



Planning Commission Meeting Agenda

July 22, 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](#)

B. Minutes from the June 3, 2026 Meeting

MOTION AND VOTE

Attachments

1. [JUNE 3, 2026 PLANNING COMMISSION MEETING MINUTES - DRAFT.PDF](#)

4. Subdivisions

A. SUB AMD 2025-155 Nelson Molina is requesting approval for a plat amendment to Captains Island Subdivision #2

MOTION AND VOTE

Attachments

1. [SUB AMD 2025-155_PUBLIC MEETING NOTICE.PDF](#)
2. [SUB AMD 2025-155_PC_ITEM SUMMARY.PDF](#)
3. [SUB AMD 2025-155_STAFF REPORT FINAL.PDF](#)

B. SUB AMD 2025-168 Joseph and Lindsey Wilson are requesting a plat amendment for Golf Course Island Subdivision #3

MOTION AND VOTE

Attachments

1. [SUB AMD 2025-168_PUBLIC MEETING NOTICE.PDF](#)
2. [SUB AMD 2025-168_PC_ITEM SUMMARY.PDF](#)
3. [SUB AMD 2025-168_STAFF REPORT FINAL.PDF](#)

5. Conditional Use Permits

- A. PUBLIC HEARING- CUP 2026-097 ETSRS LLC is requesting Conditional Use Approval for Land Farming Modified in the MG-EX zone

PUBLIC HEARING, MOTION, AND VOTE

Attachments

1. [CUP 2026-097_STAFF REPORT FINAL.PDF](#)
2. [CUP 2026-097_PUBLIC HEARING NOTICE.PDF](#)
3. [CUP 2026-097_PC_ITEM SUMMARY.PDF](#)

6. Rezones

- A. REZ 2026-051 Gardner Francis with Westland Development Services is requesting a rezone from MU-40 to MG-EX (tabled from 5/6/2026)

MOTION AND VOTE

Attachments

1. [REZ 2026-051_PUBLIC MEETING NOTICE.PDF](#)
2. [REZ 2026-051_PC_ITEM SUMMARY.PDF](#)
3. [REZ 2026-051_STAFF REPORT FINAL.PDF](#)

7. Land Use Ordinances

- A. PUBLIC HEARING- TCLUO 2026-102 Staff is requesting an ordinance to adopt a Regionally Significant Development Zone (RSDZ) Overlay

PUBLIC HEARING, MOTION, AND VOTE

Attachments

1. [TCLUO 2026-102_PUBLIC HEARING NOTICE.PDF](#)
2. [TCLUO 2026-102_PC_ITEM SUMMARY.PDF](#)
3. [TCLUO 2026-102_STAFF REPORT.PDF](#)

- B. PUBLIC HEARING- TCLUO 2026-100 Staff is requesting Tooele County Land Use Ordinance Chapter 34 to create a chapter for Data Center Facilities

PUBLIC HEARING, MOTION, AND VOTE

Attachments

1. [TCLUO 2026-100_PUBLIC HEARING NOTICE.PDF](#)
2. [TCLUO 2026-100_PC_ITEM SUMMARY.PDF](#)
3. [TCLUO_2026-100_STAFF REPORT.PDF](#)

8. Planning Commission Comments

9. 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 rezone 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.



Planning Commission Meeting Minutes

June 03, 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 Stetz.

2. Roll Call

Commissioner Toni Scott called the meeting to order at 7:14pm, showing in attendance: Commissioner Kevin Christiansen, Commissioner Toni Scott, Commissioner Clint Warner and Commissioner Andy Stetz. Commissioner Curtis Beckstrom, Commissioner Richard Mitchell, Commissioner Michael Dow and Commissioner Dean Alder were excused.

3. Minutes

A. Minutes from the May 6, 2026 Meeting

MOTION AND VOTE

Attachments

1. MAY 6, 2026 PLANNING COMMISSION MEETING MINUTES - DRAFT.PDF

Commissioner Scott tabled approval of the May 6, 2026, meeting minutes until the next Planning Commission meeting because the necessary number of Planning Commission members had not attended both meetings.

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

Commissioner Christensen made a motion to move the July meeting to July 15, 2026. 2nd by Commissioner Stetz. All in favor. Motion passed unanimously.

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, Mili Pioquinto

PUBLIC HEARING, MOTION AND VOTE

Mili Pioquinto, Planning Staff, summarized that the Hogan Brothers, Henry Degelbeck and Diana Degelbeck are requesting a conditional use permit for a private road approval: Wildseed

Lane. The subject area is located south of the South Rim development. A recorded access easement is already in place and the CUP would approve private road access for parcel 06-023-0-0016. 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.

Bill Hogan, representing the Hogan brothers, stated that there will be four homes that will have access to the 30' private road.

Commissioner Scott opened the public hearing.

Commissioner Scott closed the public hearing.

Commissioner Stetz made a motion to approve the Conditional Use Permit for a private road, application number 2026-057, based on the findings and subject to the conditions listed by the Planning Staff: 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. 2nd by Commissioner Warner. Roll call vote.

Commissioner Christensen – yes. Commissioner Scott – yes. Commissioner Warner – yes. Commissioner Stetz – yes. All in favor. Motion passed unanimously.

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, Mili Pioquinto

PUBLIC HEARING, MOTION AND VOTE

Mili Pioquinto, Planning Staff summarized that Charles Akerlow and Shane Sell are requesting a text amendment to the Tooele County Land Use Ordinance Chapter 24 – Sign Regulations. Specifically, changing Table 24-9-4 (Commercial and Industrial Zones) to allow freestanding signs in industrial zones as a permitted use, as well as directional signage requirements. Planning Staff identified that the current code does not permit freestanding signs in industrial zoning districts. To accommodate the proposed Love's signage package and similar future developments, Planning Staff revised existing commercial-zone sign standards for application in industrial zoning districts to ensure the amendment supports responsible industrial growth.

Planning Staff proposes revisions to 24-8-5 (On-Premise Freestanding Signs) in industrial zones, as outlined in the staff report. Some of the changes discussed are listed below.

(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; or as approved by the zoning administrator.

(g) on parcels within 2000 ft. of an exit off of Interstate 80:

(1) signs shall have a height not greater than 80 feet, maximum 70 feet above the nearest traffic lane 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

1000 square feet;

(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 give enough height to provide reasonable visibility above the obstruction.

Shane Sell, the applicant, gave a presentation regarding visibility and safety concerns and provided a completed balloon test that was performed. Shane requested that signs in Industrial Zones: 1) Allow for at least two freestanding signs per site (One for the high rise and one for the street sign). 2) Allow for a maximum height of 70' for freestanding signs. 3) Allow directional signs to be at least 3'x6'. 4) Allow the maximum sign face area to be 2,000 sq ft.

Commissioner Scott opened the public hearing.

Kim VanDyke, representing Love's, supports the proposed text amendment changes.

Commissioner Scott closed the public hearing.

Commissioners and staff discussed the Love's Travel Stop project as one of the first major developments in the area and noted the need to update the code to better address current and future industrial and commercial development. Staff explained that the proposed changes are intended to proactively establish standards rather than rely on development agreements or variances on a case-by-case basis. Discussion also addressed sign size, height, visibility, industry standards, driver safety, weather conditions, and the potential impact of nearby billboards and airport considerations. Staff clarified that the amendments apply only to parcels within 2,000 feet of Interstate 80 exits and do not affect signage requirements along other corridors, including State Route 36. Questions were raised about whether larger or taller signs may be appropriate to improve visibility for travelers and truck drivers, particularly during adverse weather conditions.

Commissioner Christensen made a motion to make a favorable recommendation to the County Council of the text amendment request by Charles Akerlow and Shane Sell for the text amendments to Tooele County Land Use Ordinance Chapter 24 Sign Regulations per staff recommendations, with the changes: (1) Freestanding directional signs allowed up to 7 feet and (2) Freestanding high rise allowable sign area up to 2,000 square feet. 2nd by Commissioner Stetz. Roll Call Vote. Commissioner Warner – yes. Commissioner Scott – yes. Commissioner Stetz – yes. Commissioner Christensen – yes. Motion passed unanimously.

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, Mili Pioquinto

PUBLIC HEARING, MOTION AND VOTE

Milie Pioquinto, Planning Staff, summarized that 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 Standard."

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.

Commissioner Scott opened the public hearing.

Commissioner Scott closed the public hearing.

There was discussion regarding qualifying for "Slow the Flow" rebates and water rise rebates and requirements.

Commissioner Scott made a motion to make a favorable recommendation to the 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 and the conditions listed by staff. 2nd by Commissioner Warner. Roll call vote. Commissioner Stetz – yes.

Commissioner Christensen – yes. Commissioner Warner – yes. Commissioner Scott – yes.
All in favor. Motion passed unanimously.

7. Planning Commission Comments

8. Adjournment

Commissioner Scott moved to adjourn at 8:26PM.



