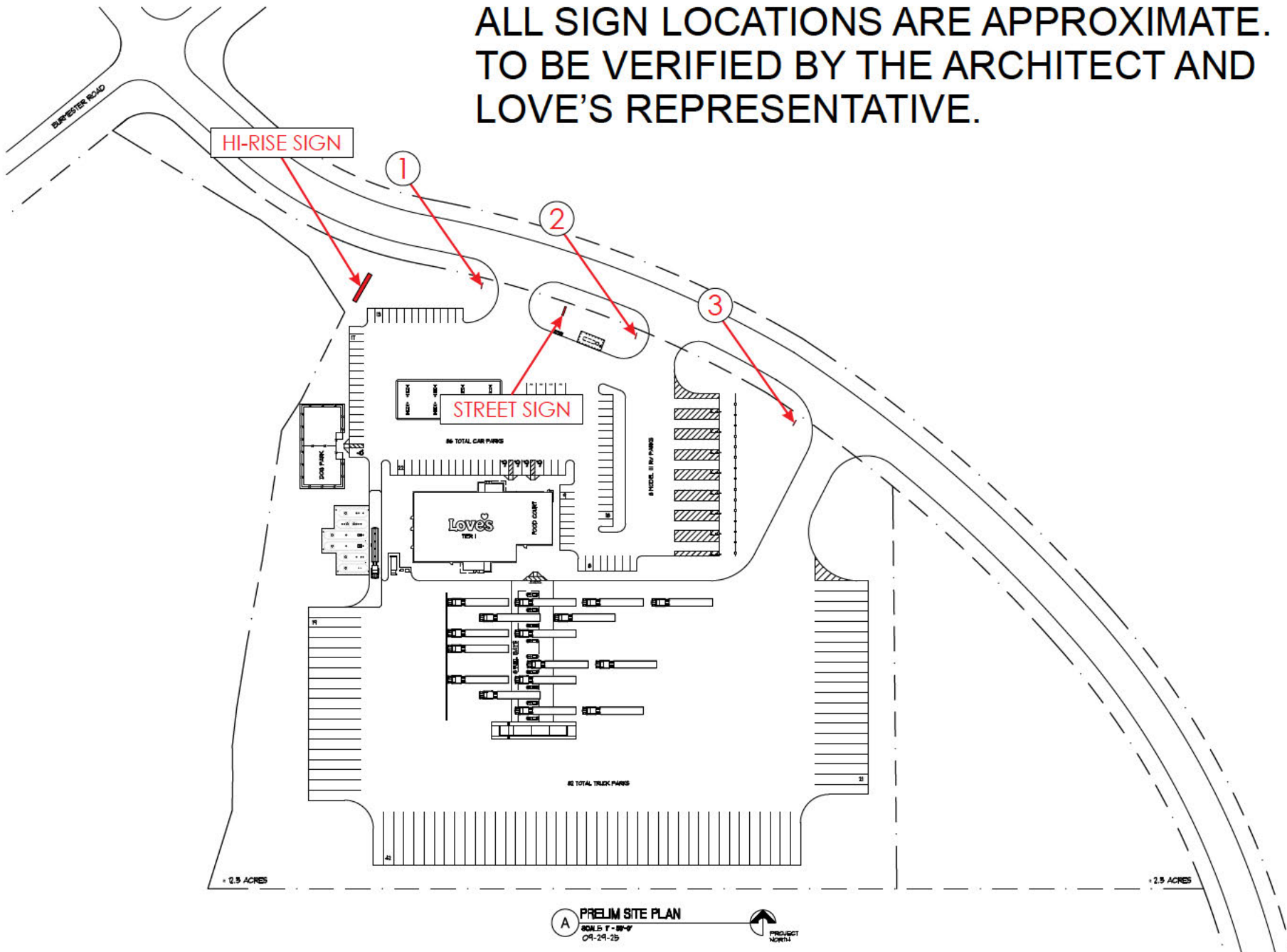
CAT SCALE SIGNS ~ GRANTSVILLE, UT

OVERALL HEIGHT: 21' 5¼"	TOTAL SQ. FT.: 114.98
5' 4½" X 20' CAT SCALE SIGN = 107.5 SQ. FT.	
2' 5 ½" X 3' ½" SPEAKER POST SIGN = 7.48 SQ. FT.	
16' 1¼" FROM GRADE TO BOTTOM OF CAT SCALE	



LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
GRANTSVILLE, UT	04/21/26	EI32604-2107	0	3/16" = 1'	JS	
105 of 173			.			

ALL SIGN LOCATIONS ARE APPROXIMATE.
TO BE VERIFIED BY THE ARCHITECT AND
LOVE'S REPRESENTATIVE.



Pascal Aughtry & Associates, PC

405.483.3494
Fax 405.483.3493
817 East Britton Road
Oklahoma City, OK 73114
pascal@pc.com



A NEW TRAVEL STOP
TIER 1
GRANTSVILLE, UT



Revisions:	No.	Date
	1	
	2	
	3	
	4	
	5	

Project No.: LVIS-
Date: 04-29-25
Sheet No.: A-X

OF: XX

This architectural elevation drawing shows the main facade of the building. It is a long, low structure with a prominent horizontal division. The upper portion is filled with a dense, repeating geometric pattern, while the lower portion is a solid, dark band. The facade is flanked by taller, more complex structures on either side, which appear to be part of the same building complex. The drawing uses a combination of solid black, white, and a patterned fill to create visual interest and define the building's form.

Pascal Aughtry & Associates, PC

405.453.3494
Fax 405.453.3493
837 East Bolton Road
Oklahoma City, OK 73114
sencalarch.com

THIS DOCUMENT
IS PRELIMINARY IN
NATURE AND IS
NOT A FINAL
SIGNED AND
SEALED
DOCUMENT

**A NEW TRAVEL STOP
TIER III
GRANTSVILLE, UT**



Revisi/ore:	
No.	Date

Project No.:	LVS—
Date:	-/-
Sheet No.:	

A-X

CP: XX



NOTICE OF PUBLIC HEARING

- **SUBJECT:** TCLUO 2026-072 Text Amendment to Tooele County Land Use Ordinance.
- **PROJECT SUMMARY:** Text amendment and Land Use Ordinance Update; Chapter 2 and 36.

Unincorporated: Tooele County

Planner: Mili Pioquinto

On **June 3, 2026** the Tooele County Planning Commission will hold a public hearing regarding the request described above. The meeting will be held at 7:00 p.m. at the Tooele County Administration Building (Council Chamber, Third Floor), 47 S. Main Street, Tooele, UT 84074. Also via zoom located on the Tooele County Website: <https://tooeleco.gov/> under "Agendas and Meetings."

You have the right to attend and speak at the public hearing. Please be advised that, in rendering its decision, the Planning Commission can only rely on evidence, not opinion or conjecture. Written comments may also be submitted; however, such comments must be received no later than twenty-four (24) hours prior to the scheduled meeting date to allow for proper distribution to the Planning Commission and the applicant.

For questions or additional information, please contact the Community Development Office at 435-843-3160.

The future meeting regarding this application will also be posted at the Tooele County Building, posted on the Tooele County Website and Utah Public Notice Website.



Tooele County Community Development
47 South Main Street, Tooele, UT 84074
(435) 843-3160

<https://tooeleco.gov/index.php>



Tooele County Planning Commission Agenda Item Summary

Department Making Request:

Community Development

Meeting Date:

June 3rd, 2026

Item Title:

TCLUO 2026-072: Text Amendment and Land Use Ordinance Update; Chapter 2 and 36.

Summary:

Tooele County Community Development is requesting a favorable recommendation to the Tooele County Council to amend Chapter 2 "Definitions" and adopt Chapter 36 "Water Efficiency Standards".



Planning and Zoning

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

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

<https://tooeleco.gov/government/county-departments/community-development/>

TCLUO 2026-072

Text Amendment and Land Use Ordinance Update Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: June 3, 2026

Request: Tooele County Community Development is requesting a favorable recommendation to the Tooele County Council to amend Chapter 2 "Definitions" and adopt Chapter 36 "Water Efficiency Standards".

Unincorporated: Tooele County

Planner(s): Mili Pioquinto

Applicant Name: Tooele County

PROJECT DESCRIPTION

Tooele County Community Development is requesting a favorable recommendation to the Tooele County Council for a text amendment to Chapter 2 "Definitions": (5) Active recreation area; ~~(81)~~(83) Culinary water; ~~(89)~~(92) Developer-installed landscaping; ~~(146)~~(150) Hydro zone; (177) Landscaped area; ~~(174)~~(180) Lawn or turf; ~~(198)~~(205) Low-volume/ Drip irrigation; (228) Nonfunctional turf; ~~(236)~~(245) Park strip; ~~(267)~~(277) Qualified landscape professional; ~~(302)~~(313) Smart irrigation controller; (347) Water provider; (348) Water-wise landscaping; and adoption of Chapter 36 "Water Efficiency Standards".

The proposed adoption of Chapter 36 modernizes Tooele County's water efficiency standards to align with the County General Plan Water Element and current Utah law. The ordinance establishes clear, enforceable requirements for indoor fixtures, outdoor landscaping, and car wash facilities to promote long-term water conservation.

GENERAL PLAN CONSIDERATIONS

The Tooele County Water Use and Preservation General Plan Element (2026) is a component to the Tooele County General Plan (Update 2022), and Chapter 36 aligns with the General Plan Water Element.

ISSUES OF CONCERN/PROPOSED MITIGATION

Water resources in Tooele County are limited, and continued growth places increasing demand on both culinary and secondary water systems. This update:

- Aligns land use decisions with available water supply
- Reduces potable water use, particularly for outdoor irrigation
- Implements water-wise landscaping standards consistent with state policy
- Supports long-term sustainability and infrastructure planning

Key Provisions

- Water Supply Verification: Development must demonstrate adequate and reliable water supply prior to approval
- Secondary Water Use: Required for irrigation where available, consistent with Utah Code
- Efficient Irrigation Systems: Requires drip irrigation (non-turf), hydro-zoning, and smart controllers
- Turf Limitations:
 - Residential: max 35% (front/side yards)
 - Commercial/Multi-family: max 20%
 - Prohibits turf in park strips and narrow areas
- Water-Wise Landscaping Protections: Ensures property owners may install drought-tolerant landscapes
- Car Wash Standards: Limits culinary water use and requires recycling systems
- Enforcement: Tied to development approvals, inspections, and certificates of occupancy

NEIGHBORHOOD RESPONSE

Any comments that are received from the general public or the surrounding neighbors after this staff report is submitted will be forwarded to the Tooele County Planning Commission for review and will be summarized on June 3, 2026.

PLANNING STAFF ANALYSIS

Legal Compliance

The ordinance has been reviewed for consistency with Utah law and includes key protections to ensure compliance:

- Does not require installation of turf
- Allows and protects water-wise landscaping
- Incorporates secondary water and metering considerations
- Aligns with statewide conservation standards and policy direction

Benefits

- Reduces long-term water demand
- Supports sustainable growth and economic development
- Provides clear and consistent standards for applicants
- Positions the County for future state water conservation initiatives and funding opportunities

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to make a favorable recommendation to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Approval

- “I move we make a favorable recommendation to the Tooele County Council for the Land Use Ordinance Update Request by Tooele County Community Development to amend Chapter 2 “Definitions” and adopt Chapter 36 “Water Efficiency Standards”, application number 2026-072, based on the findings and subject to the conditions listed by the Planning Staff.”

Sample Motion for Non-Approval

- “I move we table the Tooele County Council for the Land Use Ordinance Update Request by Tooele County Community Development to amend Chapter 2 “Definitions” and adopt Chapter 36 “Water Efficiency Standards”, application number 2026-072, based on the findings and subject to the considerations listed by the Planning Staff.”

DEFINITIONS

CHAPTER 2

DEFINITIONS

Section

2 - 1. Context.

2 - 2. Definitions.

2 - 1. Context.

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of the Tooele County Land Use Ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; "building" shall include the word "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, placed, located, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the words plot, and parcel. Words used in the Tooele County Land Use Ordinance but not defined herein shall have the meaning as defined in any other chapter of the Tooele County Code. (Ord. 2022-32, 11/29/22; Ord. 2006-37, 11/28/06; Ord 2005-09, 4/12/05)

2 - 2. Definitions.

As used in the Tooele County Land Use Ordinance:

(1) "'A" frame sign" means a temporary or a movable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

(2) "Abandoned sign" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, or for which no legal owner can be found.

(3) "Accessory dwelling unit" means a habitable living unit added to, created within, or detached from, a primary single-family dwelling and contained on one lot.

(4) "Accessory use or building" means a use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building. It does not include garages and decks attached to the main dwelling, or fences.

(4)(5) "Active recreation area" means an area of lawn or turf that is designed, sized, and maintained for active use, including sports fields, play areas, gathering areas, or similar uses designated for physical activity. Decorative, narrow, incidental, or inaccessible turf is not an active recreation area.

(5)(6) "Administrative land use authority" means the county Planning Commission.

(6)(7) "Adversely affected party" means a person other than a land use applicant who:

(a) owns real property adjoining the property that is the subject of a land use application or land use decision; or

(b) will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.

(7)(8) "Affected entity" means a county, municipality, local district, special service district, school district, interlocal cooperation entity, specified property owner, property owners' association, public utility, or the Utah Department of Transportation, if:

(a) the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

(b) the entity has filed with the county a copy of the entity's general or long-range plan; or

(c) the entity has filed with the county a request for notice during the same calendar year and before the county provides notice to an affected entity in compliance with a requirement imposed

DEFINITIONS

under this chapter.

~~(8)~~(9) "Agent" means any person who can show written proof that he is acting for another and with the person's knowledge and permission.

~~(9)~~(10) "Agriculture" means the cultivation of soil; raising of crops; horticulture and gardening; breeding, grazing, keeping or raising of domestic animals and fowl, except household pets; and not including any agricultural industry or business.

~~(10)~~(11) "Agricultural industry or business" means an industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, such as commercial greenhouses, feedlots, fruit stands, fur farms, food packaging or processing plants; and commercial poultry or egg production.

~~(11)~~(12) "Agricultural protection area" means a geographic area created under the authority of UCA Title 17, Chapter 41.

~~(12)~~(13) "Airport" means an area designed and set aside for the landing and taking off of aircraft.

~~(13)~~(14) "Amusement park" means a commercially operated park with a predominance of outdoor games and activities for entertainment, which may include motorized rides, water slides, miniature golf, batting cages, and the like.

~~(14)~~(15) "Animal unit" means a unit of measurement used to calculate the number of animals allowed per acre. A counted animal's offspring are not included in the calculation until:

- (a) For large animals, 9 months or weaned, whichever comes first.
- (b) For medium animals, 6 months or weaned, whichever comes first.
- (c) For small animals, 4 months or weaned, whichever comes first.

~~(15)~~(16) "Appeal authority" means the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

~~(16)~~(17) "Architectural projection" means a projection from a building that is necessary for the shading of a building or features, such as eaves, platforms, porches, sills, cornices, and chimneys, but not including signs attached to and extending from the building.

~~(17)~~(18) "Assisted living facility" means:

- (a) a type I assisted living facility, which is a residential facility that provides assistance with activities of daily living and social care to two or more residents who:
 - (i) require protected living arrangements; and
 - (ii) are capable of achieving mobility sufficient to exit the facility without the assistance of another person; and
- (b) a type II assisted living facility, which is a residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents who have been assessed under department rule to need any of these services.

~~(18)~~(19) "Automatic car wash" means a facility for automatic or self-service washing and cleaning of vehicles.

~~(19)~~(20) "Automatic teller machine" or "ATM" means an automated device that performs banking or financial functions at a location remote from the controlling financial institution.

~~(20)~~(21) "Automobile dealership" means a retail business characterized by the selling, leasing, and maintaining an inventory of new or used automobiles, light trucks, vans, trailers, recreational vehicles, boats, motorcycles, off-highway-vehicles (OHV) or other similar motorized transportation vehicles; and may provide on-site facilities for the repair and service of vehicles.

~~(21)~~(22) "Automobile impound facility" means a facility for the temporary storage of vehicles that are to be claimed by the owners or their agents.

~~(22)~~(23) "Automobile mall" means a single location that provides sales space and centralized services for a number of automobile dealers and that may include such related services as auto insurance dealers and credit institutions that provide financing opportunities.

DEFINITIONS

~~(23)~~(24) "Automobile parts/supply, retail" means the display and sale of new and used parts for automobiles, trucks, trailers, boats, or other travel or recreation vehicles.

~~(24)~~(25) "Automobile repair facility" or "service station" means a place where gasoline or other motor fuel, lubricating oil or grease for operating motor vehicles is offered for sale to the public and repair services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans and other small parts, including major auto repair.

~~(25)~~(26) "Average percent of slope" means an expression of rise or fall in elevation along a line perpendicular to the contours of the land to the lowest point of land within an area or within a lot. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane is a 100 percent slope.

~~(26)~~(27) "Awning" means a shelter of non rigid materials on a supporting framework projecting from and supported by the exterior wall of a building.

Compare "Marquee."

~~(27)~~(28) "Awning sign" means a sign painted on, printed on, or attached flat against the surface of an awning.

~~(28)~~(29) "Banner sign" means a sign having characters, letters or illustrations applied to cloth, paper, flexible plastic or fabric of any kind with only such material for backing.

~~(29)~~(30) "Basement" means a story whose floor is more than 12 inches below the average level of the adjoining ground, but where no more than half of its floor-to-ceiling height is below the average contact level of the adjoining ground.

~~(30)~~(31) "Basement house" means a residential structure without a full story structure above grade.

~~(31)~~(32) "Bed and breakfast" means a private owner occupied residence with no more than three guestrooms and the guest use is subordinate and incidental to the main residential use, and where individual guests are prohibited from staying for more than fourteen consecutive days and no more than fourteen days in any three month period. The definition does not include a convention facility, hotel, motel, rooming or boarding house or restaurant.

~~(32)~~(33) "Bed and breakfast inn" means a private owner occupied residence with no more than ten guestrooms, and where individual guests are prohibited from staying for more than fourteen consecutive days and no more than fourteen days in any three month period. The definition does not include a convention facility, hotel, motel, rooming or boarding house or restaurant.

~~(33)~~(34) "Beginning of construction" means the pouring of concrete footing for a building or structure.

~~(34)~~(35) "Billboard." See "Off-premise sign."

~~(35)~~(36) "Block" means the land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.

~~(36)~~(37) "Boarding house" means a dwelling where, for compensation, meals are provided for at least three but not more than 15 persons.

~~(37)~~(38) "Body and fender shop" means a facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to the body, or fenders, and including major rebuilding.

~~(38)~~(39) "Buildable area" means the portion of a lot remaining after required yards have been provided.

~~(39)~~(40) "Building" means any structure used or intended to be used for the sheltering of any use or occupancy, or enclosure of persons, animals, or property.

~~(40)~~(41) "Building, accessory." See "Accessory use or building."

~~(41)~~(42) "Building, height of" means the vertical distance from the average finished grade surface to the highest point of the building roof or coping.

~~(42)~~(43) "Building inspector" means the official designated as the building inspector for Tooele County.

~~(43)~~(44) "Building line" means the inner edge of any required yard or setback, and the corresponding outer edge of the buildable area.

DEFINITIONS

~~(44)~~~~(45)~~ "Campground" means a public area designated by a public agency for camping, or a private area licensed by the county for camping.

~~(45)~~~~(46)~~ "Camping" means a temporary establishment of living facilities such as tents or recreational coaches for a period of days.

~~(46)~~~~(47)~~ "Cannabis production establishment" means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory, as such terms are more particularly defined.

~~(47)~~~~(48)~~ "Canopy, building" means a rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. Compare "Awning."

~~(48)~~~~(49)~~ "Canopy, freestanding" means a rigid multi-sided structure covered with fabric, metal or other material and supported by columns or posts embedded in the ground.

~~(49)~~~~(50)~~ "Canopy sign" means a sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.

~~(50)~~~~(51)~~ "Carport" means a private garage with no more than one wall and no overhead door.

~~(51)~~~~(52)~~ "Cellar" means a room or rooms wholly under the surface of the ground, or having more than 50 percent of its floor to ceiling height under the average level of the adjoining ground with an access from the outside and not entering directly into another building or dwelling.

~~(52)~~~~(53)~~ "Charter school" means:

- (a) an operating charter school;
- (b) a charter school applicant that has been approved by a charter school authorizer; or
- (c) an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.

Charter school does not include a therapeutic school.

~~(53)~~~~(54)~~ "Chief executive officer" means the person or body that exercises the executive powers of the county.

~~(54)~~~~(55)~~ "Childcare" means continuous care of and supervision of five or more children under 18 years of age for a portion of the day that is less than 24 hours, in lieu of care ordinarily provided by parents in their own home, for direct or indirect compensation.

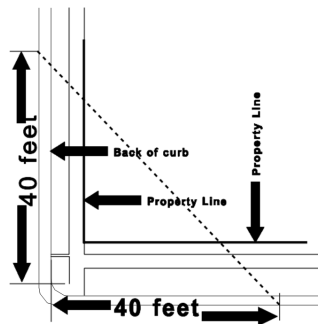
~~(55)~~~~(56)~~ "Church" means a building, together with its accessory buildings and uses, maintained and controlled by a religious organization where persons regularly assemble for worship.

~~(56)~~~~(57)~~ "Clearance, of a sign" means the vertical distance from the established grade level to the bottom of the sign or sign cabinet.

~~(57)~~~~(58)~~ "Clear view zone" means the area of a corner lot closest to a street intersection or a street and railroad intersection which is kept free of visual impairment to allow full view of both pedestrian and vehicular traffic.

(a) For street intersections, such area is established by marking a point at which the two curb lines intersect, measuring back 40 feet along each street, and drawing a line between the two back points to form a triangular area.

(b) For street and railroad intersections, such area is established by marking a point at which the edge of the street pavement and the closest railroad track intersect, measuring back 40 feet along the edge of



DEFINITIONS

the street and railroad track, then drawing a line between the two back points to form a triangular area.

~~(58)~~~~(59)~~ "Clinic, dental or medical" means a building in which a group of dentists, physicians, and professional assistants are associated for the conduct of their professions and may include a laboratory or apothecary, but it shall not include in-patient care or operating rooms for major surgery.

~~(59)~~~~(60)~~ "Club, social" means any organization, group, private nonprofit locker club, or association supported by its members where the sole purpose is to render a service to its members and their guests.

~~(60)~~~~(61)~~ "Common area" means any space designed for joint use of residents of a condominium, apartment complex, etc.

~~(61)~~~~(62)~~ "Community center" means a building to be used as a place of meeting, recreation, or social activity and not operated for profit.

~~(62)~~~~(63)~~ "Community location" means a public or private school, a licensed childcare facility or preschool,
a

church, a public library, a public playground, or a public park.

~~(63)~~~~(64)~~ "Community management" means the person who owns or has charge, care or control of a condominium, apartment complex, etc.

~~(64)~~~~(65)~~ "Companion animal," see "household pets."

~~(65)~~~~(66)~~ "Comprehensive plan" means general plan.

~~(66)~~~~(67)~~ "Conditional use" means a land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

~~(67)~~~~(68)~~ "Condominium" means the ownership of a single residential unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.

~~(68)~~~~(69)~~ "Condominium project" means a plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale. Condominium project also means the property when the context so requires.

~~(69)~~~~(70)~~ "Condominium unit" means a residential unit of a condominium project together with the undivided interest in the common areas and facilities appertaining to that unit, including both a physical unit together with its appurtenant undivided interest in the common areas and facilities and a time period unit together with its appurtenant undivided interest, unless the reference is specifically limited to a time period unit.

~~(70)~~~~(71)~~ "Conservation standards" means guidelines and specifications for soil and water conservation practices and management, enumerated in the Technical Guide prepared by the USDA Natural Resources Conservation Services, adopted by the Soil and Water Conservation District supervisors, and containing suitable alternatives for the uses and treatment of land based upon its capabilities, from which the landowner selects that alternative which best meets his needs in developing his soil and water conservation plan.

~~(71)~~~~(72)~~ "Constitutional taking" means a governmental action that results in a taking of private property so that compensation to the owner of the property is required by the:

- (a) Fifth or Fourteenth Amendment of the Constitution of the United States; or
- (b) Utah Constitution, Article I, Section 22.

~~(72)~~~~(73)~~ "Construction equipment and supply trailer, temporary" means mobile equipment, travel trailer, truck trailer, or other structure used as equipment and supply shed in conjunction with a construction project. The construction equipment and supply trailer is not a residence or dwelling.

~~(73)~~~~(74)~~ "Construction field office, temporary" means a mobile office, travel trailer, or other structure

DEFINITIONS

used as an office in conjunction with a construction project. The construction or field office is not a residence or dwelling.

~~(74)~~~~(75)~~ "Construction sign" means a temporary sign identifying an architect, contractor, subcontractor, or material supplied participating in construction on the property on which the sign is located.

~~(75)~~~~(76)~~ "Cottage industry" means a business, greater than a home occupation, conducted entirely within a dwelling or in an accessory structure without altering the residential character manufacturing artistic, handicraft, and other craft items and services rendered on the premise.

~~(76)~~~~(77)~~ "Convenience store" means a one story commercial retail operation containing less than 2,500 square feet of gross floor area, designed and stocked to sell primarily food, beverages, limited variety of goods for personal consumption, and other household supplies to retail customers who purchase only a relatively few items as well as gasoline and car care items.

~~(77)~~~~(78)~~ "Copy, sign" means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

~~(78)~~~~(79)~~ "Corral" means a space, other than a building, less than one acre in area used for the confinement of animals or fowl.

~~(79)~~~~(80)~~ "Court, building" means an open space, other than a required yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

~~(80)~~~~(81)~~ "Coverage, building" means the percent of the total site area covered by buildings.

~~(82)~~ "Crosswalk" means a right-of-way to facilitate pedestrian access and not for use by motor vehicles; it may be located within or without a street right-of-way.

~~(81)~~~~(83)~~ "Culinary water" means water treated or approved for human consumption and supplied by a public or private culinary water system.

~~(82)~~~~(84)~~ "Culinary water authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

~~(83)~~~~(85)~~ "Cultivation" means to prepare and use land strictly for crops or gardening.

~~(84)~~~~(86)~~ "Curb" means a stone or concrete boundary usually marking the edge of a roadway or paved area used to channel water and preserve the edge of the pavement.

~~(85)~~~~(87)~~ "Curb cut" means the provision for ingress and egress between property and an abutting road or street.

~~(86)~~~~(88)~~ "Curb return" means a curved segment of curb used at each end of an opening the roadway curb.

~~(87)~~~~(89)~~ "Dairy" means a commercial establishment for the manufacture, processing or packaging of dairy products, and their sale; however, the production of milk on a farm for wholesale marketing off the premises shall not be classified as a dairy.

~~(88)~~~~(90)~~ "Density" means the number of persons or dwelling units per acre of gross area.

~~(91)~~ "Design, subdivision" means the alignment, grade and width for easements and rights-of-way for utilities; the final grade or contouring and general layout of lots and streets within the area; location of land to be dedicated for park or recreational purposes; and, such specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of applicable general or specific plans.

~~(89)~~~~(92)~~ "Developer-installed landscaping" means landscaping installed by a developer, builder, subdivider, or similar person or entity as part of subdivision improvements, model homes, common areas, entry features, park strips, open space, streetscape improvements, or any other required development improvement.

~~(90)~~~~(93)~~ "Development activity" means:

- (a) any construction or expansion of a building, structure, or use that creates additional demand and need for public facilities;

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DEFINITIONS

(b) any change in use of a building or structure that creates additional demand and need for public facilities; or

(c) any change in the use of land that creates additional demand and need for public facilities.

~~(91)~~~~(94)~~ "Development agreement" means a written agreement or amendment to a written agreement between the county and one or more parties that regulates or controls the use or development of a specific area of land. Development agreement does not include an improvement completion assurance.

~~(92)~~~~(95)~~ "Direction or instructional sign" means an on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment, but no advertising copy, e.g., parking or exit and entrance signs.

~~(93)~~~~(96)~~ "Disability" is defined in Section 57-21-2 UCA.

~~(94)~~~~(97)~~ "Distribution lines" are those wires generally rated below 49 kilovolts [kVA] and associated structures used to carry electricity between a customer and a transmission line.

~~(95)~~~~(98)~~ "District, zoning" means a portion of the unincorporated territory of Tooele County, established as a zoning district by this ordinance, within which certain uniform regulations and requirements apply; also includes "zone."

~~(96)~~~~(99)~~ "Double-faced sign" means a sign with two faces diverged from a common angle of not more than 45 degrees or back-to-back.

~~(97)~~~~(100)~~ "Driveway" means a private entryway that may be used by a single parcel or shared with more than one parcel to provide access from a public or private road.

~~(98)~~~~(101)~~ "Dwelling" means a building or part of a building, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy for residential purposes by one family as a single unit. It does not include a motor home, trailer coach, accessory building, automobile, truck, shed, garage, tent, or recreational vehicle.

~~(99)~~~~(102)~~ "Dwelling, single-family" means a dwelling arranged or designed to be occupied by one family, the structure having only one dwelling unit.

~~(100)~~~~(103)~~ "Dwelling, two-family" means a single residential building under a continuous roof, the structure containing only two dwelling units completely separated by either a common interior wall or a common interior floor, and having the exterior appearance of a single family dwelling house.

~~(101)~~~~(104)~~ "Dwelling, three-family" means a dwelling arranged or designed to be occupied by three families, the structure having only three dwelling units.

~~(102)~~~~(105)~~ "Dwelling, four-family" means a dwelling arranged or designed to be occupied by four families, and having more than four dwelling units.

~~(103)~~~~(106)~~ "Dwelling, multiple-family" means a dwelling arranged or designed to be occupied by more than four families and having more than four dwelling units.

~~(104)~~~~(107)~~ "Dwelling group" means two or more detached buildings used as dwellings, located on a lot or parcel of land.

~~(105)~~~~(108)~~ "Dwelling unit" means one or more rooms in a dwelling, apartment hotel or apartment motel, which contains not more than one kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units. It is designed for occupancy of not more than one family, or a congregate residence for four or less persons.

~~(106)~~~~(109)~~ "Easement" means a non-possessory interest in land of another; a vested or acquired right to use land, other than as a tenant, for a specific purpose; such right being held by someone other than the owner who holds title to the land.

~~(107)~~~~(110)~~ "Educational facility":

(a) means:

(i) a school district's building at which pupils assemble to receive instruction in a program for any combination of grades from preschool through grade 12, including kindergarten and a program for children with disabilities;

(ii) a structure or facility:

Tooele County Land Use Ordinance

2-7

DEFINITIONS

1. located on the same property as a building described in (a)(i); and
2. used in support of the use of that building; and
- (iii) a building to provide office and related space to a school district's administrative personnel; and
- (b) does not include:
 - (i) land or a structure, including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is:
 1. not located on the same property as a building described in (a)(i); and
 2. used in support of the purposes of a building described in (a)(i); or
 - (ii) a therapeutic school.

~~(108)~~~~(111)~~ "Elderly residential facility." See "Residential facility for elderly persons."

~~(109)~~~~(112)~~ "Electrical sign" means a sign in which electrical wiring, connection, or fixtures are used.

~~(110)~~~~(113)~~ "Electronic message center" means a sign where the copy is changed by computer or electronic methods using liquid crystal display, lights, cathode ray tubes, etc.

~~(111)~~~~(114)~~ "Emergency" means actions that must be undertaken immediately or within a time frame too short to allow full compliance with this ordinance to avoid an immediate threat to public health or safety, to prevent an imminent threat of serious environmental degradation.

~~(112)~~~~(115)~~ "Essential services" means services provided by public or private utilities, including underground, surface or overhead gas, electrical, steam, water, sanitary sewer, storm-water drainage, and communication systems and accessories such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations and hydrants, but not including buildings used or intended to be used for human habitation.

~~(113)~~~~(116)~~ "Façade" means the entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

~~(114)~~~~(117)~~ "Farm" or "ranch" means a parcel of land which is used primarily for commercial horticultural or farming purposes, such as the growing of crops or other vegetative, or fruit agricultural uses, grazing of livestock or other agricultural use.

~~(115)~~~~(118)~~ "Farm or ranch hand housing" means a dwelling located on a farm or ranch for the purpose of housing an employee of that operation and his / her family including multi-family dwellings for seasonal employees in connection with an agricultural use which relies on seasonal employees.

~~(116)~~~~(119)~~ "Farm animal" means any animal other than household pets that are used or kept as recreation or food sources, such as horses, cows, swine, or similar type animals.

~~(117)~~~~(120)~~ "Feedlot" means an agricultural industry in which animals or fowl are kept and intensively fed in a relatively restricted area, as contrasted with an open pasture.

~~(118)~~~~(121)~~ "Fire authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for the subject property.

~~(119)~~~~(122)~~ "Firearms training facility/outdoor and indoor shooting range" means a facility designed and operated for the education, training, and development of firearms-related skills. This includes but is not limited to; live-fire shooting ranges (both indoor and outdoor), tactical training areas, simulation structures, and spaces for instructional coursework. The facility may host structured programs for civilians, law enforcement, military, or members of a private club. All operations shall be conducted in compliance with applicable safety regulations and noise ordinances, and may include force-on-force training, physical readiness courses, and simulated exercises within secured and designated boundaries.

~~(120)~~~~(123)~~ "Flood hazard" means a hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

~~(121)~~~~(124)~~ "Flood plain" means land that:

Tooele County Land Use Ordinance

2-8

DEFINITIONS

(a) is within the 100-year flood plain designated by the Federal Emergency Management Agency;
or

(b) has not been studied or designated by the Federal Emergency Management Agency but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because the land has characteristics that are similar to those of a 100-year flood plain designated by the Federal Emergency Management Agency.

~~(122)~~~~(125)~~ "Flood way" means a channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

~~(123)~~~~(126)~~ "Floor area" means the area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

~~(124)~~~~(127)~~ "Floor area ratio" means the total floor area of all buildings or structures on a parcel or lot divided by the area of the parcel or lot, used to measure the intensity of a use on land.

~~(125)~~~~(128)~~ "Forest industry" means an industry which uses forest products, such as sawmill, pulp or paper plant, wood products plant, and similar uses.

~~(126)~~~~(129)~~ "Fowl" means chickens, ducks, turkeys, peacocks or other similar domesticated birds.

~~(127)~~~~(130)~~ "Freestanding sign" means a sign supported permanently upon the ground by poles or braces and not attached to any building.

~~(128)~~~~(131)~~ "Front yard setback" means that part of a lot, extending the full width of the lot, which is between the front property line and the front building line.

~~(129)~~~~(132)~~ "Frontage, building" means the length of an outside building wall on a public right-of-way or an approved private road.

~~(130)~~~~(133)~~ "Frontage" means the horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abuts a street shall be considered frontage. On curvi-linear streets, the arc between the side lot lines shall be considered the lot frontage.

~~(131)~~~~(134)~~ "Garage" means a detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, snowmobiles, or other recreational vehicles.

~~(132)~~~~(135)~~ "General plan" means a document that a county adopts that sets forth general guidelines for proposed future development of:

- (a) the unincorporated land within the county; or
- (b) for a mountainous planning district, the land within the mountainous planning district.

~~(133)~~~~(136)~~ "Geologic hazard" means:

- (a) a surface fault rupture;
- (b) shallow groundwater;
- (c) liquefaction;
- (d) a landslide;
- (e) a debris flow;
- (f) unstable soil;
- (g) a rock fall; or
- (h) any other geologic condition that presents a risk:
 - (i) to life;
 - (ii) of substantial loss of real property; or
 - (iii) of substantial damage to real property.

~~(134)~~~~(137)~~ "Governing body" means The Board of County Commissioners of Tooele County, Utah, also referred to as the county commission.

DEFINITIONS

~~(135)~~~~(138)~~ "Grade" means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within a line five feet from the building.

~~(136)~~~~(139)~~ "Grade, finished" means the final elevation of the ground surface after man-made alterations, such as grading, grubbing, filling, excavating or contouring have been made on the ground surface.

~~(137)~~~~(140)~~ "Gross floor area" means the sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this zoning ordinance, or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts. The surface area of tennis courts, swimming pools, driveways, parking spaces, and decks is not included in the total floor area.

~~(138)~~~~(141)~~ "Group home." See "Residential facility for persons with a disability."

~~(139)~~~~(142)~~ "Handicapped residential facilities." See "Residential facility for persons with a disability."

~~(140)~~~~(143)~~ "Height, sign" means the vertical distance measured from the highest point of the sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

~~(141)~~~~(144)~~ "Home based business" means a commercial or light industrial use of a scale greater than home occupation but which is still secondary to the residential use. It may be conducted entirely within a dwelling, an accessory structure or on the premises. A home based business does not include agricultural activities.

~~(142)~~~~(145)~~ "Home occupation" means any use conducted entirely within a dwelling or accessory structure and may at times utilize a portion of the premises. It is carried on by persons residing in the dwelling unit and no more than one employee hired outside of the dwelling unless otherwise stated, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character. There shall be no outside storage allowed.

~~(143)~~~~(146)~~ "Hookup fee" means a fee for the installation and inspection of any pipe, line, meter, or appurtenance to connect to a gas, water, sewer, storm water, power, or other utility system.

~~(144)~~~~(147)~~ "Hospital" means an institution for the diagnosis, treatment and care of human illness or infirmity, but not including sanitariums, clinics and instant care facilities.