NOTICE OF PUBLIC MEETING

- **SUBJECT:** SUB AMD 2025-155: Plat amendment for Captains Island Subdivision #2.
- **PROJECT SUMMARY:** Nelson A. Molina is requesting a plat amendment approval for lots #27 and #93 within Captains Island Subdivision located in Stansbury Park.
- **PARCEL(S):** 08-022-0-0027, 05-034-0-0093
Unincorporated: Stansbury Park **Planner:** Mili Pioquinto

On **July 22, 2026** the Tooele County Planning Commission will hold a public meeting 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 the meeting, however, there will not be a public hearing for this item. 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:

July 22, 2026

Item Title:

SUB AMD 2025-155: Plat amendment for Captains Island Subdivision #2.

Summary:

Nelson A. Molina is requesting a plat amendment approval for lots #27 and #93 within Captains Island Subdivision located in Stansbury Park.



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/>

SUB AMD 2025-155

Amendment Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Parcel ID(s): 08-022-0-0027, 05-034-0-0093

Current Zone: R-1-10

Approximate Site Location: Located South of Pole Canyon Rd, west of SR-36, and within the Stansbury Recreation Service Area.

Request: Nelson A. Molina is requesting a plat amendment approval for lot #27 within Captains Island Subdivision #2 located in Stansbury Park.

Unincorporated: Tooele County

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting

Applicant Name: Nelson A. Molina

PROJECT DESCRIPTION

Nelson A. Molina is requesting a plat amendment approval for lots #27 and #93 within Captains Island Subdivision located in Stansbury Park. The request is to consolidate the two (lots #27, and #93) parcels into one parcel.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property consists of approximately 0.363 acres total, located in Stansbury Park, west of State Route 36, and within the Stansbury Park Recreation Service Area. Immediate surrounding zones include R-M-7 (Residential Multi-Family, 7,000 Sq. Ft. Minimum), CN (Commercial Neighborhood), and R-1-10 (Residential Single Family, 10,000 Sq. Ft. Minimum).

LAND USE CONSIDERATIONS (R-1-10 Zone)

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

GENERAL PLAN CONSIDERATIONS

The request does not impact the Tooele County General Plan (2022 Update).

ISSUES OF CONCERN/PROPOSED MITIGATION

Staff and the applicant have identified a minor concern regarding the utility easement vacation. While some utility providers have approved the vacation in full, others have either not granted approval or have only approved limited encroachments. Prior to the issuance of a building permit, it must be demonstrated that the proposed building placement complies with all required setbacks and does not encroach into any remaining utility easements.

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 July 15, 2026.

PLANNING STAFF ANALYSIS

The applicant has worked with Planning Staff and the Recorder's Office to submit a complete subdivision amendment plat. At this time, Planning Staff has no additional comments regarding the proposed subdivision amendment.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to approve the subdivision plat amendment, subject to the following conditions:

1. Applicant to work with Comcast on obtaining utility vacation letter.
 - a. If a vacation letter is not granted, a note shall be placed on the plat before recording.
2. Applicant to work with Ensign Engineering to add the Planning Commission signature block on the plat.

MODEL MOTIONS

Sample Motion for Non-Approval

- "I move we table the Subdivision Plat Amendment Request by Nelson A. Molina for the Molina One Lot Subdivision, Vacation and Amendment of Lot 27 of Captains Island Subdivision #2, application number 2025-155, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Approval

- "I move we approve the Subdivision Plat Amendment Request by Nelson A. Molina for the Molina One Lot Subdivision, Vacation and Amendment of Lot 27 of Captains Island Subdivision #2, application number 2025-155, based on the findings and subject to the conditions listed by the Planning Staff."

SUB AMD 2025-155: Molina One Lot Subdivision, Vacation and Amendment of Lot 27 of Captains Island Subdivision #2.

Located South of Pole Canyon Rd, west of SR-36, and within the Stansbury Recreation Service Area. (Parcel(s)) 08-022-0-0027, 05-034-0-0093.





Plat Amendment Application

Fee \$250.00

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

Name of Subdivision: Captains Island Sub #2

NOTE: If a proposal to change to the subdivision name is requested you must attach the approval letter from the county recorder with this application. This name must be exactly the name that is approved by the county recorder.

Record of Survey map number(s): 334575

NOTE: Record of survey map must depict all boundaries of the proposed project and must address specific items as outlined in the attached record of survey map requirements.

Lot #'s: #27 and #93 00-022-0-0027 & 05-034-0-0093

(For office use only)

Permit #: 2025-155 Fee \$250.00

Receipt #: 1274
(11/17/25)

Application Determination:

Approved ☐ Denied ☐

Conditions imposed? Yes ☐ No ☐

By: _____ Date: _____

Property Owner(s) Information

Name(s): Nelson A. Molina

Address per tax rolls: GRAMA REQUEST

City/County: Stansbury Park / Tooele State: Utah Zip: 84074

Office/home phone: GRAMA REQUEST Fax: _____

Mobile phone: GRAMA REQUEST Message phone: _____

Email address: GRAMA REQUEST

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

*Property Owner's Authorization notarization needed.

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Surveyor's Information

Name(s): Douglas Kinsman, PLS
Business/Firm name: Ensign Engineering
Address: GRAMA REQUEST
City/County: Tooele State: Utah Zip: 84074
Office phone: GRAMA REQUEST Fax: _____
Mobile phone: GRAMA REQUEST Message phone: _____
Email address: GRAMA REQUEST

35-2-1. Application expiration. Each application shall be actively pursued to completion. An application shall become null and void, and all rights vested by that application shall be terminated, if the applicant does not complete a stage or fails to make a progress report to the Community Development Department within 180 days. Any extension must be requested before the expiration of the original application. If an application becomes void, the applicant must reapply at the first stage for that level of development.

35-2-2. Application procedure. (1) Each application shall include all required submittals before it is accepted as a complete application. No application for a subsequent stage shall be accepted until the planning commission has approved the application for the stage of the development currently under consideration. (2) There shall be no presumption of approval of any aspect of the process. (3) No application for a subsequent stage shall be accepted if a prior application has expired. (4) The Planning Commission, or the Community Development Department in the case of a minor subdivision, may request additional information determined to be incomplete and table further action until the requested information is submitted.

35-8-1. Vacating or changing a subdivision plat.

- (1) Subject to Subsection (2), the Planning Commission may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any road, lot, or alley contained in a subdivision plat, at a public hearing.
- (2) If a petition is filed, the Planning Commission shall hold the public hearing within 45 days after receipt of the petition if:
 - (a) the plat change includes the vacation of a public road;
 - (b) any owner within the plat notifies the county of their objection in writing within ten days of receiving mailed notification; or
 - (c) all of the owners in the subdivision have not signed the revised plat.
- (3) Any fee owner, as shown on the last county assessment rolls, of land within the platted subdivision may petition in writing to have the plat, any portion of it, or any road or lot contained in it, vacated, altered, or amended.
- (4) The Community Development Department shall review any proposal to vacate or alter any road or alley located within a subdivision. Upon receiving a recommendation from the Community Development Department, the application shall be considered at a public hearing held by the Planning Commission. The County Council shall then consider and act on the Planning Commission's recommendation at a public meeting.
- (5) The vacation or narrowing of a public road does not affect any existing easement or franchise right of any public utility.

An approved final plat shall be valid for no more than two years. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the Planning Commission. The Planning Commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

Any changes to roads shall include "Infrastructure design and engineering drawings requirements" in Chapter 35-2-4 also listed in application below.

The improvement agreements and bonds shall be forwarded to the County Manager for approval and acceptance.

All required information in this application must be completely filled out and signed with required paperwork submitted or application will be denied.

All checklist items must be attached and clearly *marked, tabbed, and labeled*. All checklist items require a response,

***N/A will only be accepted to road section if there are no changes to roads.**

Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a road or lot contained in a plat shall include:

- | | Applicant | County | |
|-----|-------------------------------------|-------------------------------------|--|
| (a) | ☒ | ☒ | The Application; Completely filled out and signed. |
| (b) | ☒ | ☒ | An original engineered pdf or AutoCAD file of the final plat for distribution to affected entities (final plat requirements are listed below). |
| (c) | ☒ | ☒ | The name and address of all owners of record of the land contained in the entire plat. |
| (d) | ☒ | ☒ | The name and address of all owners of record of land adjacent to any road that is proposed to be vacated, altered, or amended. |
| (e) | ☒ | ☒ | The signature of each of these owners who consents to the petition. |
| (f) | ☒ | ☒ | Any unpaid fees owed to Tooele County for the development of land, code enforcement, or building permits. |
| (g) | ☒ | ☒ | List required signature blocks. |

If Roads are proposed to change, then the following shall also be included:

- | | *Applicant | County | |
|-----|-------------------------------------|-------------------------------------|---|
| (h) | ☒ | ☒ | A cost estimate for construction of infrastructure, approved and signed by the County Engineer. |
| (i) | ☒ | ☒ | A pedestrian circulation plan. |
| (k) | ☒ | ☒ | A road connectivity plan. |
| (l) | ☒ | ☒ | Infrastructure design and engineering drawing requirements (listed below). |

The following items are to be submitted following the review of the approved plat:

1. Mylar drawn by a surveyor licensed in the State of Utah.
2. All signature blocks, except the zoning administrator's and Planning Commission Chair block shall be signed.

All requirements listed below shall be reflected in the plans submitted with this application or application will be denied.

FINAL PLAT REQUIREMENTS

(1) The final plat shall be prepared and certified by a registered land surveyor who holds a valid Utah license, has completed a survey of the property described on the plat, has verified all measurements and monumented any unmarked property corners, and has referenced to the filing number for the Record of Survey map filed with the County Surveyor's office. The applicant shall bond or provide to the county adequate security to place monuments as

represented on the plat upon the completion of the subdivision improvements.

(2) Every detail of the plat shall be legible.

(3) A traverse shall not have an error of closure greater than one part in 10,000.

(4) Each final plat shall include:

- ✓(a) an indication that the plat is a final plat;
- ✓(b) the date of the plat;
- ✓(c) the general location of the subdivision with name and phase and adjoining properties with ownership with Entry number of vesting deed;
- ✓(d) all deed lines of the proposed subdivision and all adjoining property lines;
- ✓(e) the 100-foot radius wellhead protection zone for all wells proposed within the subdivision, all existing wells located within the subdivision, and all existing wells located outside of the subdivision where any portion of the protection zone falls within the subdivision;
- ✓(f) bearing and distance tie-in to the historic and dependent survey and at least one established monument, or a statement that no historical monument could be located;
- ✓(g) county, township, range, section, quarter sections, plats, and true north;
- ✓(h) the graphic scale of the plat;
- ✓(i) the square footage and acreage of each lot under one acre, or the acreage of each lot one acre or larger;
- ✓(j) existing ground contours at 20-foot intervals;
- ✓(k) the name of the subdivision as approved by the County Recorder;
- ✓(l) the amount of water allocated to each lot in acre-feet if the subdivision does not have a public water system connection;
- ✓(m) the following owners' dedication:

OWNERS' DEDICATION AND CONSENT TO RECORD

We are the owners of this tract of land and divide the same into lots and streets together with easements, to be known as (NAME OF SUBDIVISION). We dedicate to Tooele County the tracts of land designated on this plat as public roads. We also convey to any and all public and private utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for drainage and the installation, maintenance, and operation of utility service lines and facilities.

(n) the names of all owners, of record, under the signature lines in the owners' dedication; and

(o) signature blocks for:

- (i) all improvement, service, and special districts or areas where any part of the subdivision is located;
- (ii) the County Engineer;
- (iii) the County Surveyor;
- (iv) the County Attorney;
- (v) the County Health Department;
- (vi) the County Treasurer, indicating that all property taxes have been paid in full;
- (vii) the County Recorder, with space for the recordation number, the name(s) of the person(s) for whom the plat is recorded, the date and time of recording, and the fee; (viii) the fire authority having jurisdiction; and
- (ix) the Planning Commission chair and Community Development Department, or in the case of a minor subdivision, the Community Development Department.

(5) The bearings, distances, and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shoreline of a body of water, the bearings and distances of a closing meander traverse shall be provided, and a notation made that the plat includes all land to the water's high-level mark.

(6) If a plat is revised, a copy of the previous plat shall be provided for comparison purposes.

(7) All blocks and lots within each block shall be consecutively numbered.

(8) For all curves in the plat, sufficient data shall be given to re-establish the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.

(9) Excepted parcels, if any, shall be marked, "Not included in this subdivision."

- (10) All public lands shall be identified.
- (11) All public roads shall be marked as "dedicated public road."
- (12) All private roads shall be marked as "private road."
- (13) All roads shall be identified by names approved by the Community Development Department.
- (14) All lands within the subdivision's boundaries shall be accounted for as lots, walkways, streets, or excepted parcels.
- (15) Bearings and dimensions shall be given for all lot lines and easements, except bearings and lengths need not be provided for interior lot lines where the bearings and lengths are the same as those of both end lot lines.
- (16) Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included in one plat provided all owners join in the dedication and acknowledgments.
- (17) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.
- (18) Surveys shall tie into the Public Land Survey System (PLSS) and shall include a description, the name, and the date for survey monuments located.
- (19) The surveyor shall provide remainder descriptions for all property from the original parcel(s) or lot(s) that is not included in the subdivision.

INFRASTRUCTURE DESIGN AND ENGINEERING DRAWING REQUIREMENTS

- (1) Infrastructure design and engineering drawings and documents shall be submitted with the final plat and shall include:
 - (a) plan, profile, and typical cross-section drawings of the roads, bridges, culverts, water, sewers, and drainage structures;
 - (b) a grading and drainage plan indicated by solid-line contours superimposed on dashed-line contours of existing topography;
 - (c) the general location of trees over six inches in diameter measured at four and one-half feet above the ground, and in the case of heavily-wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;
 - (d) proposed and existing water and sewage system layouts;
 - (e) location of fire hydrants;
 - (f) proposed road layouts in dashed lines for any portion of the property to be developed in a later phase;
 - (g) water courses and proposed stormwater drainage systems, including culverts, water areas, streams, areas subject to occasional flooding, marshy areas, or swamps;
 - (h) areas within the 100-year floodplain;
 - (i) soil types and soil interpretations taken from the National Cooperative Soils Survey;
 - (j) a signing and striping plan showing the location of all street signs, striping, and traffic control devices required by the county per the Manual of Uniform Traffic Control Devices;
 - (k) a signature block for the County Engineer on each design and construction drawing;
 - (l) when the subdivision is located within the jurisdiction of a service or improvement district or area, a signature block for such service or improvement district or area;
 - (m) geologic maps and investigation reports regarding area suitability; and
 - (n) a design report stamped by an engineer licensed in the State of Utah.
- (2) All drawings shall be drawn to a scale not less than one inch equals 100 feet and indicate the basis of bearings, true north, the name of the subdivision, township, range, section, quarter section, and lot numbers of the property.
- (3) To change any aspect of the design of off-site improvements, a new set of infrastructure design and engineer drawings shall be submitted for approval. A signed set of drawings shall be onsite at all times during construction. All construction must conform to the approved plans.

RECORD OF SURVEY MAP REQUIREMENTS

Record of Survey Map (Boundary Survey) Prerequisite for all Plat Submittals 17-27a-103 (60) "Record of survey map" means a map of a survey of land prepared in accordance with Section 10-9a-603, 17-23-17, 17-27a-603, or 57-8-13. To obtain a copy of these code Sections go to: https://le.utah.gov/xcode/Title17/17.html?v=C17_1800010118000101

The record of survey (ROS) map shall be completed and filed with the Tooele County Surveyor's Office prior to submitting an application for a preliminary subdivision, planned unit development (PUD) or condominium plat. The filing number of the ROS shall be referenced on the application prior to acceptance by the governing agency. Any application without the filing number reference shall be deemed incomplete.

The ROS map is a document prepared by a Professional Land Surveyor (PLS) licensed by the State of Utah which determines the boundaries of the proposed project and is an expression of his/her professional opinion of the location of the division lines between the subject property or properties and the adjoining properties. The ROS map depicts an existing condition as opposed to a subdivision, PUD or condominium plat that creates new boundaries for future ownerships and as such the ROS map should not show proposed lot lines or future subdivision boundaries. The ROS map shall be used as a tool by those reviewing the preliminary subdivision, condominium, or PUD plat. Specific items to be addressed on the ROS map in conjunction with the plat submitted for review shall follow the State's requirements listed in the code sections mentioned above.

I (We), the above-named applicant(s) do hereby understand the forgoing requirements and attest that all information is complete and true.

APPLICANT'S SIGNATURE

PROPERTY OWNER'S SIGNATURE

DATE

DATE

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we), Nelson A. Molina the owner(s) of the real property located as follows: 08-022-0-0027 & 05-034-0-0093 and further described in the attached application, do authorize the applicant listed in this application permissions to act in our behalf regarding this application. I (We) acknowledge this application to be true and complete and understand and give our permissions to continue with said application.


(Property Owner)

(Property Owner)

(Property Owner)

(Property Owner)

Notary

STATE OF UTAH)