~~(145)~~~~(148)~~ "Hotel" means an establishment that commonly provides lodging accommodations, meals and other amenities to guests for compensation. Hotel lodging rooms are generally accessed from inside a building.

~~(149)~~ "Household pets" means animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, canaries, and shall not include the keeping of inherently or potentially dangerous animals, such as lions or tigers, etc.

~~(146)~~~~(150)~~ "Hydro zone" means a defined area of landscape grouped together by similar water requirements, sun exposure, soil conditions, slope, and plant material, and capable of being efficiently irrigated by a single irrigation zone, valve, or station.

~~(147)~~~~(151)~~ "Identical plans" means building plans submitted to a county that:

- (a) are clearly marked as "identical plans";
- (b) are substantially identical building plans that were previously submitted to and reviewed and approved by the county; and
- (c) describe a building that:
 - (i) is located on land zoned the same as the land on which the building described in the previously approved plans is located;

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DEFINITIONS

- (ii) is subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans;
- (iii) has a floor plan identical to the building plan previously submitted to and reviewed and approved by the county; and
- (iv) does not require any additional engineering or analysis.

~~(148)~~~~(152)~~ "Identification sign" means a sign whose copy is limited to the name and address of a building, institution, or person or to the activity or occupation being identified.

~~(149)~~~~(153)~~ "Illegal sign" means a sign which does not meet the requirements of the Tooele County Land Use Ordinance and which has not received non-conforming status.

~~(150)~~~~(154)~~ "Illuminated sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

~~(151)~~~~(155)~~ "Impact fee" means a payment of money imposed under the Impact Fees Act.

~~(152)~~~~(156)~~ "Impound lot" means a facility operated according to UCA Section 41-1a-101 through 41-1a-1106 for the temporary storage of vehicles to be claimed by the owners or their agents.

~~(153)~~~~(157)~~ "Improvement" means street construction, water systems, sewer systems, sidewalks, curbs and gutters, drainage facilities, on-site construction, street trees, street signs, street lights, traffic control or safety devices, fire hydrants, and such other facilities, utilities, or construction.

~~(154)~~~~(158)~~ "Improvement completion assurance" means a surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by the county to guaranty the proper completion of landscaping or an infrastructure improvement required as a condition precedent to:

- (a) recording a subdivision plat; or
- (b) development of a commercial, industrial, mixed use, or multi-family project.

~~(155)~~~~(159)~~ "Improvement warranty" period means a period:

- (a) no later than one year after the county's acceptance of required landscaping; or
- (b) no later than one year after the county's acceptance of required infrastructure, unless the county:

- (i) determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare; and
- (ii) has substantial evidence, on record:
 - 1. of prior poor performance by the applicant; or
 - 2. that the area upon which the infrastructure will be constructed contains suspect soil and the county has not otherwise required the applicant to mitigate the suspect soil.

~~(156)~~~~(160)~~ "Infrastructure improvement" means permanent infrastructure that is essential for the public health and safety or that:

- (a) is required for human occupation; and
- (b) an applicant must install:
 - (i) in accordance with published installation and inspection specifications for public improvements; and
 - (ii) as a condition of:
 - 1. recording a subdivision plat;
 - 2. obtaining a building permit; or
 - 3. developing a commercial, industrial, mixed use, condominium, or multi-family project.

~~(157)~~~~(161)~~ "Inoperative vehicle or trailer" means any vehicle or trailer that due to mechanical, electrical, structural problems, or lack of maintenance, cannot operate as it was originally constructed and designed to do or should not be operated due to conditions rendering it as unsafe. This includes any vehicle or trailer that is not currently licensed.

~~(158)~~~~(162)~~ "Interior sign" means a sign located within a building so as to be visible only from within the Tooele County Land Use Ordinance

DEFINITIONS

building in which it is located.

~~(159)~~~~(163)~~ "Internal lot restriction" means a platted note, platted demarcation, or platted designation that:

- (a) runs with the land; and
- (b) (i) creates a restriction that is enclosed within the perimeter of a lot described on the plat;
or
(ii) designates a development condition that is enclosed within the perimeter of a lot described on the plat.

~~(160)~~~~(164)~~ "Interstate pipeline company" means a person or entity engaged in natural gas transportation across multiple states subject to the jurisdiction of the Federal Energy Regulatory Commission.

~~(161)~~~~(165)~~ "Intrastate pipeline company" means a person or entity engaged in natural gas transportation in one state that is not subject to the jurisdiction of the Federal Energy Regulatory Commission.

~~(162)~~~~(166)~~ "Junk" means any salvaged or scrap copper, brass, iron steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste, or other articles or materials commonly designated as junk. Junk shall also mean any dismantled, wrecked or inoperable motor vehicles or parts thereof which remain in such condition for a period of time in excess of sixty days.

~~(163)~~~~(167)~~ "Junk yard" means the use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, scrap metals or material, the dismantling, demolition or abandonment of vehicles, or machinery or parts thereof; but shall include a salvage yard, or war surplus yard.

~~(164)~~~~(168)~~ "Kennel" means any premises where domestic animals, such as dogs and cats, older than four months are kept except where accessory to an agricultural use.

~~(165)~~~~(169)~~ "Landfarming" means a method of treating contaminated soil or sediments by spreading them on a prepared area and processing them to aid in remediation. This process utilizes natural biological and physical processes to degrade and treat contaminants.

~~(166)~~~~(170)~~ "Landfarming – modified" means land farming that results in a finished soil product that does not remain at the processing site. The finished soil product has a beneficial use with a commercial value and sold to the marketplace.

~~(167)~~~~(171)~~ "Land use applicant" means a property owner, or the property owner's designee, who submits a land use application regarding the property owner's land.

~~(168)~~~~(172)~~ "Land use application":

- (a) means an application that is:
 - (i) required by the county; and
 - (ii) submitted by a land use applicant to obtain a land use decision; and
- (b) does not mean an application to enact, amend, or repeal a land use regulation.

~~(169)~~~~(173)~~ "Land use authority" means:

- (a) a person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application; or
- (b) if the local legislative body has not designated a person, board, commission, agency, or body, the local legislative body.

~~(170)~~~~(174)~~ "Land use decision" means an administrative decision of a land use authority or appeal authority regarding:

- (a) a land use permit;
- (b) a land use application; or
- (c) the enforcement of a land use regulation, land use permit, or development agreement.

~~(171)~~~~(175)~~ "Land use permit" means a permit issued by a land use authority.

~~(172)~~~~(176)~~ "Land use regulation":

- (a) means a legislative decision enacted by ordinance, law, code, map, resolution, specification, fee, or rule that governs the use or development of land;

Tooele County Land Use Ordinance

2-12

DEFINITIONS

- (b) includes the adoption or amendment of a zoning map or the text of the zoning code; and
- (c) does not include:
 - (i) a land use decision of the legislative body acting as the land use authority, even if the decision is expressed in a resolution or ordinance; or
 - (ii) a temporary revision to an engineering specification that does not materially:
 - 1. increase a land use applicant's cost of development compared to the existing specification; or
 - 2. impact a land use applicant's use of land.

(177) "Landscaped area" means the portion of a lot, parcel, tract, or project site improved with any combination of living plant material, turf, trees, shrubs, groundcover, mulch, decorative rock, or irrigation. Landscaped area does not include buildings, driveways, sidewalks, parking areas, patios, decks, agricultural production areas, or undisturbed native vegetation that is not irrigated.

(173)(178) "Large scale sales event sign" means an advertising display that is temporary in nature, is not permanently attached to the ground or sign surface, and is used for special events, such as, but not limited to, grand openings, seasonal sales, liquidations, going-out-of-business sales, and, promotion of a new product, new hours of operation, a new service, or to promote a special sale or promotion. The temporary sign or banner is intended to inform the public of a unique happening and shall not include construction, placement, maintenance, or erection of any prohibited sign devices as described in §24-4-4 or other types of non-compliant accessory signs. Large scale sale event signs shall not be used for permanent advertising purposes beyond what is allowed by this ordinance.

(179) "Lateral sewer" means a sewer which discharges into another sewer and has only sewer inlets from buildings and structures tributary into it.

(174)(180) "Lawn or turf" means nonagricultural land planted in closely mowed, managed grasses, whether established by sod, seed, plugs, or similar methods.

(175)(181) "Legislative body" means the county council.

(176)(182) "Local attorney" means the county attorney or any other attorney officially representing Tooele County, Utah.

(177)(183) "Local building inspector" means the building inspector employed by or officially representing Tooele County, Utah.

(178)(184) "Local district" means any entity created pursuant to Utah Code Titles 17B, 17C, or 17D, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or the state.

(179)(185) "Local engineer" means the engineer employed by or officially representing Tooele County, Utah.

(180)(186) "Local governing body" means the Board of County Commissioners of Tooele County.

(181)(187) "Local health officer" means the health officer employed by or officially representing Tooele County Department of Health.

(182)(188) "Local jurisdiction" means Tooele County, Utah.

(183)(189) "Local planner" means the planner employed by or officially representing Tooele County, Utah.

(184)(190) "Local surveyor" means the county surveyor or any other surveyor officially representing Tooele County, Utah.

(185)(191) "Lot" means a parcel or unit of land described by metes and bounds or as described on a subdivision plat and held or intended to be held in separate lease or ownership, either as an undeveloped or developed site, or a parcel or unit of land shown as a lot, plat, or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into two or more smaller units.

(186)(192) "Lot area" means the horizontal area within the exterior lines of the lot, exclusive of any area in a public or private open to public uses.

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DEFINITIONS

~~(187)~~~~(193)~~ "Lot, corner" means a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five degrees.

~~(188)~~~~(194)~~ "Lot depth" means the average horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

~~(189)~~~~(195)~~ "Lot frontage" means that portion of a lot that is the length of the front lot line which is coterminous with the front street lines.

~~(190)~~~~(196)~~ "Lot, interior" means a lot other than a corner lot.

~~(191)~~~~(197)~~ "Lot line" means the property line bounding the lot.

~~(192)~~~~(198)~~ "Lot line adjustment" means a relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels pursuant to UCA Title 17 Chapter 27a:

- (a) whether or not the lots are located in the same subdivision; and
- (b) with the consent of the owners of record.

Lot line adjustment does not mean a new boundary line that:

- (a) creates an additional lot; or
- (b) constitutes a subdivision.

Lot line adjustment does not include a boundary line adjustment made by the Department of Transportation.

~~(193)~~~~(199)~~ "Lot line, front" means the lot line adjoining the street for an interior lot; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

~~(194)~~~~(200)~~ "Lot line, rear" means that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten feet in length within the parcel parallel to and at the maximum distance from the front line.

~~(195)~~~~(201)~~ "Lot line, side" means any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

~~(196)~~~~(202)~~ "Lot, restricted" means a lot or parcel having an average slope of 30 percent or more or which does not contain a buildable area of at least 75 feet by 100 feet, such lot being prohibited as a building site.

~~(197)~~~~(203)~~ "Lot width" means the minimum lot width for each zoning district measured from the front setback line.

~~(204)~~ "Lot, unrestricted" means a lot having an average slope of less than 30 percent and containing a buildable area of at least 75 feet by 100 feet.

~~(198)~~~~(205)~~ "Low-volume / Drip irrigation" means a low-volume irrigation method that applies water directly to the root zone of plants through emitters, tubing, bubblers, or similar devices.

~~(199)~~~~(206)~~ "Main building" means a structure in which the primary use of the land, lot or parcel is conducted.

~~(200)~~~~(207)~~ "Maintenance, sign" means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

~~(201)~~~~(208)~~ "Major transit investment corridor" means:

- (a) public transit rail right-of-way;
- (b) a dedicated road right-of-way for the use of public transit, such as bus rapid transit; or
- (c) fixed-route bus corridors subject to an interlocal agreement or contract between a municipality or county and:
 - (i) a public transit district; or
 - (ii) an eligible political subdivision.

~~(202)~~~~(209)~~ "Mansard" means a sloped roof or roof-like facade architecturally comparable to a building wall.

~~(203)~~~~(210)~~ "Manufactured home" means a transportable factory-built housing unit constructed on or

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DEFINITIONS

after June 15, 1976, according to the Federal Home Construction and Safety Standards act of 1974 (HUD Code), in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

~~(204)~~(211) "Marquee" means a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

~~(205)~~(212) "Marquee sign" means any sign attached to or supported by a marquee structure.

~~(206)~~(213) "Medical cannabis pharmacy" means a person or entity that acquires or intends to acquire, possess, and sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device, to a medical cannabis cardholder.

~~(207)~~(214) "Medical clinic" means a facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors. Compare "Clinic, dental or medical."

~~(208)~~(215) "Mine" means a site from which ore, rock, minerals, precious metals or natural substances other than plant or animal organisms can be extracted. "Mine" includes the site of the mine with its surface buildings, structures, elevator shafts, and equipment.

~~(209)~~(216) "Mining" means the process or business of extracting ore, rock, minerals, precious metals or natural substances from the surface or below the surface of the earth.

~~(210)~~(217) "Mobile home" means a transportable factory-built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured housing and Safety Standards Act (HUD Code) and which was designed to be a long- term residential dwelling unit, with or without a permanent foundation, and originally constructed as a complete package which includes major appliances, plumbing, and electrical facilities prepared for appropriate connections.

~~(211)~~(218) "Moderate income housing" means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the housing is located.

~~(212)~~(219) "Modular home" means a permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site and which is classified as a mobile home until it is placed on a permanent foundation and complies with all applicable building codes.

~~(213)~~(220) "Monument sign" means a sign mounted directly to the ground with maximum height not to exceed six feet.

~~(214)~~(221) "Motel" means an establishment that commonly provides lodging accommodations to guests for compensation. Motel lodging rooms are generally accessed directly from outside.

~~(215)~~(222) "Multiple-face sign" means a sign containing two or more faces, not necessarily in back-to-back configuration. ~~"National Cooperative Soil Survey" means the soil survey conducted by the U. S. Department of Agriculture in cooperation with the State Agricultural Experiment Station and other Federal or Utah State agencies.~~

~~(216)~~(223) "National Cooperative Soil Survey" means the soil survey conducted by the U. S. Department of Agriculture in cooperation with the State Agricultural Experiment Station and other Federal or Utah State agencies.

~~(217)~~(224) "Nominal fee" means a fee that reasonably reimburses a county only for time spent and expenses incurred in:

- (a) verifying that building plans are identical plans; and
- (b) reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.

~~(218)~~(225) "Noncomplying structure" means a structure that:

Tooele County Land Use Ordinance

2-15

DEFINITIONS

- (a) legally existed before the structure's current land use designation; and
- (b) because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations that govern the use of land.

~~(219)~~~~(226)~~ "Nonconforming sign" means a sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.

~~(220)~~~~(227)~~ "Nonconforming use" means a use of land that:

- (a) legally existed before the current land use designation;
- (b) has been maintained continuously since the time the land use ordinance regulation governing the land changed; and
- (c) because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

~~(228)~~ "Nonfunctional turf" means lawn or turf that is primarily decorative and is not designed or regularly used for active recreation, public gathering, or another practical use. Nonfunctional turf includes, but is not limited to, turf in park strips, medians, parking lot islands, entries, and narrow or inaccessible areas.

~~(221)~~~~(229)~~ "Occupancy" means the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

~~(222)~~~~(230)~~ "Official map" means a map drawn by Tooele County and recorded in the county recorder's office that:

- (a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
- (b) provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
- (c) is adopted as an element of the general plan.

~~(223)~~~~(231)~~ "Off-premise outside self-service storage" means an exterior depository or safekeeping of equipment, goods, materials, products, vehicles, trailers, and the like, which are in operable condition and which are not being specifically displayed as merchandise or offered for sale. Outside storage may be enclosed by a structure that includes a roof and no more than one side wall.

~~(224)~~~~(232)~~ "Off-premise sign" or "billboard" means a sign advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located.

~~(225)~~~~(233)~~ "Off-street parking space" means the space required to park one passenger vehicle off the public right-of-way.

~~(226)~~~~(234)~~ "Off-site improvements" means improvements not on individual lots but generally within the boundaries of the subdivision which they serve.

~~(227)~~~~(235)~~ "On-site improvements" means the construction or placement of structures and appurtenant improvements on a lot.

~~(228)~~~~(236)~~ "On-premise sign" means a sign which pertains to the use, product or commodity sold, or service performed on the premises on which it is located.

~~(229)~~~~(237)~~ "Open space" means the area reserved in fields, pastures, parks, courts, schools, playgrounds, golf courses, and other similar open areas, or is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the open space shall be restricted in perpetuity through an approved legal instrument.

~~(230)~~~~(238)~~ "Open space, usable" means any portion of a lot or building which:

- (a) is open to the sky or is open to view in at least two sides;
- (b) is readily accessible by foot traffic from the building to which it is accessory; and
- (c) is not provided from any required front or side yard, parking area, or driveway space.

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DEFINITIONS

~~(231)~~~~(239)~~ "Owner" means the holder of fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, including any lessee, permittee, assignee, or successor in interest.

~~(232)~~~~(240)~~ "Package agency" means a retail liquor location operated under a contractual agreement with the Alcoholic Beverage Control Department, by a person other than the State, who is authorized by the Alcoholic Beverage Control Commission to sell package liquor for consumption off the premises of the agency.

~~(233)~~~~(241)~~ "Parapet" means the extension of a false front or wall above a roofline.

~~(234)~~~~(242)~~ "Parcel" means any real property that is not a lot.

~~(235)~~~~(243)~~ "Parcel boundary adjustment" means a recorded agreement between owners of adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line agreement pursuant to UCA Title 17 Chapter 27a, if no additional parcel is created and:

- (a) none of the property identified in the agreement is a lot; or
- (b) the adjustment is to the boundaries of a single person's parcels.

Parcel boundary adjustment does not mean an adjustment of a parcel boundary line that:

- (a) creates an additional parcel; or
- (b) constitutes a subdivision.

Parcel boundary adjustment does not include a boundary line adjustment made by the Department of Transportation.

~~(244)~~ "Parcel of land." See "Lot."

~~(236)~~~~(245)~~ "Park strip" means the landscaped or unpaved area located between a curb or street edge and a sidewalk, trail, property line, or other street-side improvement.

~~(237)~~~~(246)~~ "Parking lot" means an open area other than a street, used for the parking of automobiles and which is available for public use.

~~(238)~~~~(247)~~ "Pedestrian-way." See "Crosswalk."

~~(239)~~~~(248)~~ "Permanent monument" means any structure of concrete, masonry or metal permanently placed on or in the ground, including those expressly placed for surveying reference, which meets the requirements of Tooele County or the State of Utah for permanent monuments.