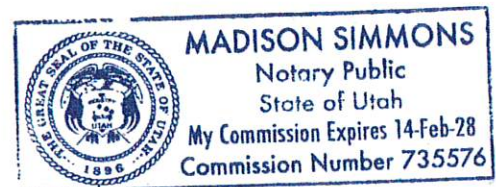
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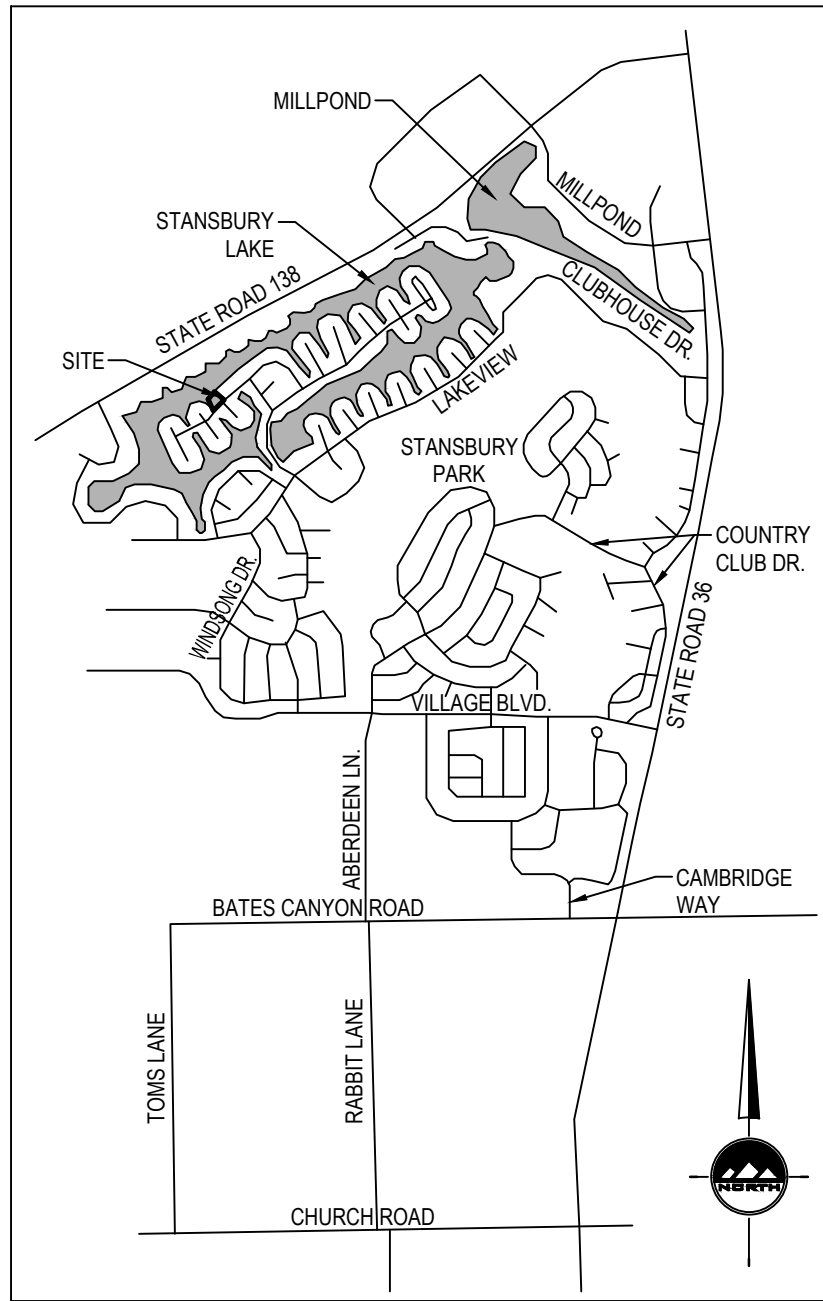
County of Tooele)

Dated this 17 day of NOVEMBER, 2025, 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.

14 Feb, 2028
My Commission Expires


Notary Public

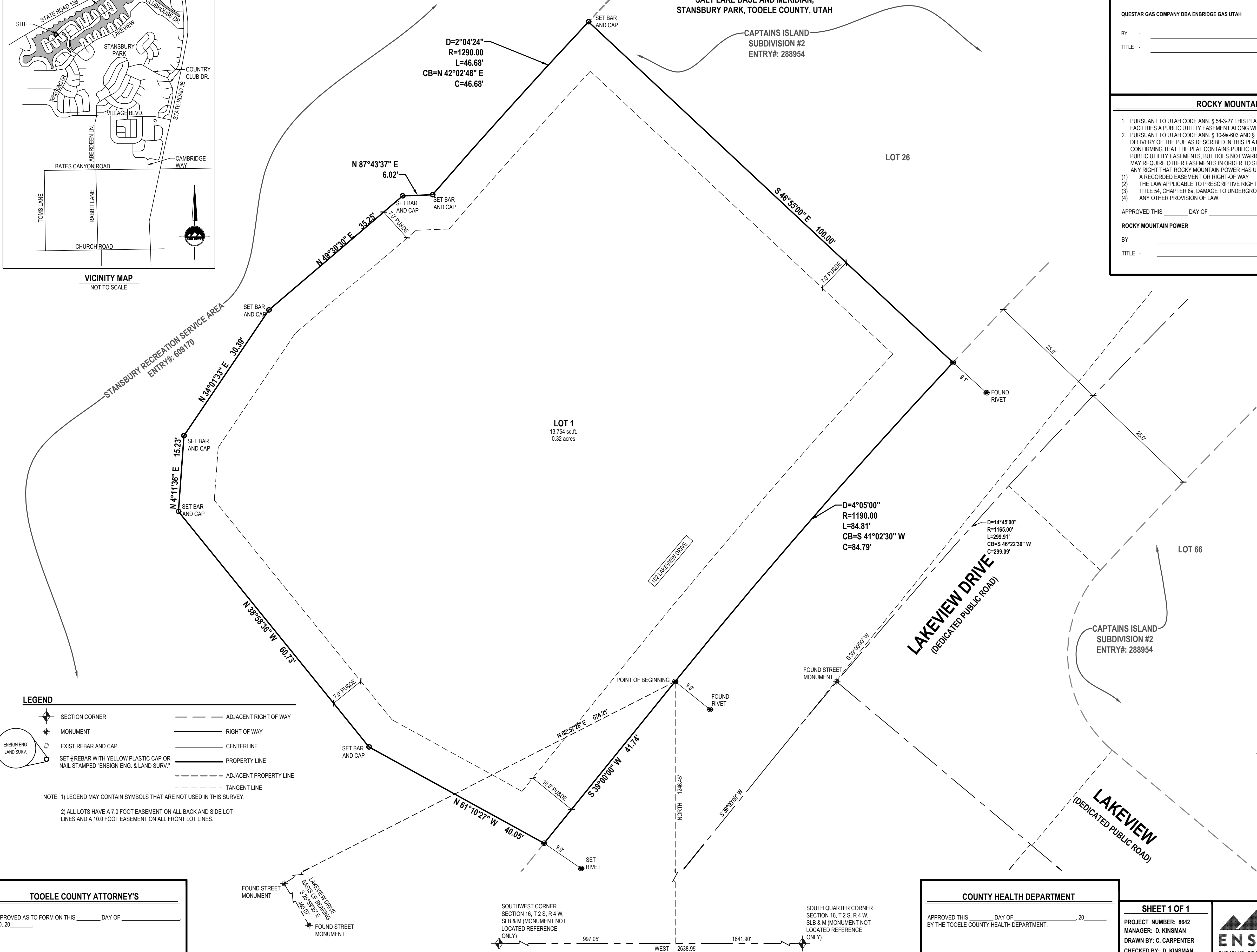




VICINITY MAP
NOT TO SCALE

MOLINA ONE LOT SUBDIVISION FINAL PLAT

(VACATING AND AMENDING LOT 27 OF CAPTAINS ISLAND SUBDIVISION #2)
LOCATED IN THE SOUTHWEST CORNER
OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
STANSBURY PARK, TOOELE COUNTY, UTAH



LEGEND

- SECTION CORNER
- MONUMENT
- EXIST REBAR AND CAP
- SET REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSGN ENG. & LAND SURV."
- ADJACENT RIGHT OF WAY
- RIGHT OF WAY
- CENTERLINE
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- TANGENT LINE

NOTE: 1) LEGEND MAY CONTAIN SYMBOLS THAT ARE NOT USED IN THIS SURVEY.
2) ALL LOTS HAVE A 7.0 FOOT EASEMENT ON ALL BACK AND SIDE LOT LINES AND A 10.0 FOOT EASEMENT ON ALL FRONT LOT LINES.

TOOELE COUNTY ATTORNEY'S

APPROVED AS TO FORM ON THIS _____ DAY OF _____
A.D. 20____

TOOELE COUNTY ATTORNEY

TOOELE COUNTY ENGINEER

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY ENGINEER

TOOELE COUNTY ENGINEER

STANSBURY PARK SERVICE AGENCY

APPROVED THIS _____ DAY OF _____, 20____,
BY THE STANSBURY PARK SERVICE AGENCY.

DIRECTOR, STANSBURY PARK SERVICE AGENCY

STANSBURY PARK IMPROVEMENT DISTRICT

APPROVED THIS _____ DAY OF _____, 20____,
BY THE STANSBURY PARK IMPROVEMENT DISTRICT.

DIRECTOR, STANSBURY PARK IMPROVEMENT DISTRICT

TOOELE COUNTY COMMUNITY DEVELOPMENT

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY COMMUNITY DEVELOPMENT.

DIRECTOR, TOOELE COUNTY COMMUNITY DEVELOPMENT

NORTH TOOELE COUNTY FIRE DISTRICT

APPROVED THIS _____ DAY OF _____, 20____,
BY THE NORTH TOOELE COUNTY FIRE DISTRICT

NORTH TOOELE COUNTY FIRE DISTRICT, CHIEF

TOOELE COUNTY SURVEY DEPARTMENT

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY SURVEY DEPARTMENT

RECORD OF SURVEY FILE # 2019-0068

TOOELE COUNTY SURVEY DIRECTOR

COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPT.

SHEET 1 OF 1

PROJECT NUMBER: 8642
MANAGER: D. KINSMAN
DRAWN BY: C. CARPENTER
CHECKED BY: D. KINSMAN

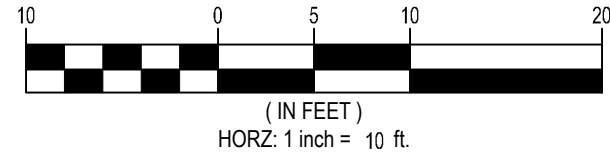


DEVELOPER
NELSON MOLINA
182 LAKEVIEW,
STANSBURY PARK, UTAH 84074
801-558-4960

TOOELE
3950 N Teaberry Way, Ste 200
Eagle, UT 84074
Phone: 435.843.3590
Cedar City, UT
Phone: 435.865.1653
RICHFIELD
Phone: 435.896.2083

TOOELE
3950 N Teaberry Way, Ste 200
Eagle, UT 84074
Phone: 435.843.3590
Cedar City, UT
Phone: 435.865.1653
RICHFIELD
Phone: 435.896.2083

HORIZONTAL GRAPHIC SCALE



ENBRIDGE GAS

ENBRIDGE GAS UTAH - NOTE:
QUESTAR GAS COMPANY, DBA ENBRIDGE GAS UTAH ("ENBRIDGE"), APPROVES THIS PLAT SOLELY TO CONFIRM
THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT (A) AFFECT ANY RIGHT
ENBRIDGE HAS UNDER TITLE 54, CHAPTER 8a, A RECORDED EASEMENT OR RIGHT-OF-WAY, PRESCRIPTIVE RIGHTS,
OR ANY PROVISION OF LAW, (B) CONSTITUTE ACCEPTANCE OF ANY TERMS CONTAINED IN ANY PORTION OF THE
PLAT, AND (C) GUARANTEE ANY TERMS OR WAIVE ENBRIDGE'S RIGHT TO REQUIRE ADDITIONAL EASEMENTS FOR
GAS SERVICE.

APPROVED THIS _____ DAY OF _____, 20____

QUESTAR GAS COMPANY DBA ENBRIDGE GAS UTAH

BY - _____

TITLE - _____

ROCKY MOUNTAIN POWER COMPANY

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 10-9a-603 AND § 17-27a-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
 - ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____, 20____

ROCKY MOUNTAIN POWER

BY - _____

TITLE - _____

SURVEYOR'S CERTIFICATE

I, Douglas J. Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 334575 in accordance with Title 58, Chapter 22, Survey of the property described on this subdivision plat in accordance with Section 17-73-504, have verified measurements, any have subdivided said tract of land into lots, together with easements, hereafter to be known as MOLINA ONE LOT SUBDIVISION, and that the same has been correctly surveyed and monumented on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

The surveyed boundary is based on the recorded Plat of the 'Captains Island Subdivision No. 2' subdivision, as recorded December 11, 1969, in Book 91, at Pages 437-438, under Entry No. 288954, in the Tooele County Recorder's office, and the parcel of land bounded by the top of the bank of the water surrounding the subject Lot, as measured in the field.
The basis of bearing for this survey is the measured line between the found street monuments at the centers of the cul-de-sacs at the North and South ends of Lakeview Drive, also known as Hook's Cove on the recorded plat, which bears South 25°59'35" East 440.07 feet (South 26° East 440.00' - Record, from Plat).

Beginning at the Southerly corner of said Lot 27, which is located North 62°57'28" East 674.21 feet from the found monument at the center of the cul-de-sac at the North end of Lakeview drive, also known as Hook's Cove on the recorded plat, and running:

thence South 39°00'00" West 41.74 feet along the Northerly line of Lakeview Drive, also known as Skipper Lane on the recorded plat;
thence North 61°10'27" West 40.05 feet, to the top of the bank of the water waterfront;
thence North 38°58'36" West 60.73 feet along the top of said bank;
thence North 41°11'36" East 15.23 feet along the top of said bank;
thence North 34°01'33" East 30.39 feet along the top of said bank;
thence North 49°30'30" East 35.25 feet along the top of said bank;
thence North 67°43'37" East 6.02 feet along the top of said bank, to its intersection with the Northwesterly line of said Lot 27;
thence Northeastly 46.68 feet along the arc of a 1290.00-foot radius non-tangent curve to the right (center bears South 48°59'24" East, and the long chord bears North 42°02'48" East 46.68 feet, through a central angle of 2°04'24"), along the Northwesterly line of said Lot 27;
thence South 46°55'00" East 100.00 feet along the Northeastly line of said Lot 27, to the Northerly line of said Lakeview Drive, also known as Skipper Lane on the recorded plat;
thence Southwesterly 84.81 feet along the arc of a 1190.00-foot radius non-tangent curve to the left (center bears South 46°55'00" East, and the long chord bears South 41°02'30" West 84.79 feet, through a central angle of 4°05'00"), along said Northerly line, and the Southwesterly line of said Lot 27, to the Point of Beginning.

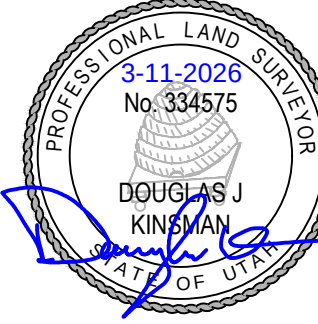
Overall parcel contains: 13,754 square feet, or 0.316 acres.

March 11, 2026

Date

Douglas J Kinsman

License no. 334575



OWNER'S DEDICATION

Know all men by these present that the undersigned are the owner(s) of the heron described tract of land and hereby cause the same to be divided into lots together with easements as set forth hereafter to be known as:

MOLINA ONE LOT SUBDIVISION (VACATING AND AMENDING LOT 27 OF CAPTAINS ISLAND SUBDIVISION #2)

The undersigned owner(s) hereby dedicate to Tooele County all those parts or portions of said tract of land on said plat. The undersigned owner(s) also hereby convey to Tooele County and to any and all public utility companies providing service to the heron described tract a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for sewer, water lines appurtenances, fire facilities, drainage facilities and the installation, maintenance and operation of public utility service lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof I / we have hereunto set my / our hand this _____ day of _____, A.D., 20____

By: Nelson A. Molina

By: Avyagby Properties, L.C.

Nelson A. Molina, Managing Member

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH

County of TOOELE, J.S.S.

On the _____ day of _____, A.D., 20____

personally appeared before me, the undersigned Notary public, in and for said County of _____, in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, _____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY.

NOTARY PUBLIC

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH

County of Tooele J.S.S.

On the _____ day of _____, A.D., 20____ personally

appeared before me, the undersigned Notary Public, in and for said County of _____, in the State of Utah, who after being duly sworn, acknowledged to me that he/she is the

_____ of _____ a

Limited Liability Company and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY

NOTARY PUBLIC

MOLINA ONE LOT SUBDIVISION FINAL PLAT

(VACATING AND AMENDING LOT 27 OF CAPTAINS ISLAND SUBDIVISION #2)