~~(240)~~~~(249)~~ "Person" means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

~~(241)~~~~(250)~~ "Personal agriculture" means the keeping of farm animals or fowl for personal recreation and/or personal non-commercial production of food.

~~(242)~~~~(251)~~ "Plan for moderate income housing" means a written document adopted by the county legislative body that includes:

- (a) an estimate of the existing supply of moderate-income housing located within the county;
- (b) an estimate of the need for moderate income housing in the county for the next five years;
- (c) a survey of total residential land use;
- (d) an evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- (e) a description of the county's program to encourage an adequate supply of moderate income housing.

~~(243)~~~~(252)~~ "Planned unit development or PUD" means an integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.

~~(244)~~~~(253)~~ "Planning advisory area" means a contiguous, geographically defined portion of the unincorporated area of the county with planning and zoning functions as exercised through the planning

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DEFINITIONS

advisory area planning commission, but with no legal or political identity separate from the county and no taxing authority.

~~(245)~~~~(254)~~ "Plat" means an instrument subdividing property into lots as depicted on a map or other graphical representation of lands that is prepared and certified by a licensed professional land surveyor.

~~(246)~~~~(255)~~ "Plot" means a parcel of land consisting of one or more lots or portions thereof which is described by reference to a recorded plat or by metes and bounds.

~~(247)~~~~(256)~~ "Political sign" means a temporary sign used in connection with a local, state, or national election or referendum.

~~(248)~~~~(257)~~ "Portable sign" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

~~(249)~~~~(258)~~ "Potential geologic hazard" area means an area that:

(a) is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area's potential for geologic hazard; or

(b) has not been studied by the Utah Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area.

~~(250)~~~~(259)~~ "Preliminary plat" means a drawing, to scale, representing a proposal to subdivide a tract, lot or parcel of land, and meeting the preliminary plat requirements of this ordinance.

~~(251)~~~~(260)~~ "Premises" means a parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate for that zoning district.

~~(252)~~~~(261)~~ "Primarily residential zone" means a residential zoning district primarily intended for residential uses and does not include Agricultural or Multiple-Use Zones.

~~(253)~~~~(262)~~ "Primary dwelling" means a detached single-family dwelling that is occupied as the primary residence of an owner of record.

~~(254)~~~~(263)~~ "Private garage." See "Garage."

~~(255)~~~~(264)~~ "Private non-profit locker club" means a social, recreational, or athletic club, or kindred association, incorporated under the provisions of the Utah Revised Nonprofit Corporation Act, which maintains or intends to maintain premises upon which liquor is or will be stored, consumed, or sold.

~~(256)~~~~(265)~~ "Private recreational grounds and facilities" means recreational grounds and facilities operated by a person, corporation, association, or group other than the State or political subdivision thereof.

~~(257)~~~~(266)~~ "Private road" means a privately owned road which affords principal means of access to abutting parcels or lots.

~~(258)~~~~(267)~~ "Process" or "processing" means the act, business or procedure of taking raw, extracted or pre-processed material and adding to or taking away from it, to produce a product that is purer, used, marketed, or uniquely different than the original raw material or product before the procedure was enacted.

~~(259)~~~~(268)~~ "Projecting sign" means a sign, other than a flat wall sign which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

~~(260)~~~~(269)~~ "Protection strip" means a strip of land between the boundary of a subdivision and a street within the subdivision, for the purpose of controlling the access to the street by property owners abutting the subdivision.

~~(261)~~~~(270)~~ "Public agency" means:

(a) the federal government;

(b) the state;

(c) a county, municipality, school district, local district, special service district, or other political subdivision of the state; or

(d) a charter school.

~~(262)~~~~(271)~~ "Public hearing" means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

~~(263)~~~~(272)~~ "Public meeting" means a meeting that is required to be open to the public by the Open and Tooele County Land Use Ordinance

2-18

DEFINITIONS

Public Meetings Act.

~~(264)~~(273) "Public recreational facility" means a publicly owned or operated indoor or outdoor facility whose main purpose is to provide the general public with amusement or an entertainment activity, including fair grounds, riding stables, picnic and camping, water slides, pools, baseball fields, soccer fields, museums, arenas.

~~(265)~~(274) "Public road" means a public way which affords a means of access to abutting properties.

~~(266)~~(275) "Public street" means a public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public lane, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way.

~~(276)~~ "Public water system" or "public sewage system" means a system which is owned and operated by a local governmental authority or by an established public utility company which is adequately controlled by a governmental authority.

~~(267)~~(277) "Qualified landscape professional" means a landscape architect, landscape designer, irrigation designer, licensed landscape contractor, certified irrigation professional, or other person with demonstrated training or experience in water-efficient landscape and irrigation design.

~~(268)~~(278) "Quasi-public use" or "quasi-public facility" means a use conducted by, or a facility or structure owned by, a nonprofit, religious, or eleemosynary institution that provides educational, cultural, recreational, religious, institutional, medical, community service or other similar types of public services, and includes private hospitals, medical offices and cemeteries.

~~(269)~~(279) "Real estate sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

~~(270)~~(280) "Rear yard setback" means that part of a lot between the rear building line and the rear lot line, and extending the full width of the lot, the depth of which yard is measured from the rear lot line to the building line of the building.

~~(271)~~(281) "Receiving zone" means an unincorporated area of the county that the county council designates, by ordinance, as an area in which an owner of land may receive a transferable development right.

~~(272)~~(282) "Record of survey map" means a map of a survey of land prepared in accordance with UCA 17-23-17.

~~(273)~~(283) "Recreational coach" means a vehicle, such as a travel trailer, tent camper, camp car or other vehicle designed or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Motor Vehicle Act, and designed for use as a human habitation for a temporary and recreational nature.

~~(274)~~(284) "Recreational coach park" or "overnight park" means any area or tract of land where lots are rented

or held out for rent to owners or users of recreational coaches for a temporary time not to exceed 30 days.

~~(275)~~(285) "Recreational coach space" means a plot of ground within a recreational coach park designated

and intended for the accommodation of one recreational coach.

~~(276)~~(286) "Recreational facility" means any commercial enterprise which receives a fee in return for the provision of some recreational activity including but not limited to: racquet clubs, health facilities, and amusement parks, but not including amusement centers.

~~(277)~~(287) "Recreational facility, commercial indoor" means any commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, tennis court.

~~(278)~~(288) "Recreational facility, private indoor" means any private recreational facility for use solely

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DEFINITIONS

by the residents and guests of a particular residential development, planned unit development, or residential neighborhood, including indoor and outdoor facilities. These facilities are usually proposed or planned in association with development and are usually located within or adjacent to such development.

~~(279)~~~~(289)~~ "Residential facility for elderly persons" means a dwelling inhabited by persons who are at least 60 years old and who live in a group setting with common caretakers. "Residential facility for elderly persons" does not include a dwelling occupied solely by members of the same family, a health care facility, a nursing home, a retirement center, an assisted living facility or a residential facility for persons with disabilities.

~~(280)~~~~(290)~~ "Residential facility for persons with a disability" means a residence in which more than one person with a disability resides; and

(a) is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or

(b) is licensed or certified by the Department of Health under Title 26, Chapter 21. Health Care Facility Licensing and Inspection Act.

~~(281)~~~~(291)~~ "Riding academy" means a structure or land use where people pay to be trained in riding equines.

~~(282)~~~~(292)~~ "Right-of-way" means the area, either public or private, over which the right-of-passage exists.

~~(283)~~~~(293)~~ "Roof sign" means any sign erected partly or wholly over or on the roof of a building; however, a structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building.

~~(284)~~~~(294)~~ "Roofline" means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

~~(285)~~~~(295)~~ "Rooftop mounted solar array" means a rooftop photovoltaic power station, or rooftop photovoltaic system, which has its electricity-generating solar panels or arrays mounted on the rooftop of an agricultural, residential, commercial, or industrial building or structure.

~~(286)~~~~(296)~~ "Rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:

- (a) parliamentary order and procedure;
- (b) ethical behavior; and
- (c) civil discourse.

~~(287)~~~~(297)~~ "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft.

~~(288)~~~~(298)~~ "Salt" means any component, solid or liquid, of the sodium elements, such as sodium chloride, potash, sodium hydroxide, brine, etc.

~~(289)~~~~(299)~~ "Sanitary sewer authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

~~(290)~~~~(300)~~ "School, private" means a school which is operated by a quasi-public or private group, individual, or organization, and which has curriculum similar to that provided in any public school in the state of Utah.

~~(291)~~~~(301)~~ "School, public" means a school operated by a school district or other public agency.

~~(292)~~~~(302)~~ Secondary water: untreated, nonculinary water supplied for irrigation or other approved nonpotable uses.

~~(293)~~~~(303)~~ "Self-service storage facility" means a building or group of buildings divided into separate units leased to individuals and organizations, or businesses for self-service storage of personal property.

~~(294)~~~~(304)~~ "Sending zone" means an unincorporated area of the county that the county council designates, by ordinance, as an area from which an owner of land may transfer a transferable development right.

~~(295)~~~~(305)~~ "Service lines" are all those wires, poles, and appurtenant equipment used to carry electricity between distribution lines and a customer.

DEFINITIONS

~~(296)~~(306) "Side yard setback" means that part of a lot between the side building line and the side lot line, and extending from the front yard setback to the rear yard setback. The width of the side yard is measured from the side lot line to the building line of the building.

~~(297)~~(307) "Sign" means any device, structure, fixture, or placard using graphics, symbols, or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, person, entity, interest, product, goods, or services. It includes any structural supports, lighting systems, attachments, ornaments or other features.

~~(298)~~(308) "Sign alterations" means a change or rearrangement in the structural parts or design whether by extending on a side increasing in area or height, or by relocation or changing the position of a sign.

~~(299)~~(309) "Sign, area" means the entire face of a sign including the advertising surface and any framing, trim, or molding.

~~(300)~~(310) "Sign, community" means a sign that contains information appurtenant to non-commercial activities and interests within the community, but do not advertise any function or service that will create a gain for the advertiser.

~~(301)~~(311) "Sign face" means the part of the sign that is or can be used to identify, advertise, or communicate information or for visual representation that attracts the attention of the public for any purpose, including the frame or structural members if they are designed with lighting or other ornamentation that is incorporated for the sign design.

~~(312)~~ "Site plan" means a plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or structures, and those yet to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the planning commission or preceding the issuance of a building permit to demonstrate that an owner's or developer's proposed development activity meets a land use requirement.

~~(302)~~(313) "Smart irrigation controller" means an irrigation controller that adjusts irrigation based on weather, evapotranspiration, soil moisture, rainfall, or similar site conditions and that includes rain shutoff capability.

~~(303)~~(314) "Snipe sign" means a temporary sign or poster affixed to trees, fences, poles, stakes, building supports, other signs or sign structures, building facades, or any other object not specifically designed for the posting of signs.

~~(304)~~(315) "Solar Energy System" means a facility that collects and converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices, or other solar technologies, and transmits such electricity to off-site users, together with all accessory uses and facilities incidental thereto, including, without limitation, generators; electrical transmission and distribution lines and facilities (including transmission lines with a capacity of 50 KV or greater); communication lines, cables, conduits, and facilities; electric transformers, substations, and interconnection facilities; energy storage facilities; telecommunications equipment; control buildings and maintenance yards; access roads, fences and gates.

~~(305)~~(316) "Special event" means circuses, fairs, carnivals, festivals, or other types of special events that:

- (a) run for longer than eight hours but not longer than six months;
- (b) are intended to or likely to attract substantial crowds; and
- (c) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

~~(306)~~(317) "Specified public utility" means an electrical corporation, gas corporation, or telephone corporation, as those terms are defined in UCA Section 54-2-1.

~~(307)~~(318) "Spot zone" means a zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property, which is invalid because it is not in accordance with the general plan.

~~(308)~~(319) "Stable, commercial" means a structure or land use where equines or livestock are kept for

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DEFINITIONS

sale or hire, boarded, or trained.

~~(309)~~(320) "Stable, private" means an accessory building for the keeping of horses or livestock owned by the occupants of the premises and not kept for hire, remuneration or sale.

~~(310)~~(321) "Stable, public" means any stable where horses are boarded or kept for hire.

~~(311)~~(322) "State" includes any department, division, or agency of the state.

~~(312)~~(323) "State store" means a facility for the sale of package liquor located on premises owned or leased by the State of Utah and operated by state employees, but does not apply to any licensee, permittee, or to package agencies.

~~(313)~~(324) "Story, half" means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls do not extend more than four feet above the floor of such story, and the floor area does not exceed 2/3 of the floor area immediately below it.

~~(314)~~(325) "Structure" means anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground, including a building, tower, smokestack, overhead transmission line, flag pole, or antenna.

~~(315)~~(326) "Structural alterations" means any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

~~(316)~~(327) "Subdivider" means any person who causes land to be divided.

~~(317)~~(328) "Subdivision" means any land that is divided, resubdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes:

- (a) the division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- (b) except as provided otherwise in this Ordinance, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Subdivision does not include:

- (a) a bona fide division or partition of agricultural land for agricultural purposes;
- (b) a boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary if no new lot is created;
- (c) a recorded document, executed by the owner of record:
 - (i) revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or
 - (ii) joining a lot to a parcel;
- (d) a bona fide division or partition of land in a county other than a first class county for the purpose of siting, on one or more of the resulting separate parcels:
 - (i) an electrical transmission line or a substation;
 - (ii) a natural gas pipeline or a regulation station; or
 - (iii) an unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility;
- (e) a boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary if:
 - (i) no new dwelling lot or housing unit will result from the adjustment; and
 - (ii) the adjustment will not violate any applicable land use ordinance;
- (f) a bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
 - (i) is in anticipation of future land use approvals on the parcel or parcels;
 - (ii) does not confer any land use approvals; and

DEFINITIONS

- (iii) has not been approved by the land use authority;
- (g) a parcel boundary adjustment;
- (h) a lot line adjustment;
- (i) a road, street, or highway dedication plat;
- (j) a deed or easement for a road, street, or highway purpose; or
- (k) any other division of land authorized by law.

~~(318)~~~~(329)~~ "Subdivision amendment" means an amendment to a recorded subdivision that:

- (a) vacates all or a portion of the subdivision;
- (b) alters the outside boundary of the subdivision;
- (c) changes the number of lots within the subdivision;
- (d) alters a public right-of-way, a public easement, or public infrastructure within the subdivision;

or

- (e) alters a common area or other common amenity within the subdivision.

~~(319)~~~~(330)~~ "Subdivision cluster" means a subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

~~(320)~~~~(331)~~ "Subdivision vacation" means the process of removing from record a section of land that was subdivided.

~~(321)~~~~(332)~~ "Substandard lot" means a lot created prior to January 10, 1975 or having been granted a special exception by the board of adjustment and which has less than the required lot area or width for the zoning district in which it is located.

~~(322)~~~~(333)~~ "Substantial evidence" means evidence that:

- (a) is beyond a scintilla; and
- (b) a reasonable mind would accept as adequate to support a conclusion.

~~(323)~~~~(334)~~ "Suspect soil" means soil that has:

- (a) a high susceptibility for volumetric change, typically clay rich, having more than a 3% swell potential;
- (b) bedrock units with high shrink or swell susceptibility; or
- (c) gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

~~(324)~~~~(335)~~ "Temporary sign" means a sign not constructed or intended for long-term use, with a maximum time period of 90 days.

~~(325)~~~~(336)~~ "Therapeutic school" means a residential group living facility:

- (a) for four or more individuals who are not related to:
 - (i) the owner of the facility; or
 - (ii) the primary service provider of the facility;
- (b) that serves students who have a history of failing to function:
 - (i) at home;
 - (ii) in a public school; or
 - (iii) in a nonresidential private school; and
- (c) that offers:
 - (i) room and board; and
 - (ii) an academic education integrated with:
 1. specialized structure and supervision; or
 2. services or treatment related to a disability, an emotional development, a behavioral development, a familial development, or a social development.

~~(326)~~~~(337)~~ "Transferable development right" means a right to develop and use land that originates by an ordinance that authorizes a landowner in a designated sending zone to transfer land use rights from a

Tooele County Land Use Ordinance

2-23

DEFINITIONS

designated sending zone to a designated receiving zone.

~~(327)~~~~(338)~~ "Unincorporated" means the area outside of the incorporated area of a municipality.

~~(328)~~~~(339)~~ "Unlicensed motor vehicle" means any vehicle which initially was designed or constructed to be self-propelled and which is not currently registered or licensed by the State of Utah, but does not include vehicles exempt from registration under UCA Section 41-22-9 or any motor vehicle kept or stored at an approved impound lot or commercial storage yard.

~~(329)~~~~(340)~~ "Use" means the purpose for which a parcel, building, lot, sign or structure is intended, designated, occupied, or maintained.

~~(330)~~~~(341)~~ "Vacation plat" means a plat submitted for the purpose of removing a subdivision from the records of the county recorder and the county assessor which shows the area that is to return to its original state.

~~(331)~~~~(342)~~ "Vicinity plan" means a map or drawing, to scale, showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within 300 feet of the property proposed.

~~(332)~~~~(343)~~ "View-obscuring fence, wall or hedge" means a fence, wall, or hedge of vegetation growth which prevents full view of property on one side by a viewer standing on the other side.

~~(344)~~ "Wall sign" means a sign attached essentially parallel to and extending not more than 24 inches from the wall of a building with no copy on the sides or edges, including painted, individual letters, and cabinet signs, and signs on a mansard.

~~(333)~~~~(345)~~ "Water feature" means a fountain, pond, waterfall, stream, pool, or similar constructed landscape feature that uses water for aesthetic, recreational, or functional purposes.

~~(334)~~~~(346)~~ "Water interest" means any right to the beneficial use of water, including:

- (a) each of the rights listed in UCA Section 73-1-11; and
- (b) an ownership interest in the right to the beneficial use of water represented by:
 - (i) a contract; or
 - (ii) a share in a water company, as defined in UCA Section 73-3-3.5.

~~(347)~~ "Water provider" means a public or private entity legally authorized to provide culinary water, secondary water, or both to the subject property.

~~(348)~~ "Water-wise landscaping" means landscaping that is designed, installed, and maintained to minimize supplemental irrigation through appropriate plant selection, efficient irrigation design, soil preparation, mulch, reduced lawn or turf area, and other water-conserving practices consistent with Utah law.

~~(335)~~~~(349)~~ "Window sign" means a sign installed inside a window and intended to be viewed from outside the building.

~~(336)~~~~(350)~~ "Yard" means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward.

~~(337)~~~~(351)~~ "Yard, front." See "Front yard setback."

~~(338)~~~~(352)~~ "Yard, rear." See: "Rear yard setback."

~~(339)~~~~(353)~~ "Yard, side." See: "Side yard setback."

~~(340)~~~~(354)~~ "Zone." See "District, zone."

~~(341)~~~~(355)~~ "Zoning administrator" means the local official designated by the county commission to enforce zoning regulations.