LOCATED IN THE SOUTHWEST CORNER

OF SECTION 16

TOWNSHIP 2 SOUTH, RANGE 4 WEST,

SALT LAKE BASE AND MERIDIAN,

STANSBURY PARK, TOOELE COUNTY, UTAH

RECORDED

STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE

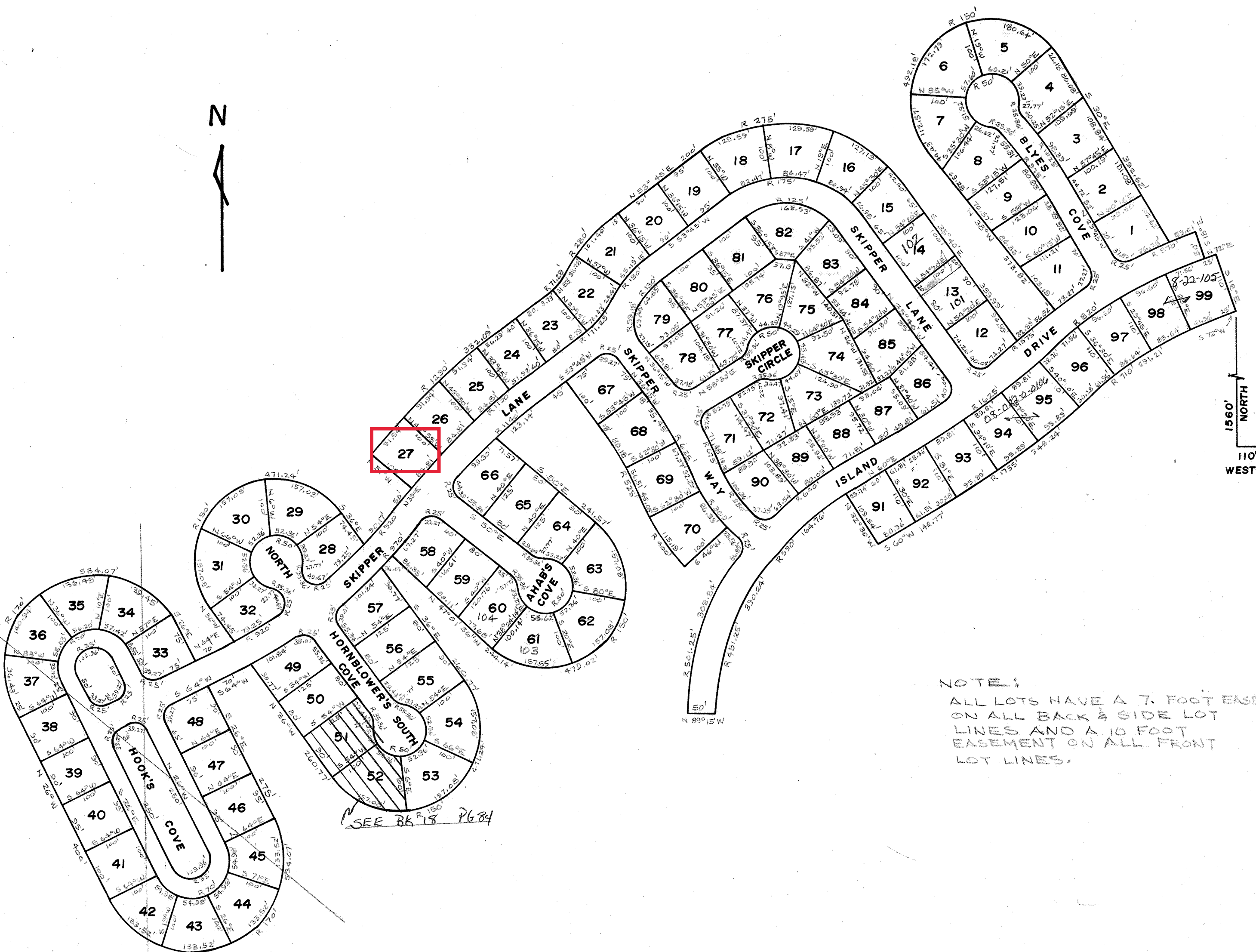
REQUEST OF : _____

DATE: _____ TIME: _____

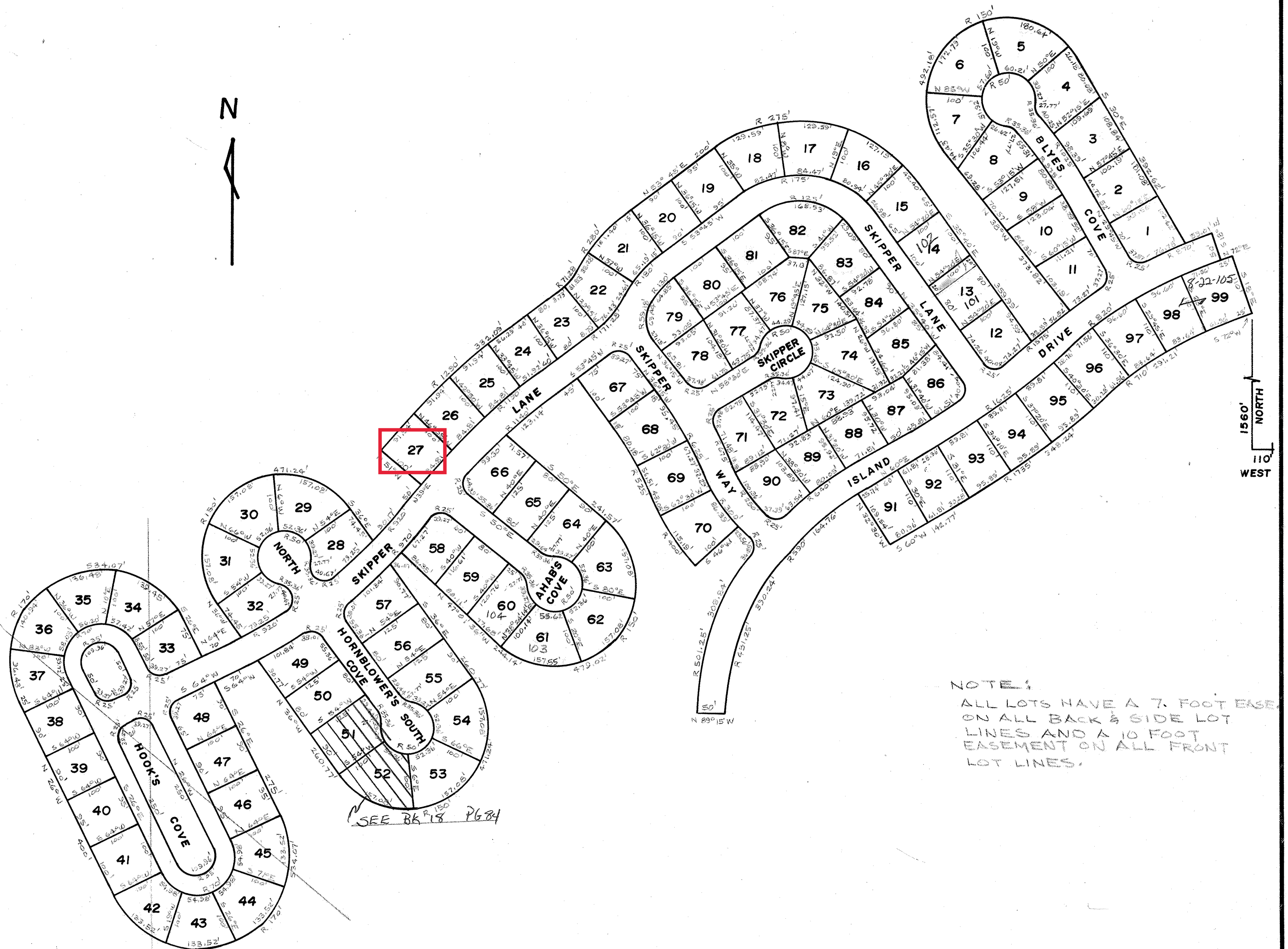
FEE\$ _____

TOOELE COUNTY RECORDER

CAPTAINS ISLAND SUBDIVISION NO. 2



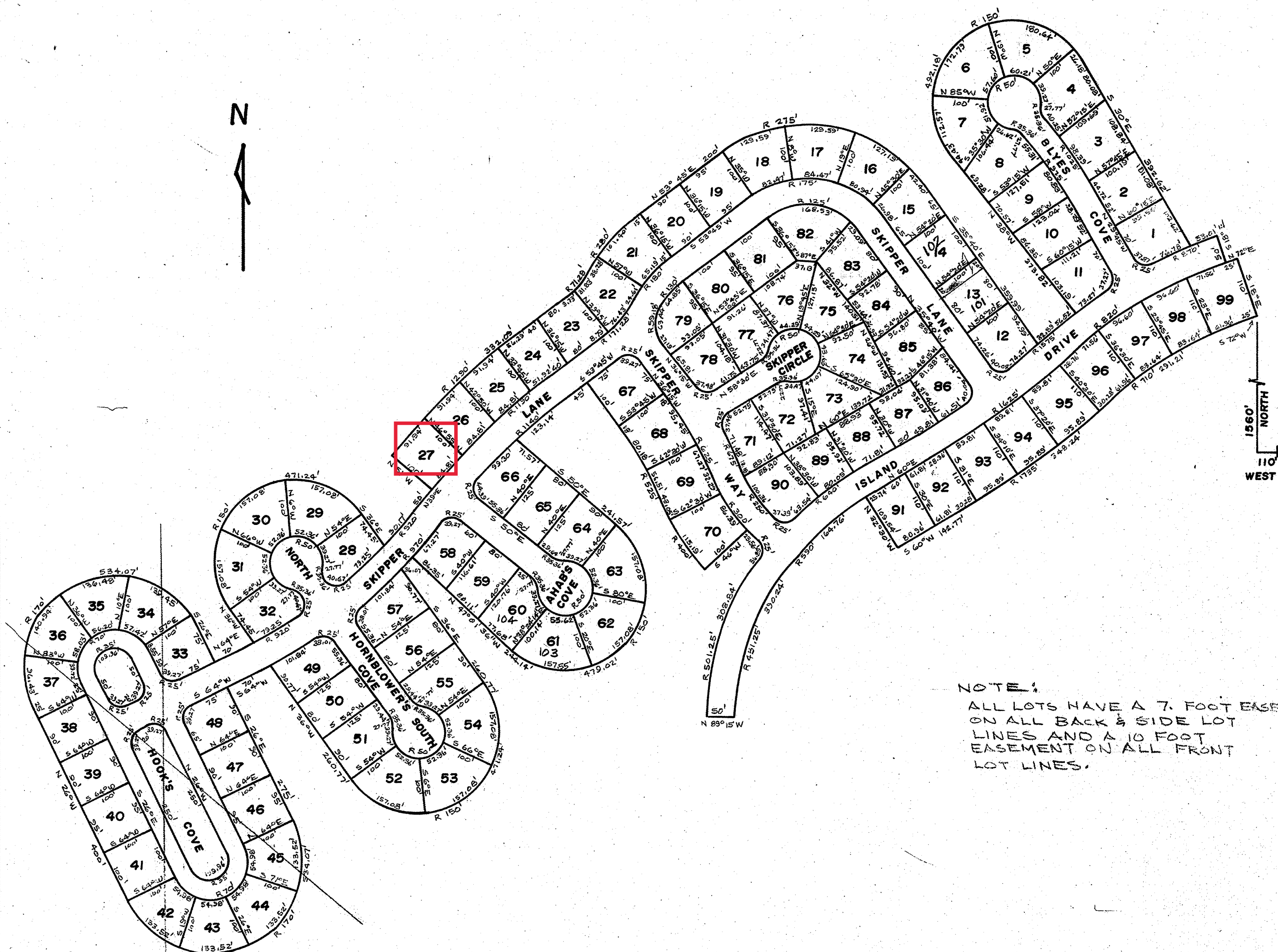
CAPTAINS ISLAND SUBDIVISION NO. 2



See New Sub.
8-22-A

REVISIONS			INITIAL AND DATE		NOTES	U.S.T.C. approval Date:	PLAT DEPARTMENT		book page	
402357	8-22-105	9/12/14					TOOELE COUNTY, UTAH	Section 16 T2S R4W	8	22
402684	18-84	9/16/14						drawn by: D	date: 8/89	scale 1=

CAPTAINS ISLAND SUBDIVISION NO. 2



NOTE:
ALL LOTS HAVE A 7. FOOT EASE
ON ALL BACK & SIDE LOT
LINES AND A 10 FOOT
EASEMENT ON ALL FRONT
LOT LINES.

See News Sub.
8-22-A

REVISIONS					INITIAL AND DATE					NOTES	U.S.T.C. approval Date:	PLAT DEPARTMENT TOOELE COUNTY, UTAH	book page					
5/24/04					8-22-10 1 + 102 (Scan Plat only)								Section 16 T 2S R 4W		8	22		
													drawn by: D		date: 8/89		scale 1 = -	

STATE OF UTAH }
County of Salt Lake } ss

Residing in SALT LAKE County, Utah
My Commission Expires Date 24 NOV 73

Paul D. West
Notary Public

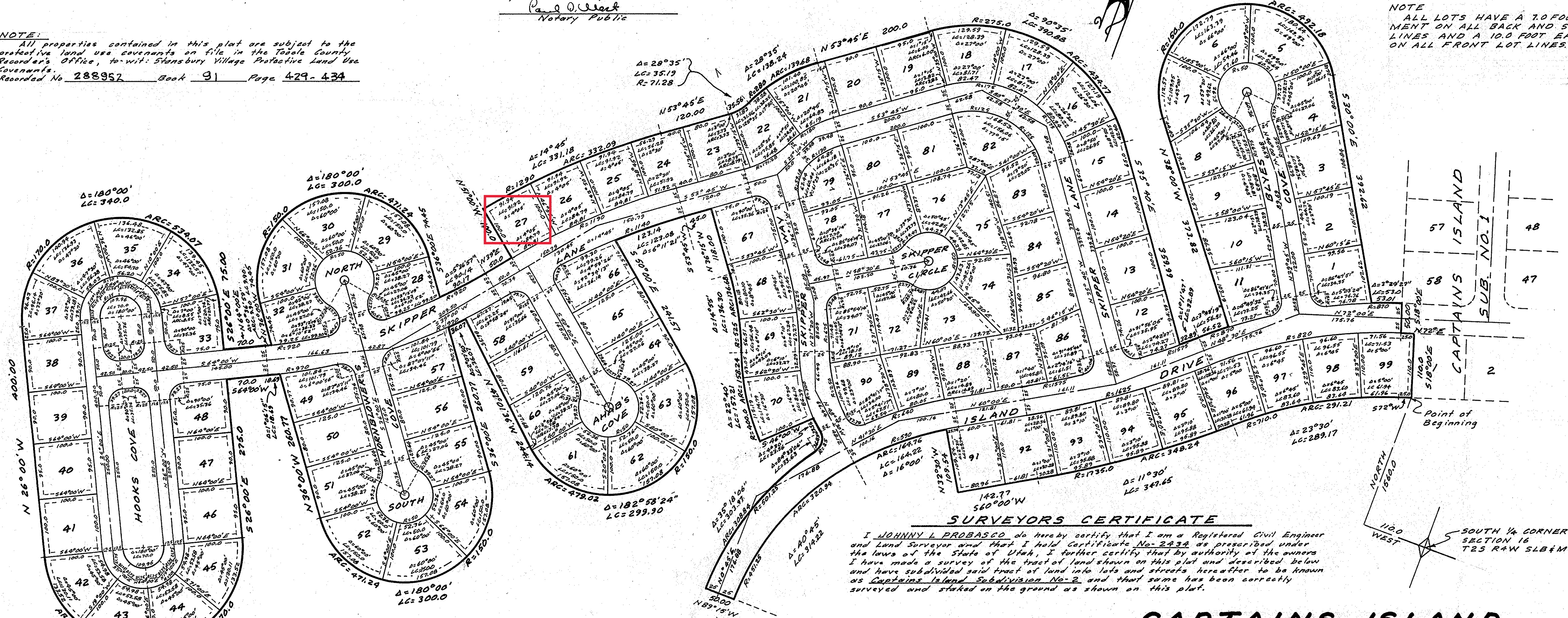
NOTE:

NOTE: All properties contained in this plat are subject to the protective land use covenants on file in the Tooele County Recorder's Office, to-wit: Stansbury Village Protective Land Use Covenants.
Recorded No. 288952 Book 91 Page 429-434

STATE OF UTAH
County of SALT LAKE S.

Residing in San Lake County, Utah
My Commission Expires Date 24 Nov 73

Paul D. West
Notary Public



Know all men by these presents that we the two undersigned owners of the above described track of land having caused same to be subdivided into lots and streets to be hereafter known as Captains Island Subdivision No-2 do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. In witness whereof we have hereunto set our hands and seal this 5th day of Dec AD 1969

Howard L. Clegg President

TERRACOR
A Utah Corporation

Franklin D. Johnson
Franklin D. Johnson President

James N Kimball - Secretary

Beginning of the Southwest Corner of Lot 1 Captains Island Sub Mol said point being West 110.00 feet and North 150.00 feet from the South W Corner Section 16 T2S R4W SLB #14 and running thence S 72° 00' W 26.00 feet to a point of a 710.0 feet radius curve to the left, thence Westerly along the arc of said curve 231.21 feet to a point of a 300.84 feet radius curve to the left, thence along the arc of said curve 100.94 feet to a point of a 300.84 feet radius curve to the left, thence N 42° 77' E 142.77 feet, thence N 23° 30' W 109.54 feet to a point on a curve to the left, the radius point of which is S 32° 30' E 390.0 feet, thence Southwesterly along the arc of said curve 144.76 feet to a point of a 461.0 feet radius compound curve to the left, thence Southwesterly along the arc of said curve 100.94 feet, thence S 89° 15' W 50.00 feet to a point of a curve to the right, the radius point of which is S 89° 15' E 501.25 feet, thence Northerly along the arc of said curve 300.84 feet to a point of a 26.00 feet radius reverse curve to the left, thence Northerly along the arc of said curve 23.56 feet to a point of a 300.84 feet radius curve to the right, thence Northerly along the arc of said curve 23.56 feet, thence S 66° 00' W 100.00 feet to a point on a curve to the right, the radius point of which is N 44° 00' E 400.00 feet, thence Northerly along the arc of said curve 158.24 feet to

Captains Islands
Sub # 2

SURVEYORS CERTIFICATE

I JOHNNY L. PRUBASCO do hereby certify that I am a Registered Civil Engineer and Land Surveyor and that I hold Certificate No. 2494 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below and have subdivided said tract of land into lots and streets hereafter to be known as Captains Island Subdivision No. 2 and that same has been correctly surveyed and staked on the ground as shown on this plat.

**CAPTAINS ISLAND
SUBDIVISION NO-2**

A SUBDIVISION LOCATED IN
THE SW 1/4 SECTION 16
TOWNSHIP 2 SOUTH RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED
THIS PLAT AND IT IS CORRECT IN ACCORDANCE
WITH INFORMATION ON FILE IN THIS OFFICE

December 21, 69
DATE

PLANNING COMMISSION
APPROVED THIS 10th DAY OF
December AD 1969 BY THE
TOOELE COUNTY PLANNING COMM.

CHAIRMAN TOOELE / COUNTY PLANNING COMMISSION	DIRECTOR BUREAU
---	--------------------

PRESENTED TO THE BOARD OF TOOELE COUNTY
COMMISSIONERS THIS 10 DAY OF December

AD 19 69 AT WHICH TIME THIS SUBDIVISION
WAS APPROVED AND ACCEPTED
J. Reed Cook Sr. Geo. N. Smith
ATTY. GENERAL CHAIRMAN BOARD OF
COUNTY CLERK COUNTY COMMISSIONERS

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 10th
DAY OF December AD 1969

Edward A. Watson
TOOELE COUNTY ATTORNEY

BOARD OF HEALTH
APPROVED THIS _____ DAY OF _____
AD 19____

DIRECTOR TOOELE COUNTY
BOARD OF HEALTH

TOOELE COUNTY
OF *December*

STATE OF UTAH, COUNTY OF TOOELE
RECORDED AND FILED AT THE REQUEST OF

SUBDIVISION Terrace, A. 2nd Corp
 DATE 12-18-69 TIME 3:10 PM BOOK 91 PAGE 4
 IN BOARD OF Ida J. Long
 COMMISSIONERS 541.50 FEE 8 TOOLE COUNTY RECORDER

12-11-69 TIME 3:10 P.M. BOOK 91 PAGE 437.
50 Ida I Long 438

CAPTAINS ISLAND #2



1/26/2026

AVVAGARY PROPERTIES, L.C.