~~(342)~~~~(356)~~ "Zoning map" means a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

~~(343)~~~~(357)~~ "Zoning ordinance" means the Tooele County Land Use Ordinance of Tooele County, Utah. (Ord. 2025-10, 8/19/25; Ord. 2025-09, 8/19/25; Ord. 2024-10, 10/1/24; Ord. 2023-20, 11/7/23; Ord. 2023-09, 3/7/23; Ord. 2023-05, 2/21/23; Ord. 2022-34, 12/6/22; Ord. 2022-32, 11/29/22; Ord. 2020-32, 11/16/20; Ord. 2018-04, 5/15/18; Ord. 2011-08, 3/15/11; Ord. 2010-16, 8/24/10; Ord. 2006-37, 11/28/06; Tooele County Land Use Ordinance

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DEFINITIONS

Ord. 2006-24, 9/5/06; Ord. 2005-19, 6/21/05; Ord. 2005-09, 4/12/05)

CHAPTER 36

WATER EFFICIENCY STANDARDS

Sections

- 36-1: Purpose and findings.
- 36-2: Definitions.
- 36-3: Applicability and administration.
- 36-4: Indoor plumbing fixture standards.
- 36-5: Water supply and development review.
- 36-6: Outdoor landscaping and irrigation standards.
- 36-7: Landscape plan requirements, installation, and certification.
- 36-8: Ownership, maintenance, and property associations.
- 36-9: Car wash water efficiency standards.
- 36-10: Exceptions and alternative compliance.
- 36-11: Enforcement, violations, and penalties.
- 36-12: Conflict with state law and severability.

36-1. Purpose and findings

- (1) The County Council finds that water resources within Tooele County are limited and must be planned, allocated, and used in a manner that supports long-term sustainability, public health, economic development, and the orderly growth of the County.
- (2) The County Council further finds that land use decisions directly affect water demand, public infrastructure capacity, drought resilience, and the ability of water providers to serve new development.
- (3) Outdoor irrigation represents a significant portion of residential, commercial, institutional, and public water demand. Reducing unnecessary outdoor water use is a practical and cost-effective method to conserve culinary and secondary water resources.
- (4) Water-efficient landscaping can reduce long-term water demand while maintaining attractive, functional, and maintainable landscapes appropriate for Tooele County's climate.
- (5) The purposes of this Chapter are to:
 - (a) promote efficient use of culinary and secondary water resources;
 - (b) require development to consider available water supply, water provider capacity, and adopted water conservation plans;
 - (c) reduce potable water use for nonessential outdoor purposes;
 - (d) establish clear standards for landscape design, irrigation systems, turf limitations, and car wash water use;
 - (e) implement water-efficiency strategies consistent with the County General Plan, including any adopted water use and preservation element; and
 - (f) protect the right to install and maintain water-wise landscaping consistent with Utah law, including Utah Code Sections 17-79-615 and 73-10-37, as amended or renumbered.

36-2. Definitions

The definitions in Chapter 2 of this Title apply to this Chapter.

36-3. Applicability and administration

- (1) This Chapter applies to property and development within the unincorporated area of the County to the extent allowed by state and federal law.

- (2) Unless otherwise exempted, this Chapter applies to:
- (a) new subdivisions and new development applications;
 - (b) public agency projects, including County projects, to the extent allowed by law;
 - (c) commercial, industrial, institutional, and multi-family development;
 - (d) developer-installed landscaping;
 - (e) residential front and side yard landscaping for new one- and two-family dwellings;
 - (f) common areas, entry features, park strips, open space, and streetscape landscaping associated with a subdivision or development; and
 - (g) additions, remodels, expansions, or rehabilitated sites when new or replaced landscaping or irrigation is proposed or required as part of the project approval.
- (3) Rear yard landscaping for one- and two-family dwellings is encouraged, but not required, to comply with this Chapter unless the rear yard landscaping is developer-installed landscaping, common-area landscaping, or otherwise required as a condition of approval.
- (4) This Chapter does not apply to:
- (a) agricultural irrigation or bona fide agricultural uses;
 - (b) existing lawful landscaping unless the landscaping is replaced, expanded, or modified as part of a development approval, building permit, subdivision improvement, or enforcement remedy;
 - (c) undisturbed native vegetation that is not irrigated; or
 - (d) state or federal facilities to the extent County regulation is preempted by law.
- (5) The Community Development Department shall administer this Chapter and may adopt forms, checklists, standard details, and review procedures to implement this Chapter.
- (6) Approval under this Chapter does not create a right to water service, water shares, water rights, or water system capacity. Water service shall be provided only in accordance with applicable law, water provider rules, and approved development conditions.

36-4. Indoor plumbing fixture standards

- (1) Indoor plumbing fixtures installed in new construction, additions, remodels, or refurbishments shall comply with the State Construction Code, the adopted plumbing code, and any County-adopted building code provisions in effect at the time of permit application.
- (2) Fixtures bearing the EPA WaterSense label, or a comparable nationally recognized water-efficiency certification, are encouraged for all projects.
- (3) County-owned facilities shall use WaterSense-labeled fixtures or comparable high-efficiency fixtures when replacement or new installation is operationally feasible, cost-effective over the useful life of the fixture, and consistent with applicable code requirements.

36-5. Water supply and development review

- (1) A development application shall demonstrate the availability of an adequate, reliable, and legally available water supply sufficient for the proposed use, including indoor use, outdoor irrigation, fire flow where applicable, and any process water demand.
- (2) The County may require a will-serve letter, capacity letter, water availability analysis, water rights documentation, conservation plan consistency statement, or other documentation from the applicable water provider or applicant.

- (3) Development approval may be conditioned upon consistency with applicable water conservation plans, water provider requirements, state law, and the County General Plan.
- (4) Where secondary water is available and approved by the applicable water provider, secondary water shall be used for outdoor irrigation instead of culinary water unless the County or water provider determines that secondary water use is infeasible, unavailable, prohibited, or inconsistent with public health, water quality, cross-connection, or system requirements.
- (5) Secondary water systems shall comply with applicable state law, water provider rules, metering requirements, backflow and cross-connection standards, and any conditions of approval.
- (6) Landscaping and irrigation shall be designed to minimize potable water demand and avoid waste, overspray, runoff, and irrigation of non-landscaped surfaces.

36-6. Outdoor landscaping and irrigation standards

- (1) General landscape design. Landscaping shall be designed to be water efficient, durable, attractive, maintainable, and appropriate for Tooele County's climate, soils, slopes, wildfire risk, and available water supply.
- (2) Plant materials. Native, adapted, drought-tolerant, or otherwise low-water-use plant materials shall be used. Plant selection shall account for mature size, microclimate, soil conditions, solar exposure, maintenance needs, and irrigation demand.
- (3) Soil preparation and mulch. Planting areas shall include appropriate soil preparation and mulch or other ground treatment to reduce evaporation, suppress weeds, and support plant health. Mulch and groundcover shall be installed and maintained so that it does not obstruct drainage facilities, create a nuisance, or migrate onto streets, sidewalks, trails, or stormwater systems.
- (4) Irrigation design. Irrigation systems shall be designed and installed to achieve high water efficiency and shall be appropriate for the plants, slopes, soils, exposure, and hydrozones served.
- (5) Low-volume irrigation. Drip irrigation, bubblers, or other low-volume irrigation shall be used in planting areas other than lawn or turf areas unless the Community Development Department approves an alternative that provides equal or greater water efficiency.
- (6) Irrigation equipment. Irrigation systems shall include, as applicable:
 - (a) pressure regulation;
 - (b) filtration;
 - (c) flush-end assemblies or equivalent maintenance access for drip systems;
 - (d) backflow prevention and cross-connection protection required by applicable code or the water provider;
 - (e) check valves or other devices to prevent low-head drainage;
 - (f) matched precipitation heads for spray irrigation;
 - (g) smart irrigation controllers with automatic weather-based or soil-moisture-based adjustments and rain shutoff capability; and
 - (h) separate valves, stations, or zones as required by Subsection (7).
- (7) Irrigation zoning. Separate irrigation zones shall be required for:
 - (a) lawn or turf and non-turf areas;
 - (b) drip, bubbler, and spray systems;
 - (c) areas with different slopes, soils, solar exposure, or plant water requirements;
 - (d) trees, shrubs, and groundcover where separate zoning is needed to avoid overwatering; and
 - (e) park strips or narrow landscape areas when irrigation is approved for those areas.

(8) Overspray and runoff. Irrigation shall not be designed, installed, or operated in a manner that causes avoidable overspray, runoff, pooling, erosion, or irrigation of pavement, sidewalks, driveways, roads, trails, buildings, walls, fences, or other non-landscaped surfaces.

(9) Water features. A water feature shall use a recirculating system. Once-through water features are prohibited unless required for public health or safety and approved by the County and applicable water provider.

(10) Lawn and turf limitations. Lawn or turf shall not be installed in:

- (a) park strips;
- (b) medians, parking lot islands, entry features, or other nonfunctional turf areas;
- (c) swales, drainage channels, stormwater basins, or drainage features unless specifically designed and approved for stormwater function, erosion control, active recreation, or another functional purpose;
- (d) slopes steeper than twenty-five percent (25%) (4:1 or steeper);
- (e) areas less than eight (8) feet in width; or
- (f) areas that cannot be efficiently irrigated without overspray or runoff.

(11) Residential turf. In new residential subdivisions and new one- and two-family dwellings, lawn or turf shall not exceed fifty percent (50%) of the front and side yard landscaped area. Lots with less than two hundred fifty (250) square feet of front and side yard landscaped area are exempt from this percentage limitation.

(12) Commercial, industrial, institutional, and multi-family turf. In new commercial, industrial, institutional, and multi-family developments, lawn or turf shall not exceed twenty percent (20%) of the total landscaped area, excluding active recreation areas.

(13) Active recreation areas. Lawn or turf in active recreation areas shall be sized, located, and designed for the intended use and shall not be used to avoid the nonfunctional turf limitations in this Section.

(14) No turf requirement. Nothing in this Chapter shall be interpreted to require the installation or maintenance of lawn or turf.

(15) Water-wise landscaping protection. The County shall not prohibit or unreasonably restrict water-wise landscaping. This Chapter shall be interpreted and applied to encourage reduced water use while allowing the County to require safe, healthy, and maintainable landscapes consistent with Utah law.

36-7. Landscape plan requirements, installation, and certification

(1) A landscape plan shall be submitted to the Community Development Department for review and approval before installation when required by this Chapter, a development approval, or a condition of approval.

(2) A landscape plan shall include the following information unless waived by the Community Development Department as unnecessary for the specific project:

- (a) project name, applicant, property owner, parcel number, and site address;
- (b) total landscaped area;
- (c) front and side yard landscaped area calculations for residential projects;
- (d) lawn or turf area calculations and percentage of applicable landscaped area;
- (e) identification of active recreation areas, if any;
- (f) planting plan, including plant names, quantities, sizes, spacing, and water-use classifications;
- (g) irrigation plan, including layout, water source, point of connection, valves, hydrozones, controller type, backflow prevention, pressure regulation, filters, and irrigation method;
- (h) identification of culinary water, secondary water, private well, or other approved irrigation source;
- (i) grading, drainage, and stormwater interface information where relevant to landscape design;

- (j) mulch, soil preparation, and ground treatment details;
- (k) water feature recirculation details, if applicable;
- (l) maintenance notes sufficient to preserve water efficiency and plant health; and
- (m) any additional information reasonably necessary to determine compliance with this Chapter.

(3) For commercial, industrial, institutional, multi-family, subdivision common area, and public agency projects, the landscape plan shall be prepared or reviewed by a qualified landscape professional unless waived by the Community Development Department for minor projects.

(4) Landscape installation shall substantially comply with the approved landscape plan. Material changes to the approved landscape plan shall be approved by the Community Development Department before installation.

(5) Required landscaping for commercial, industrial, institutional, multi-family, subdivision common area, and public agency projects shall be installed before issuance of a certificate of occupancy, final inspection approval, or acceptance of subdivision improvements unless the County approves delayed installation due to weather, season, water availability, construction sequencing, or other good cause.

(6) If delayed installation is approved, the County may require a completion agreement, financial assurance, temporary stabilization, and a specific completion deadline.

(7) For a new one- or two-family dwelling, required front yard landscaping shall be installed within one (1) year after issuance of a certificate of occupancy or final inspection approval, unless a shorter period is required by a subdivision approval, development agreement, or other applicable condition.

(8) Upon completion of landscaping for commercial, industrial, institutional, multi-family, subdivision common area, and public agency projects, the applicant shall submit a letter of compliance or similar certification from the qualified landscape professional, installer, contractor, or property owner confirming that the landscaping and irrigation were installed in substantial compliance with the approved landscape plan and this Chapter.

(9) The County may inspect landscaping and irrigation for compliance before final approval, certificate of occupancy, release of financial assurance, or closure of a code enforcement matter.

36-8. Ownership, maintenance, and property associations

(1) Landscaping and irrigation subject to this Chapter shall be maintained in a safe, healthy, water -efficient, and non-nuisance condition.

(2) Dead plant material shall be replaced as necessary to maintain the approved landscape design, except that replacement plant material may be substituted with other water-wise plant material that provides equal or greater water efficiency and is consistent with the approved landscape plan.

(3) Irrigation systems shall be maintained to prevent leaks, broken heads, excessive pressure, overspray, runoff, and irrigation of non-landscaped surfaces.

(4) A property owners' association, homeowners' association, or other responsible association shall own, operate, and maintain common landscaped areas, entry features, private park strips, open space, and privately owned irrigation systems unless those improvements are accepted for ownership and maintenance by the County or another public entity.

(5) If an association responsible for common landscaped areas is dissolved or fails to maintain required improvements, maintenance responsibility shall transfer as provided in the recorded covenants, plat, development agreement, or other governing document. If no governing document controls, the benefited property owners shall be jointly responsible to the extent allowed by law.

(6) A property owners' association, homeowners' association, architectural review committee, or similar entity shall not enforce private landscaping requirements in a manner that prohibits, or has the effect of prohibiting,

water-wise landscaping protected by Utah law, including Utah Code Sections 17-79-615 and 73-10-37, as amended or renumbered.

(7) Private covenants may require reasonable review procedures, design standards, maintenance of healthy plant material, and protection of drainage, access, and safety, provided the requirements do not conflict with this Chapter or applicable state law.

36-9. Car wash water efficiency standards

(1) Applicability. This Section applies to each new commercial car wash facility and to each rehabilitated commercial car wash facility within the unincorporated County. For purposes of this Section, "rehabilitated" means a project that replaces or materially modifies the wash equipment, plumbing system, or water treatment system in a manner that allows water-efficiency upgrades to be reasonably incorporated.

(2) Water recycling required. A car wash facility subject to this Section shall install, maintain, and operate a water recycling or reclamation system designed to capture, treat, and reuse wash water to the maximum extent practicable.

(3) Reverse osmosis reject water. Reverse osmosis reject water shall be captured and reused when technically feasible, consistent with equipment manufacturer specifications, and not prohibited by applicable state or federal law, wastewater discharge requirements, or water provider requirements.

(4) Plumbing. A car wash facility shall be plumbed at the time of construction or rehabilitation to accommodate required water recycling, reclamation, and reuse systems.

(5) Maximum culinary water use. A car wash facility shall not use more than thirty-five (35) gallons of non-recycled culinary water per vehicle, averaged over a reasonable operating period approved by the County or applicable water provider.

(6) Secondary water. Secondary water may be used where available and approved by the applicable water provider, provided the use complies with public health, cross-connection, water quality, and equipment requirements.

(7) Monitoring and records. The County may require a car wash facility to install meters or submeters, maintain equipment records, submit manufacturer specifications, or provide water-use documentation sufficient to verify compliance with this Section.

(8) Compliance with other laws. Car wash facilities shall comply with all applicable state and federal laws, water provider requirements, wastewater discharge limits, stormwater requirements, pretreatment requirements, plumbing codes, and backflow prevention standards.

36-10. Exceptions and alternative compliance

(1) The Community Development Director may approve minor modifications or alternative compliance methods that provide equal or greater water efficiency and remain consistent with the purpose of this Chapter.

(2) The Planning Commission may approve an exception from a specific requirement of this Chapter upon finding that:

- (a) strict compliance is impractical due to unique site conditions, topography, soils, water source limitations, public infrastructure constraints, stormwater requirements, fire protection needs, or other conditions not generally applicable to similar property;
 - (b) the proposed exception is consistent with the purpose and intent of this Chapter;
 - (c) the exception will not materially increase water demand compared with strict compliance;
 - (d) the exception will not create a public health, safety, drainage, erosion, maintenance, or nuisance concern;
- and

(e) the applicant has proposed reasonable mitigation or alternative design measures to achieve comparable water-efficiency outcomes.

(3) The burden is on the applicant to demonstrate that an exception or alternative compliance method satisfies this Section.

(4) An exception shall be limited to the specific standard for which relief is granted and may include conditions necessary to ensure compliance with the purpose of this Chapter.

36-11. Enforcement, violations, and penalties

(1) Failure to comply with this Chapter, an approved landscape plan, a condition of approval, or a written correction notice issued under this Chapter constitutes a violation of this Title.

(2) A property owner, applicant, developer, contractor, installer, association, tenant, operator, or other responsible person may be held responsible for a violation to the extent allowed by law.

(3) The County may enforce this Chapter through any lawful remedy, including:

(a) conditions of approval;

(b) correction notices;

(c) withholding, delaying, or conditioning certificates of occupancy, final inspections, final plat approval, improvement acceptance, or release of financial assurance;

(d) stop-work orders;

(e) administrative citations;

(f) civil enforcement actions;

(g) nuisance abatement remedies; and

(h) any other remedy authorized by County ordinance or state law.

(4) Violations are subject to fines, penalties, costs, and remedies established by County ordinance, including the County's administrative code enforcement procedures, as applicable.

(5) Each day a violation continues may constitute a separate violation when authorized by County ordinance or state law.

(6) Enforcement of this Chapter does not limit the authority of a water provider, building official, health department, fire authority, stormwater authority, or other agency to enforce separate legal requirements within that agency's jurisdiction.

36-12. Conflict with state law and severability

(1) This Chapter shall be interpreted and applied in a manner consistent with state and federal law. If a provision of this Chapter conflicts with applicable state or federal law, the state or federal law controls.

(2) References to the Utah Code include successor, amended, or renumbered provisions.

(3) If any section, subsection, sentence, clause, phrase, or application of this Chapter is held invalid by a court of competent jurisdiction, the remaining provisions and applications shall remain in effect to the maximum extent allowed by law.

Tooele County
Water Use and Preservation
General Plan Element
2026



Effective February 18, 2026

Tooele County Water Use and Preservation General Plan Element 2026

Introduction and Background:

The Utah State Legislature updated the state code regarding general plans (S.B. 110 (2022), S.B. 76 (2023)) and now requires all counties to include a Water Use and Preservation Element in their general plans. This legislation mandates 10 items, or resources, that must be addressed in the water use element. This document serves to consolidate resources and information regarding the county's water use and water conservation into one place. Tooele County began the process of drafting the Water Use and Preservation Element in 2025.

This Water Use Element is a component of the county's general plan. According to state code, a general plan is an advisory document that establishes a vision, influences growth, justifies ordinances, protects private property rights, and anticipates capital improvements. This Element summarizes conservation resources and techniques, and presents County-wide water use trends to inform land use decisions. The goal of the Water Use Element is to ensure that land use planning considers water availability and to promote collaboration that supports reliable water for all users now and in the future. While this Element focuses on unincorporated areas, county wide datasets are used where they best represent regional conditions. The Element is organized into the following sections: Water Resources, Agricultural Protection, and Drinking Water. Within these sections, similar concepts are grouped by desired outcomes.

Water Resources

Desired Outcome: Develop a Water Budget for County Water Uses

The water budget illustrates the effect of permitted development and development patterns on water demand and water infrastructure. It can be established by two components: 1) the difference between supply and demand, and 2) the estimated water usage by land use type. This method helps inform future water planning by determining

how new development will impact the existing supply. This approach supports future development decisions that align with available supply.

Historical Water Usage and Growth

With a recent annual growth rate of 2.5% and a total increase of growth of 40% over the last 15 years, Tooele County is the fastest growing county in the state of Utah by percent of population. The graph below shows the increasing population and number of retail water use connections served by public water systems in Tooele County as reported to the Division of Water Rights.

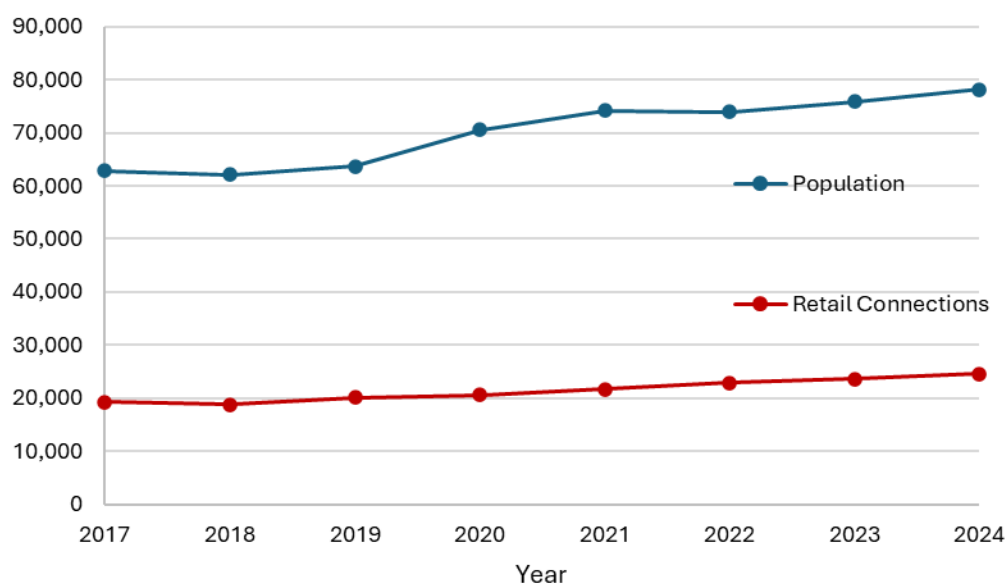


Figure 1: Recent Growth Trends in Tooele County

Similarly, water production from sources and retail use from public water systems have also been increasing over the last few years, which is illustrated by the graphs below. Retail water use reflects the volume of water reported to be billed to customers, whereas source water production refers to the total volume of water produced. The data also indicates a sufficient gap or buffer between retail use and source production.

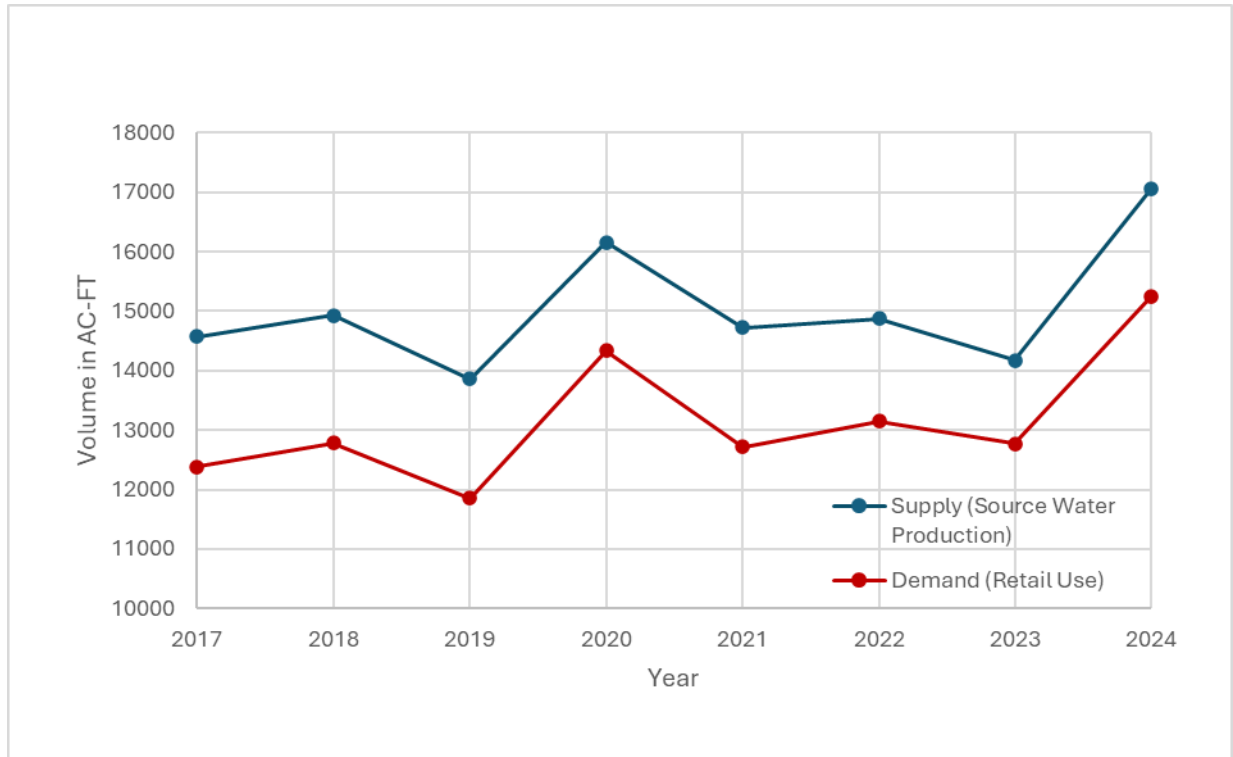


Figure 2: Recent Water Production and Retail Use from Public Water Systems in Tooele County

Additional information on historical water usage by land use type is summarized in the following sections.

Water Usage by Land Use Type

Overview of Land Use Trends

Land use trends were analyzed using Utah Geospatial Resource Center (UGRC) Water-Related Land Use data. This data was overlaid on public water system boundaries to estimate existing and future water use.

Between 2017 and 2023, within public water system boundaries:

- Land designated for agricultural use increased by about 4,700 acres (31%).
- Urban land increased by about 200 acres (1.4%).
- Other land uses decreased by about 6,500 acres (42%).

It is important to note:

- UGRC data utilizes field checks, but agricultural designation does not necessarily indicate active cultivation.
- Approximately 1.56 million acres (33% of the County) are used for military purposes.

Table 1 summarizes the changes in land use in Tooele County areas served by public water systems between 2017 and 2023. Figures 3 through 5 illustrate water related land use county-wide, water related land use near major municipalities, and military areas.

Table 1: Land Use Trends in Tooele County Within Public Water System Boundaries

Land Use Type	2017 (ac)	2023 (ac)
Urban	15,156	15,377
Agricultural	15,298	20,011
Other	15,262	8,896

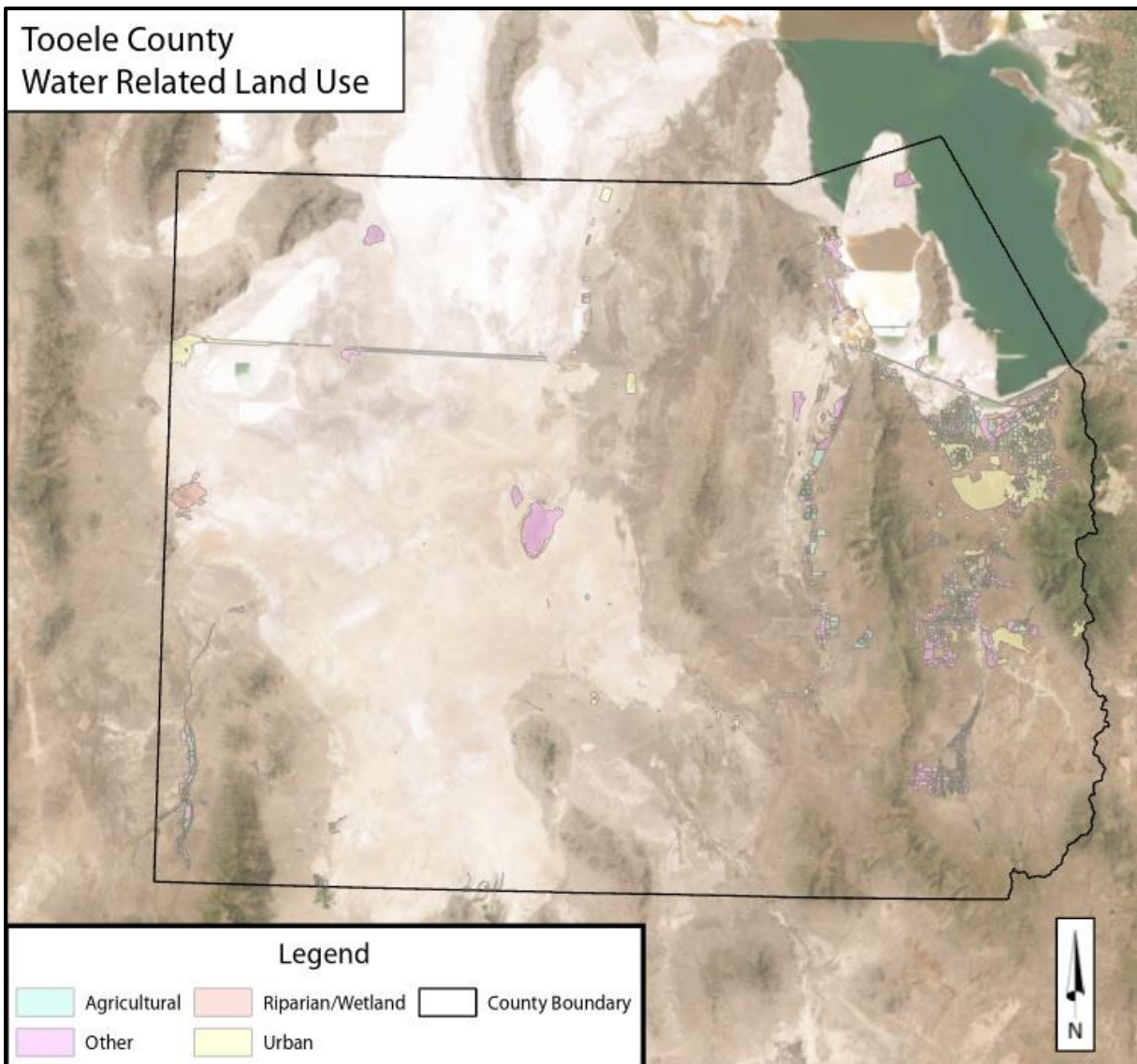


Figure 3: County-wide Water Related Land Use Data

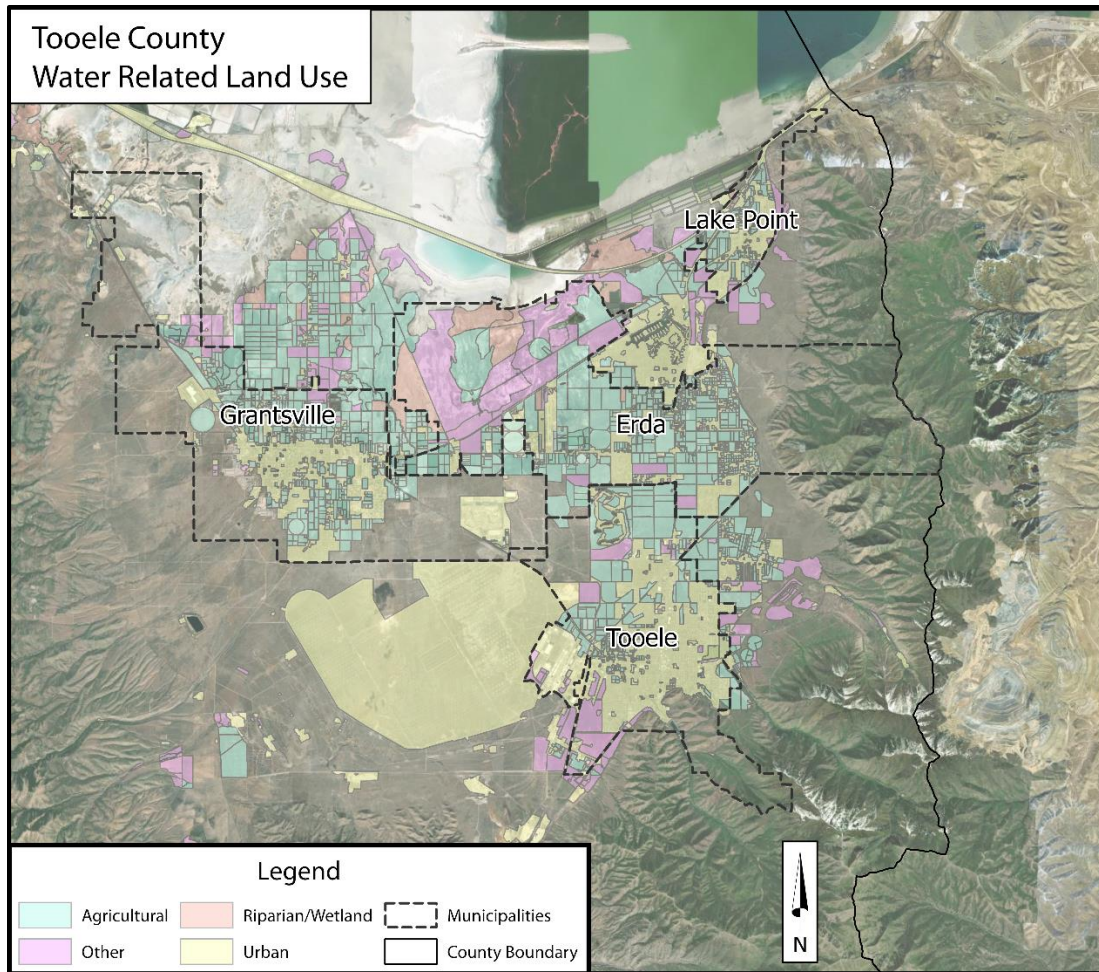


Figure 4: Water Related Land Use Data within Major Municipalities

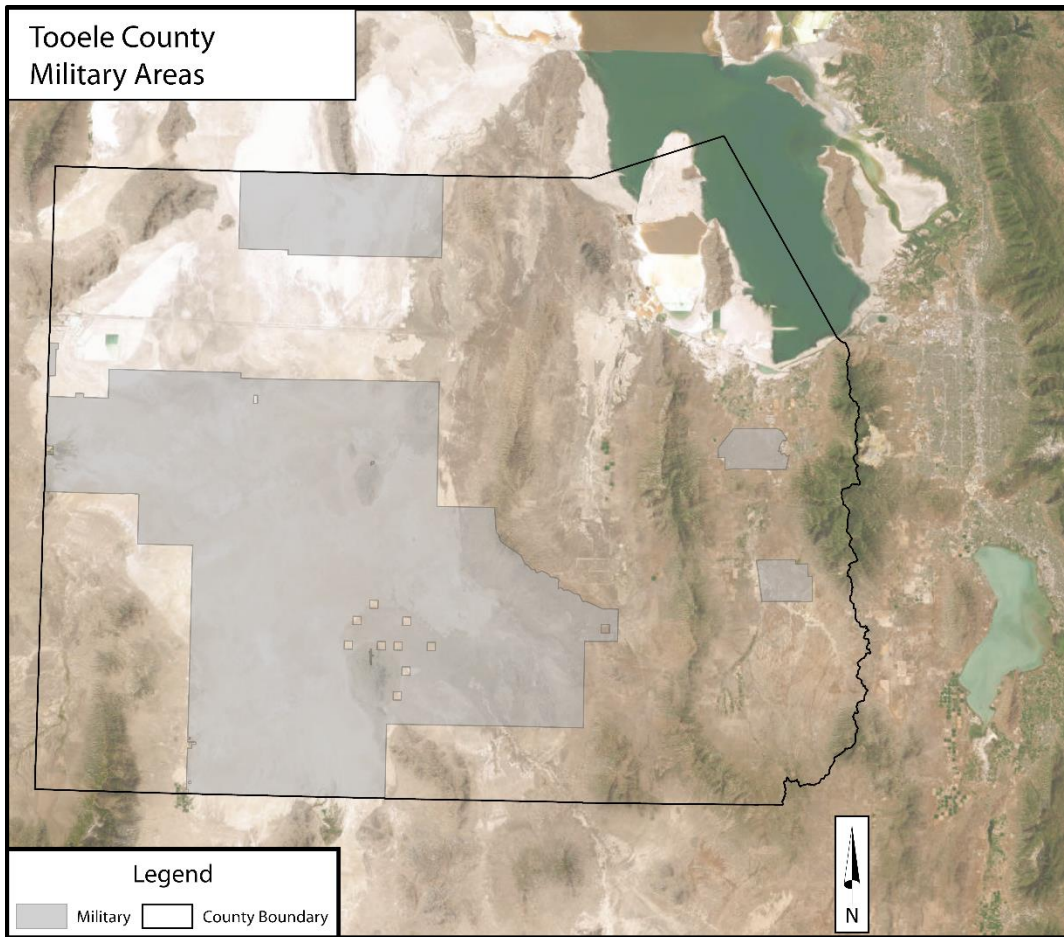


Figure 5: Military Areas in Tooele County

Table 2 summarizes trends in water usage per acre from 2017 to 2024 and is followed by additional information on urban and agricultural water usage.

Table 2: Water Usage per Acre Trends in Tooele County

Land Use	2017	2023	2024
Urban (ac-ft/ac)	0.96	0.92	1.11
Agricultural (ac-ft/irr-ac)	1.93	2.50	N/A ¹

1. No Water Related Land Use data available.

Urban Water Use

Urban development generally uses less water per acre than agriculture; however, population growth may increase overall drinking water demand and may require additional supply or conservation measures in the future. Urban water demand per acre for the areas served by public water systems was estimated using UGRC Land Use Data and reported usage from the Division of Water Rights.

Key Trends:

- Urban water use per acre shows a slight downward trend from 2017 to 2024, despite occasional spikes (see Figure 2 and Table 2).
- Indoor water demand will rise as population grows, even if overall per-acre use declines.
- Figure 6 illustrates the large difference in water use between agriculture and urban areas in Tooele County.

Planning Implications:

- Drinking water supply should prioritize indoor use and limit outdoor watering.
- Conservation strategies will be critical to sustain supply.

A summary of drinking water supply is provided in the *"Drinking Water"* section of this Element.

Agricultural Water Use

Agriculture typically consumes more water per acre than urban development. This means:

- When agricultural land converts to urban uses, overall water demand usually decreases.
- If agricultural land or irrigation increases, total water demand rises significantly.

Because actual county-wide agricultural water use data is not readily available, estimates for total usage and usage per acre were developed using published crop water needs (Hill, 2011, <https://waterrights.utah.gov/docImport/0545/05452313.pdf>) and UGRC crop-type mapping. These estimates are intended to show relative scale, not exact numbers. Trends for 2017 through 2023 are shown in Table 2.

Key Trends:

- Figure 6 illustrates the relative difference in water use between agriculture and urban areas in Tooele County.
- Agricultural water use appears to have increased from 80,000 ac-ft/year in 2017 to about 100,000 ac-ft/year in 2023 (see Figure 6).
- This increase occurred even though mapped actively farmed land decreased by roughly 1,200 acres. This increase is attributed to higher irrigation per acre based on the UGRC crop-type data and published crop water needs.
- These values are calculated estimates, not direct metering.
- Previous groundwater studies (Utah DWRi, 1996; Stolp, 2009) estimated annual Tooele Valley basin recharge/discharge at 60,000–80,000 ac-ft, suggesting the calculated agricultural usage may be high.
- Figure 6 should be viewed as illustrating relative magnitude, not exact usage.

Planning Implications:

- Agricultural demand will remain a major driver of water use.
- An increase in agricultural land will likely result in significantly increased irrigation demands.
- Efficiency improvements and crop selection strategies could help reduce irrigation needs.
- Additional discussion on agricultural protection is included in the “*Agricultural Protection*” section of this element.

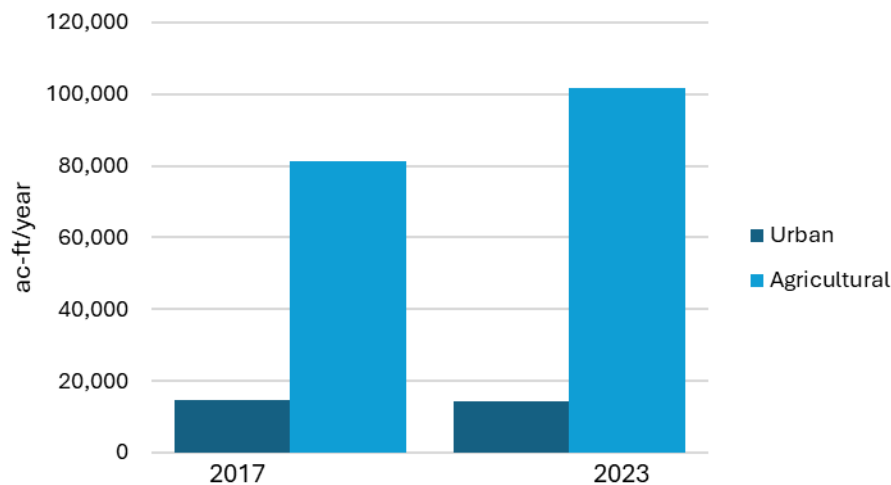


Figure 6: Urban and Agricultural Water Use Trends

Other Land Uses

Military land accounts for about 33% of Tooele County's area. Changes in activity may affect future demand. The County will continue collaborating with military land users and planners to be aware of future planning.

Future Planning Considerations

- Current public water system data indicates supply has met recent demand. Continued growth may increase pressure on supply.
- Additional studies may be needed to evaluate long-term water availability and impacts of development.
- Conservation efforts could be prioritized to reduce future demand. Strategies for reducing existing and future water demands are discussed in the following sections.

Desired Outcome: Reducing Water Demand and Per Capita Water Use for Existing Development

Tooele County residents have several opportunities to contribute to water conservation goals. A population that is well-educated on efficient water-use habits and practices is paramount to reducing future demand. Programs such as Utah Water Savers and Slow The Flow provide information on conservation practices. Some residents may be eligible for incentives for employing these practices. Incentive programs include but are not limited to the following:

- Waterwise landscaping incentives of up to \$3/sq-ft for removing grass and replacing it with waterwise landscaping for residents in Tooele City.
- Receiving up to \$100 for the installation of WaterSense smart controllers

- Receiving up to \$150 for replacing old toilets with WaterSense toilets

More information can be found under the following links:

<https://www.utahwatersavers.com/>

<https://slowtheflow.org/>

The *Utah Regional Municipal and Industrial (M&I) Water Conservation Goals Report* (HAL, Bowen Collins & Associates, 2019, <https://conservewater.utah.gov/wp-content/uploads/2021/05/Regional-Water-Conservation-Goals-Report-Final.pdf>) also provides recommendations specifically for reducing indoor water use with the following examples:

- Conversion, or new installation of fixtures (toilets, faucets, shower heads)
- Conversion, or new installation of appliances (washing machines, dishwashers) to models with higher efficiency
- Identifying and repairing indoor leaks
- Changing indoor water use habits

While the above programs are aimed at residential water users, agricultural users can significantly contribute to reducing water demands. Efficiency estimates by Utah State University show that:

- Drip and sub-surface irrigation methods can achieve efficiencies in the 90% range.
- Sprinklers and flood irrigation can have efficiencies as low as 70% and 50% respectively.

The County encourages drip or sub-surface irrigation where feasible to improve efficiency.

Desired Outcome: Reducing Water Demand and Per Capita Water Use for Future Development

Recommended Policy and Ordinance Changes

Future water demands are best reduced through changes in ordinances. The County can influence future demand through policies and ordinances that encourage efficient use and discourage waste. The following are recommendations of ways that Tooele County

can change their current policy to encourage water savings, with a recommended timeline in Table 3:

- Limit lawn or turf in County-managed landscapes, including in park strips. The County could also implement this outside of County-managed areas by updating land-use regulations for new developments and encouraging turfgrass conversion in existing developments.
- Promote site-specific landscape design in new developments that decreases stormwater runoff or utilizes runoff water for irrigation.
- Regulate ponds, pools and other features that promote unnecessary water evaporation, both in existing and future development.
- Promote efficient irrigation systems such as drip and smart irrigation systems that provide the optimal amount of water.
- Consider low water use landscaping standards for new commercial, industrial, institutional, or multifamily housing developments.

Table 3: Implementation Timeline for Recommended Ordinances

Recommended Ordinance	Recommended Timeline	Description/Benefit
Updated land-use regulations in County managed areas	2030	Reduction in lawn & turf areas in county parks reduces irrigation demand.
Efficient Irrigation Systems	2030	More efficient irrigation systems will reduce wasteful outdoor watering.
Evaporation Control	2035	Evaporation control measures will significantly reduce water loss from pools and ponds, particularly during the summer months.
Site-specific Landscaping	2035	Consider requiring new development to submit water-wise landscaping concepts to minimize future water demands.

Salt Lake County's water conservation web resources and interactive maps that provide information on water districts and water savings programs represent regional best practices (<https://www.saltlakecounty.gov/regional-development/Environmental->

[Sustainability/water/](#)). It is recommended that Tooele County explore creating a similar public-facing website.

Desired Outcome: Reducing and Eliminating Wasteful Water Practices by modifications to Local Government Operations

Water conservation starts from within. The County can reduce consumption and demonstrate best practices through operations. Examples of some modifications that can be made to Tooele County's operations included but are not limited to:

- Track and evaluate County facility water use
- Optimize irrigation schedules, including considering beginning irrigation later in the year and stopping earlier
- Conduct routine irrigation system checks for leaks and inefficiency
- Use mechanical sweeping (brooms and leaf blowers) instead of hose washing to clean sidewalks and driveways where feasible
- Install smart sprinkler systems in county parks and green areas and adjust irrigation based on weather conditions.

Salt Lake County's "flip the strip" initiative, which aims to reduce water use by retrofitting park strips and replacing the turfgrass with water-wise landscaping, demonstrates landscape conversion at scale. The County could evaluate similar opportunities within County facilities.

Desired Outcome: Minimizing the Impact on the Great Salt Lake

The Great Salt Lake is a large body of water that is both economically and environmentally critical to the state of Utah and the broader region. Conserving its ecosystem and ensuring long-term sustainability is a priority. Declining lake levels pose environmental and economic risks. Tooele County lies entirely within the Great Salt Lake Watershed, meaning that any water that is diverted or wasted, especially through inefficient irrigation practices, reduces the flows that ultimately reach the Great Salt Lake. Tooele County can actively participate in the preservation of the Great Salt Lake by implementing the water-saving strategies recommended in this Water Use Element. Tooele County recognizes the importance of reducing water uses that have demands and are ultimately more impactful to Great Salt Lake. These high demands are often

associated with outdoor water usage and strategies focused on reducing outdoor demands will be a point of emphasis.

Desired Outcome: Achieving Regional Water Conservation Goals through the General Plan Water Element

The *Utah Regional Municipal and Industrial (M&I) Water Conservation Goals Report* presents a collection of regional goals and practices for residential, commercial, institutional, and industrial water use. This report is to guide the state's water industry in planning future infrastructure, policies, and programs consistent with Utah's semi-arid climate and growing demand. Achieving these goals will require effort and participation from the County, the public water suppliers, and the residents of Tooele County.

According to the Utah's Regional M&I Water Conservation Goals report, Tooele County is located in the Salt Lake Region. This region's goal is to reduce water use per capita to 187 gallons per day (gpd) by 2030 and to 178 gpd by 2040. The graph below illustrates recent water uses per capita in Tooele County.

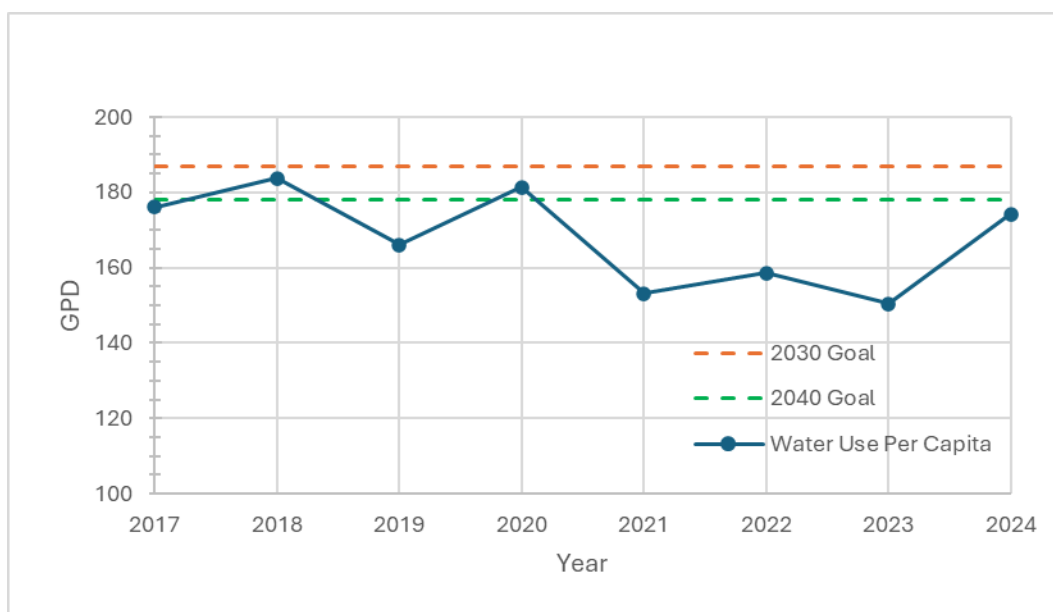


Figure 7: Water Use per Capita in Tooele County from 2017-2024

Current trends indicate Tooele County is on course to meet the regional water conservation goals set for 2030 and 2040. Implementing the conservation measures

recommended in this Element will help to reduce outdoor and indoor water use and ensure that future conservation goals are met on a consistent basis.

Communities that need to adopt water conservation plans:

The Water Conservation Act requires each water conservancy district and public water system with over 500 connections to submit an updated water conservation plan every five (5) years. Based on these criteria, the water systems within Tooele County that are required to submit water conservation plans are listed in the table below. Although the military areas in Tooele County are not required to submit a water conservation plan per the Water Conservation Act, the County aims to include these areas in future coordination and conservation efforts.

Table 4: Communities that require Water Conservation Plans

Water System Name	Latest Water Conservation Plan Submittal
Grantsville City Corporation	2022
Oquirrh Mountain Water Company	N/A ¹
Stansbury Park Improvement District	2022
Tooele City Water Special Service District	2021

1. Oquirrh Mountain Water Company recorded more than 500 connections for the first time in 2021 and is now required to adopt a water conservation plan.

Agricultural Protection

Agriculture is a significant land use in Tooele County. In 2017, land use data from UGRC indicated that about 41,000 acres were designated for agricultural use while in 2023, that number rose to about 62,000 acres. This trend is contrary to other counties in Utah, and the mapping designation does not mean that the land was used for agriculture. Data analysis indicates the number of *irrigated* acres decreased slightly from 2017 to 2023.

Desired Outcome: Protecting Agricultural Areas and Facilitating Agricultural Easements

Tooele County supports the preservation of agricultural areas. Currently, there are about 4,300 acres under protection and the County will consider additional proposals for protection areas. According to Tooele County code (4-6-6), agricultural protection areas must be located in an agricultural or multi-use zone district and consist of at least 100 contiguous acres. Proposals to create agricultural protection areas can be filed with the Community Development Department. Figure 8 shows the existing areas under protection, most of which are around Erda. Table 5 also shows the landowners of the respective protected areas.

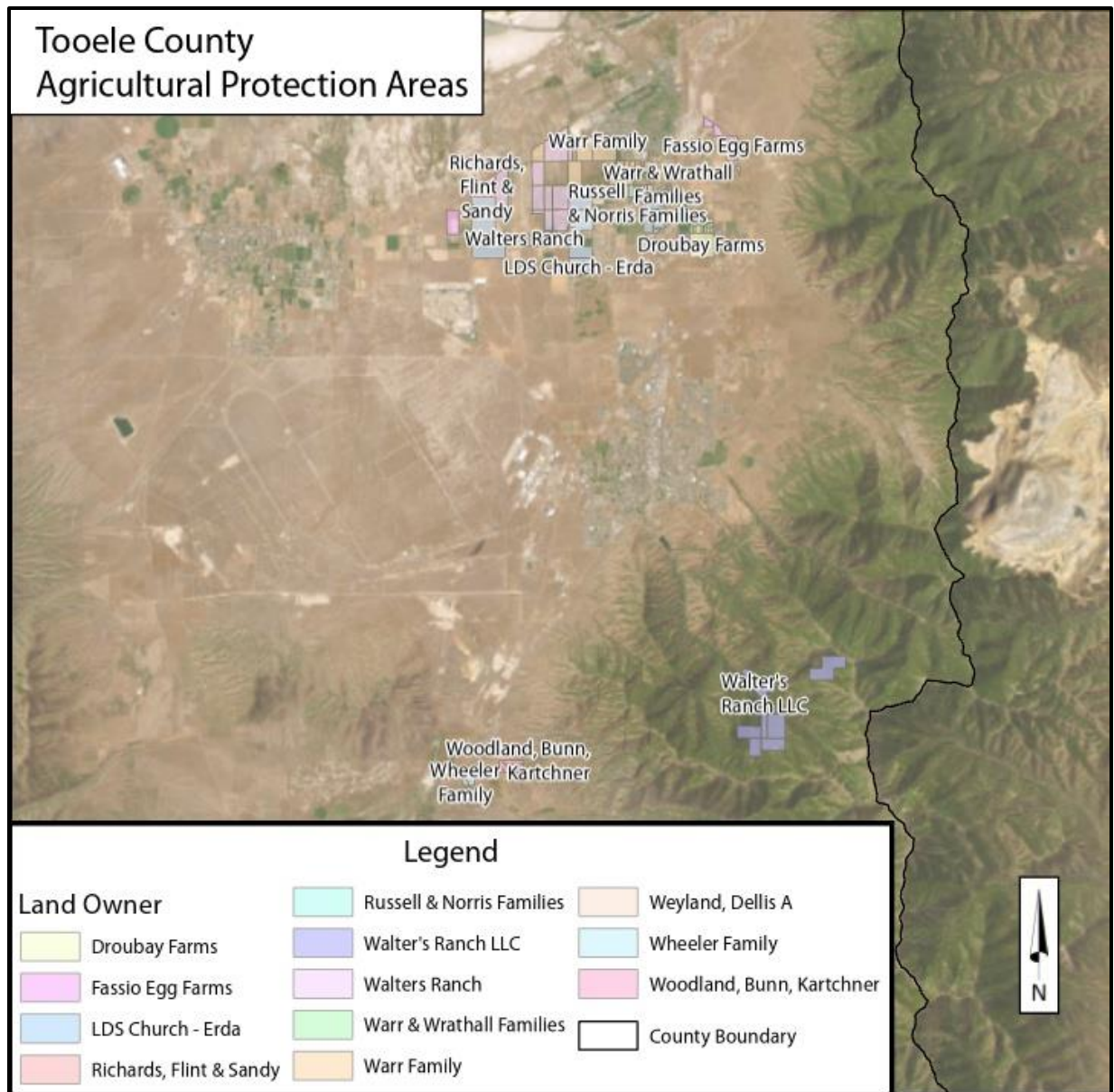


Figure 8: Agricultural Protection Areas in Tooele County

Table 5: Agricultural Protection Area Landowners

Landowner	Acres
Droubay Farms	296
Fassio Egg Farms	206
LDS Church - Erda	1,134
Richards, Flint & Sandy	98
Russell & Norris Families	59
Walters Ranch	950
Walter's Ranch LLC	663
Warr & Wrathall Families	14
Warr Family	697
Weyland, Dellis A	70
Wheeler Family	39
Woodland, Bunn, Kartchner	81
Total	4,307

In addition to providing opportunities to put land under agricultural protection, Tooele County also provides agricultural conservation easements, as shown in Figure 9. Tooele County is exploring potential uses for taxes collected through the Greenbelt Rollback tax program.

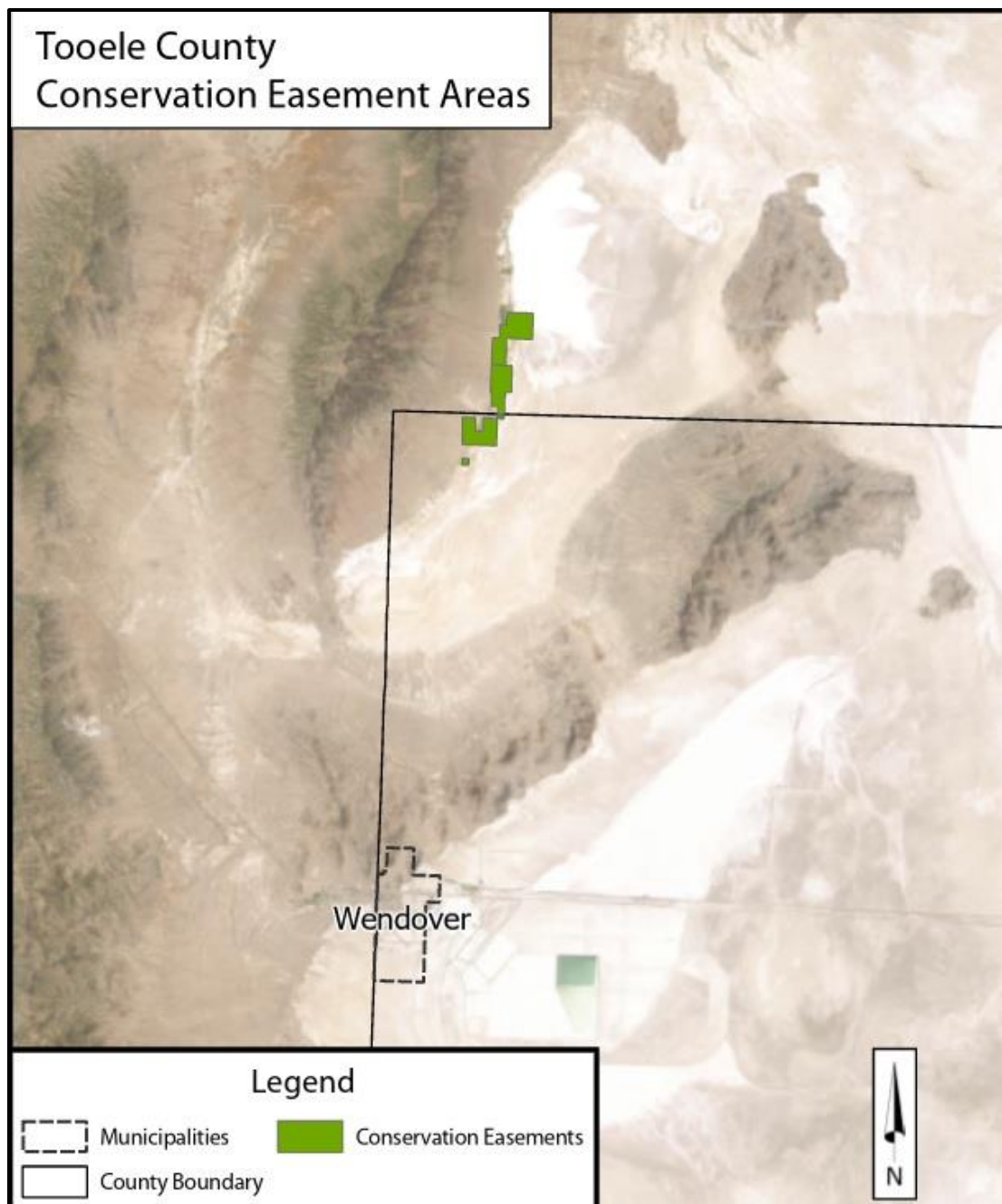


Figure 9: Conservation Easements Areas in Tooele County

Desired Outcome: Identifying Irrigation/Canal Companies with Delivery Systems within the County

Tooele County supports protection of irrigation and canal facilities on public lands and encourages management practices that prioritize efficiency and conservation. The table below provides a contact list of irrigation and canal companies within Tooele County.

Table 6: Tooele County Irrigation and Canal Companies - Contact Information

Company	Address	Phone	Main Contact
Erda Mobile Estates Water District ¹	4455 North Skyline Circle, Erda, 84074	435-882-7431	Bernadine Robinson
E.T. Irrigating Canal Company	4700 W Daybreak Parkway	435-730-3518	Julie LeFevre
Grantsville Irrigation Company	42 North Taylor Road, Grantsville, 84029	435-884-3451	Bodee Paulick
Hickman Creek Irrigation Company	18 N Johnson St, Stockton, 84071	435-882-2155	William J. Hogan
Lincoln Culinary Water Corp	1870 Walker Lane, Lincoln, 84074	801-870-7669	Gary Walker
Lower Clover Irrigation Company ¹	365 W Utah Avenue, Tooele, 84074	435-840-2118	Mark Warburton
Middle Canyon Irrigation Company ¹	412 E 500 N, Tooele, 84074	435-843-9630	William Madole
Ophir Canyon Water Association ¹	14572 South 790 West, Bluffdale, 84065	801-756-5123	Walt Shuvert
Settlement Canyon Irrigation Company ¹	261 Julie Ann Court, Tooele, 84074	435-833-9606	Kristin West
Soldier Canyon Water Company	18 N Johnson St, Stockton, 84071	435-882-2922	Ruth Sweat
St. John Irrigation Company ¹	681 West 200 South, Tooele, 84074	435-837-2169	Janet Wyman
Terra Water Corporation ¹	49 Columbine LNPOB 185, Dugway, 84022	435-837-2328	Andre DeCarlo
Upper Clover Irrigation Company ¹	166 Johnson Lane, Rush Valley, 84069	435-830-8361	Geneil Russell
Vernon Irrigation Company	20 N Main St, Vernon, 84080	435-839-3407	Jalynn Livingston

1. Some company status information is pending; the County will update contacts as verified.

The County requires applicants for new developments to coordinate with affected irrigation and canal companies to protect their facilities. Figure 10 and Figure 11 show mapping of the locations and service areas of irrigation and canal companies in Tooele County. Mapping of the canal systems is available from the Utah Division of Water Rights on the Canal Safety Program and Canal Inventory website at <https://waterrights.utah.gov/canalinfo/>. Service areas and associated water rights for several canal companies are displayed in Table 7.

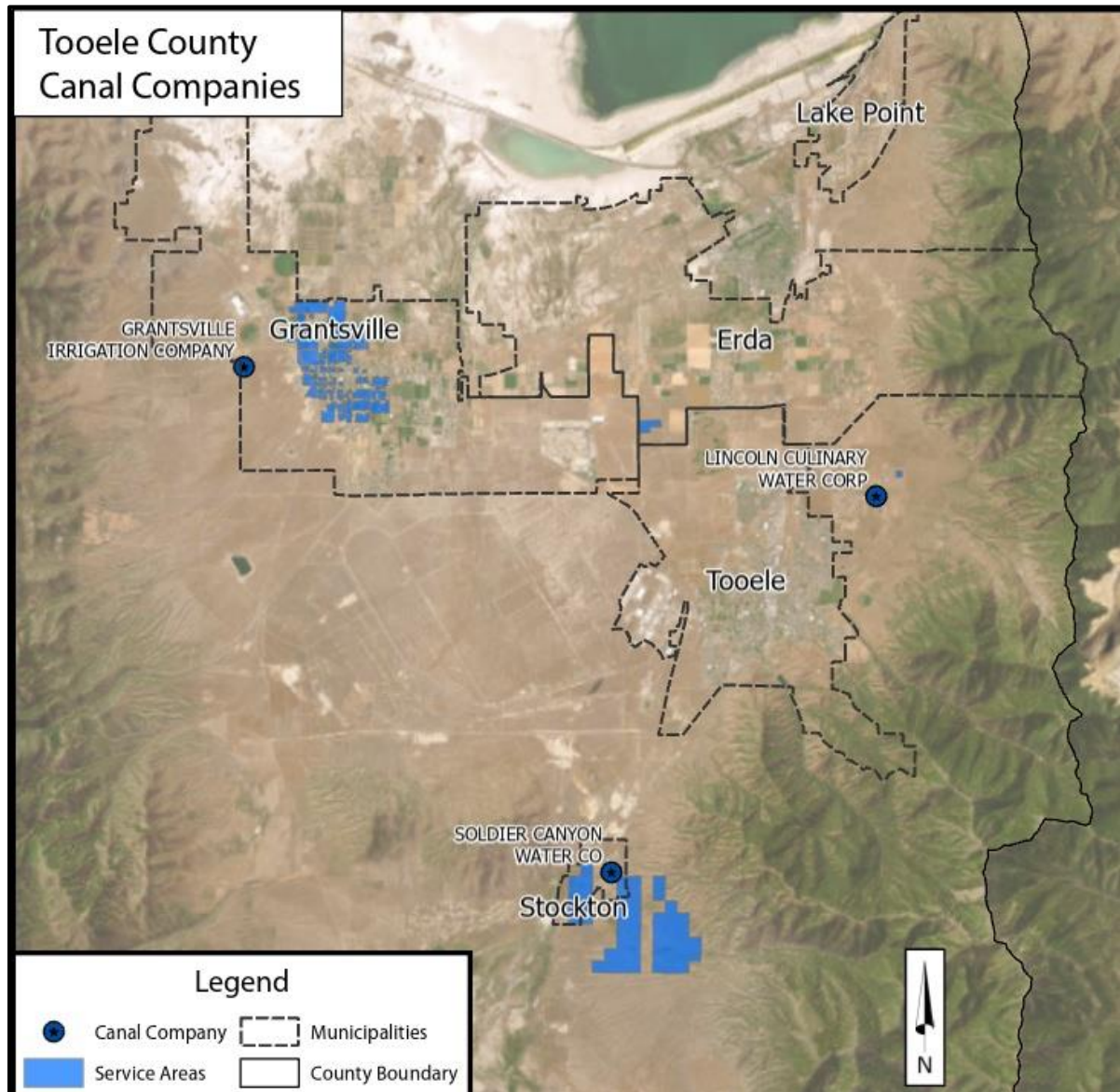


Figure 10: Irrigation/Canal Companies and Service Areas in Tooele County

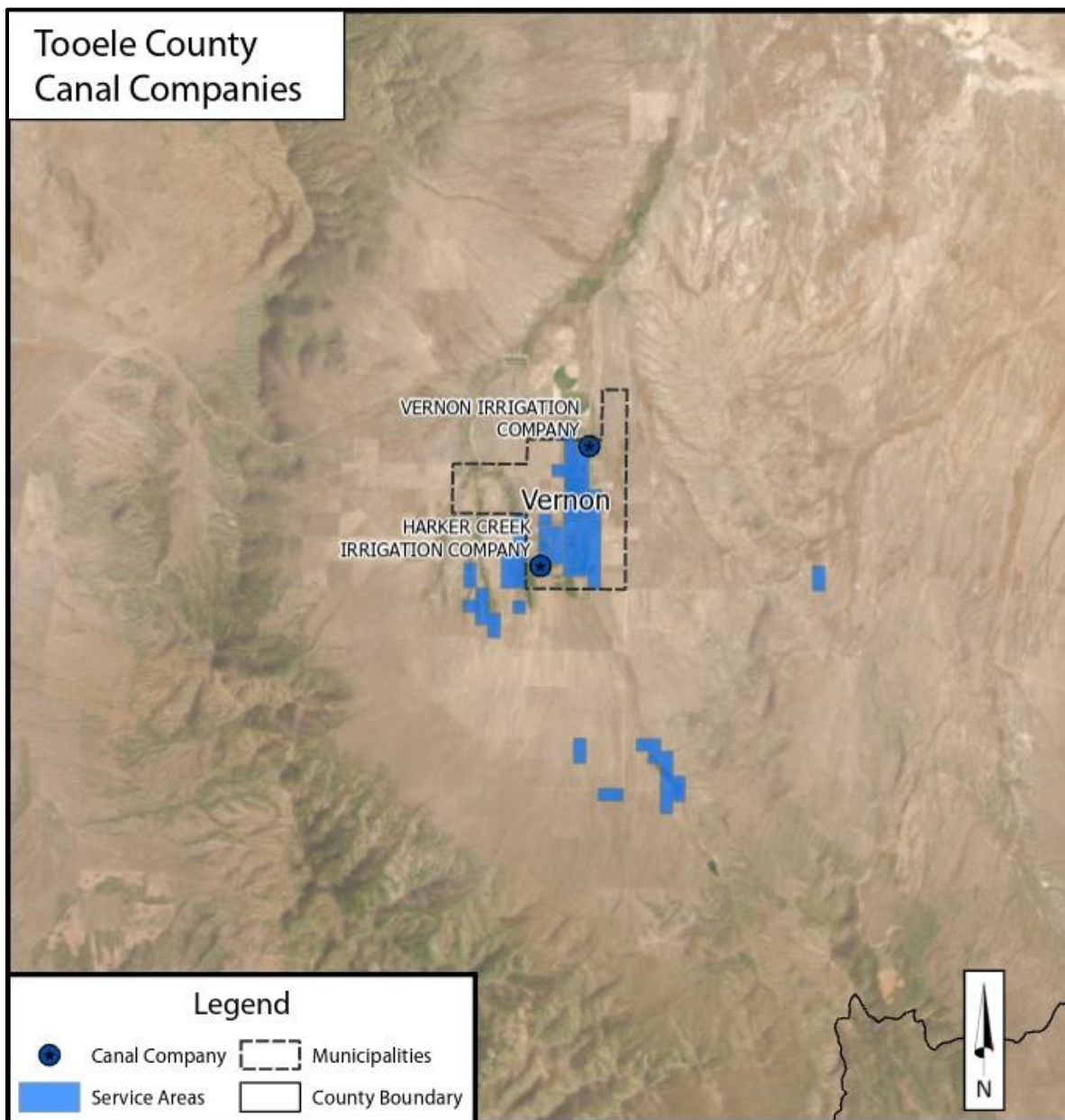


Figure 11: Irrigation/Canal Companies and Service Areas in Tooele County

Table 7: Service Areas and Water Rights of Irrigation/Canal Companies in Tooele County

Company	Service Area (Acres)	Water Rights
Grantsville Irrigation Co.	1,459	15-284, 15-502, 15-625
Harker Creek Irrigation Co.	1,086	15-2264
Vernon Irrigation Co.	1,978	15-1 to 15-3, 15-93, 15-2237, 15-2287
Lincoln Culinary Water Corp.	13	15-298, 15-1653, 15-2307
Soldier Canyon Water Co.	1,916	15-7

Desired Outcome: Establishing Water-Efficient Irrigation Practices on Farms and within Irrigation Water Delivery Systems

The Agricultural Water Optimization Program ([Agricultural Water Optimization Program | Utah Department of Agriculture and Food](#)) is a program run by the Utah Department of Agriculture and Food whose goal is to optimize the use of water resources while maintaining viable agriculture. This is accomplished by reducing water use and inefficient irrigation processes. The program provides funding to agricultural entities for upgrading their infrastructure and practices. Program reports provide case studies of completed projects that may inform local practices.

Some examples of the strategies to promote agricultural efficiency are as follows:

- Irrigation System Conversions
- Data-Based Irrigation Scheduling
- Irrigation Automation
- Variable Rate Irrigation
- Low Elevation Spray Application/Low Energy Precision Application for Center Pivots
- Deficit Irrigation
- Tillage to Control Runoff
- Conservation Tillage (No-Till & Strip-Till)

Desired Outcome: Coordinate with Cities to Protect the Delivery Systems' Integrity and Public Health:

The General Plan Draft Water Element was presented at public meetings. Irrigation and canal companies were invited to attend public meetings and review and comment on the draft element.

Drinking Water

There are 18 public drinking water systems within Tooele County. The table below shows the source capacity in gallons per minute (gpm) and storage capacity in gallons (gal) for each drinking water system based on data provided by the Utah Department of Environmental Quality (<https://waterlink.utah.gov/>).

Table 8: Drinking Water Source and Storage Capacity

Water System	Source Capacity (gpm)	Storage Capacity (gallons)
Dugway Proving Grounds/Carr Facility	610	366,600
Dugway Proving Grounds/ Ditto Tech Center	547	567,800
Dugway Proving Grounds/ English Village	2,550	1,200,000
Erda Acres Water Company	1,175	1,100,000
Grantsville City Corporation	6,420	5,925,000
Last Chance Ski Ranch	11	8,000
Lincoln Culinary Water	722	407,000
Ophir Water Association	99	120,000
Oquirrh Mountain Water Company	1,515	3,022,500
Oquirrh Point Improvement District	141	350,000
Silver Spurs Water Company	200	260,000
South Rim Water System	1,200	500,000
Stansbury Park Improvement District	9,883	6,100,000
Stockton Municipal Water System	664	1,266,156
Tooele Army Depot (North)	1,125	2,341,534
Tooele Army Depot (South)	975	1,000,000
Tooele City Water Special Service District	13,840	15,000,000
Vernon Water Works	55	150,000
Wendover Municipal Water System	565	1,093,228
Total	43,000	40,778,000

Desired Outcome: Diversifying Water Supply

Water providers in Tooele County currently utilize wells, springs, and surface water to serve drinking water and irrigation needs. Diversifying supply sources can reduce reliance on single-source systems and improve resilience to drought, infrastructure outages, and climate variability. Diversification also helps alleviate pressure on underground aquifers, which are increasingly at risk of depletion due to over pumping

and insufficient recharge. The County supports provider-led diversification and conservation initiatives that protect groundwater reserves while meeting demand.

Desired Outcome: Consider the Benefits of Regionalization

Regionalization is sometimes understood as consolidating water systems under one entity. Cooperation can take many forms, including simple measures that improve reliability without changing governance. The County recommends public water suppliers consider emergency interconnections between systems. Emergency interconnections allow independent water systems to share water temporarily during shortages or emergencies. This approach improves emergency resilience while preserving each system's autonomy.

Several past studies have addressed regional water and sewer planning. While sewer is outside the scope of this Water Use Element, these resources included projections for future water needs and may offer useful context for future coordination:

- Tooele Central Valley Water and Sanitary Sewer Regionalization Study (HAL, 2018)
- Wastewater Regionalization Plan for Northern Tooele Valley (HAL, 2017)
- Tooele County Septic System Density Study (HAL, 2016)

Desired Outcome: Consultation with Community Water Systems within Unincorporated Areas of the County

The General Plan Draft Water Element was presented at public meetings. Representatives of public drinking water systems were invited to attend public meetings and review and comment on the draft element.

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