GRAMA REQUEST

Stanbury Park, Stan, 84077

SUBJECT: Lot 27, Captain Islands Subdivision No.2.
APN: 08-022-0-0027

To Whom It May Concern:

Rocky Mountain Power has reviewed the request for the subject Public Easement Release of the southwestern property boundary Line 7' (Seven Feet) wide public utility easement and has determined that it has no objections with respect to the area proposed for release.

A copy of the Proposed Plat is attached for your reference (Exhibit A). As shown on the Exhibit. The location is Defined & Described on that portion of the existing public utility, easement.

It is the intent and understanding of Rocky Mountain Power that this Release shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This Release response is submitted WITH THE STIPULATION that if Rocky Mountain Power's facilities are found within the vacated area as described, the Applicant will relocate the facilities at Applicant's expense and within guidelines set by Rocky Mountain Power and all regulating entities. All relocations will be done under the supervision of a Rocky Mountain Power Estimator.

Sincerely,

A handwritten signature in blue ink, appearing to read "SB", with a stylized flourish at the end.

Shaun Barone
Right of Way Agent

Property Description

Quarter: _____ Quarter: _____ Section: _____ Township _____ (N or S),
 Range _____ (E or W), _____ Meridian
 County: _____ Tooele _____ State: _____ Utah _____
 Parcel Number: _____ 08-022-0-0027 _____



CC#: WO#:

Landowner Name: Avygaby Properties

Drawn by: Shaun

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT A



SCALE:



STANSBURY PARK IMPROVEMENT DISTRICT
30 Plaza • Stansbury Park, Utah 84074
435-882-7922 • Fax 435-882-4943

January 30, 2026

To whom it May Concern:

The Stansbury Park Improvement District agrees to vacate the existing 7-foot-wide PUE & Drainage Easement on the west side of the property at 182 Lakeview, Parcel #08-022-0-0027.

Brett Palmer
Manager
Stansbury Park Improvement District

GRAMA REQUEST

Space above for County Recorder's use
PARCEL I.D.# 08-022-0-0027

DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Enbridge Gas Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Tooele County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 27, Captain's Island #2 Subdivision, located in the Southwest quarter of Section 16, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah; said Subdivision recorded in the Office of the County Recorder for Tooele County, Utah.

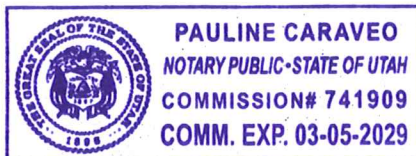
IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on February 17, 2026.

QUESTAR GAS COMPANY
Dba Enbridge Gas Utah

By: 
Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On February 17, 2026, personally appeared before me Angela Barber, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Enbridge Gas Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.




Notary Public



NOTICE OF PUBLIC MEETING

- **SUBJECT:** SUB AMD 2025-168: Plat amendment for Golf Course Island Subdivision #3.
- **PROJECT SUMMARY:** Joseph and Lindsey Wilson are requesting a plat amendment approval for lot #27 within Gold Course Island Subdivision #3, located in Stansbury Park.
- **PARCEL(S):** 08-055-0-0104, 05-033-0-0048, 05-033-0-0047

- **Unincorporated:** Stansbury Park

Planner: Mili Pioquinto

On **July 22, 2026** the Tooele County Planning Commission will hold a public meeting 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 the meeting, however, there will not be a public hearing for this item. 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:

July 22, 2026

Item Title:

SUB AMD 2025-168: Plat amendment for Golf Course Island Subdivision #3.

Summary:

Joseph and Lindsey Wilson are requesting a plat amendment approval for lot #27 to combine 3 parcels into 1 parcel within the Gold Course Island Subdivision #3 in Stansbury Park.



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/>

SUB AMD 2025-168

Amendment Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Parcel ID(s): 08-055-0-0104, 05-033-0-0048, 05-033-0-0047

Current Zone: R-1-10

Approximate Site Location: Located West of SR-36, and within the Stansbury Recreation Golf Course Area.

Request: Joseph and Lindsey Wilson are requesting a plat amendment approval for lot #27 within Gold Course Island Subdivision #3 located in Stansbury Park.

Unincorporated: Tooele County

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting

Applicant Name: Nelson A. Molina

PROJECT DESCRIPTION

Joseph and Lindsey Wilson are requesting a plat amendment approval for lot #27 within Golf Course Island Subdivision #3 located in Stansbury Park. The request is to consolidate the three parcels into one parcel.

SITE & VICINITY DESCRIPTION (see attached map)

The subject properties consists of approximately 0.482 acres total, located in Stansbury Park, west of State Route 36, and within the Stansbury Park Recreation Gold Course Area. Immediate surrounding zones include R-M-7 (Residential Multi-Family, 7,000 Sq. Ft. Minimum), CN (Commercial Neighborhood), and R-1-10 (Residential Single Family, 10,000 Sq. Ft. Minimum).

LAND USE CONSIDERATIONS (R-1-10 Zone)

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

GENERAL PLAN CONSIDERATIONS

The request does not impact the Tooele County General Plan (2022 Update).

ISSUES OF CONCERN/PROPOSED MITIGATION

Staff and the applicant have identified a minor concern regarding the utility easement vacation. While some utility providers have approved the vacation in full, others have either not granted approval or have only approved limited encroachments. Prior to the issuance of a building permit, it must be demonstrated that the proposed building placement complies with all required setbacks and does not encroach into any remaining utility easements.

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 July 15, 2026.

PLANNING STAFF ANALYSIS

The applicant has worked with Planning Staff and the Recorder's Office to submit a complete subdivision amendment plat. At this time, Planning Staff has no additional comments regarding the proposed subdivision amendment.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to approve the subdivision plat amendment, subject to the following conditions:

1. Applicant to work with Comcast on obtaining utility vacation letter.
 - a. If a vacation letter is not granted, a note shall be placed on the plat before recording.
2. Applicant to work with Ensign Engineering to add the Planning Commission signature block on the plat.

MODEL MOTIONS

Sample Motion for Non-Approval

- "I move we table the Subdivision Plat Amendment Request by Nelson A. Molina for the Molina One Lot Subdivision, Vacation and Amendment of Lot 27 of Captains Island Subdivision #2, application number 2025-155, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Approval

- "I move we approve the Subdivision Plat Amendment Request by Nelson A. Molina for the Molina One Lot Subdivision, Vacation and Amendment of Lot 27 of Captains Island Subdivision #2, application number 2025-155, based on the findings and subject to the conditions listed by the Planning Staff."

SUB AMD 2025-168: Amended No. 1, Vacation and Amendment of Lot 27 of Golf Course Island Subdivision #3.

Located West of SR-36, and within the Stansbury Recreation Golf Course Area.. (Parcel(s)) 08-055-0-0104, 05-033-0-0048, 05-033-0-0047.





Plat Amendment Application

Fee \$250.00

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

Name of Subdivision: Golf Course Island subdivision #3

NOTE: If a proposal to change to the subdivision name is requested you must attach the approval letter from the county recorder with this application. This name must be exactly the name that is approved by the county recorder.

Record of Survey map number(s): 2019-0011

NOTE: Record of survey map must depict all boundaries of the proposed project and must address specific items as outlined in the attached record of survey map requirements.

Lot #'s: Lot 27

(For office use only)

Permit #: _____ Fee \$250.00 Receipt #: _____

Application Determination:

Approved ☐ Denied ☐

Conditions imposed? Yes ☐ No ☐

By: _____ Date: _____

Property Owner(s) Information

Name(s): Joseph and Lindsey Wilson

Address per tax rolls: GRAMA REQUEST

City/County: Stansbury Park State: Utah Zip: 84074

Office/home phone: _____ Fax: _____

Mobile phone: GRAMA REQUEST Message phone: _____

Email address: GRAMA REQUEST

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

*Property Owner's Authorization notarization needed.

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Surveyor's Information

Name(s): John L. Riddle
Business/Firm name: McNeil Engineering
Address: GRAMA REQUEST
City/County: Sandy State: Utah Zip: 84070
Office phone: GRAMA REQUEST Fax: _____
Mobile phone: GRAMA REQUEST Message phone: _____
Email address: GRAMA REQUEST

35-2-1. Application expiration. Each application shall be actively pursued to completion. An application shall become null and void, and all rights vested by that application shall be terminated, if the applicant does not complete a stage or fails to make a progress report to the Community Development Department within 180 days. Any extension must be requested before the expiration of the original application. If an application becomes void, the applicant must reapply at the first stage for that level of development.

35-2-2. Application procedure. (1) Each application shall include all required submittals before it is accepted as a complete application. No application for a subsequent stage shall be accepted until the planning commission has approved the application for the stage of the development currently under consideration. (2) There shall be no presumption of approval of any aspect of the process. (3) No application for a subsequent stage shall be accepted if a prior application has expired. (4) The Planning Commission, or the Community Development Department in the case of a minor subdivision, may request additional information determined to be incomplete and table further action until the requested information is submitted.

35-8-1. Vacating or changing a subdivision plat.

- (1) Subject to Subsection (2), the Planning Commission may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any road, lot, or alley contained in a subdivision plat, at a public hearing.
- (2) If a petition is filed, the Planning Commission shall hold the public hearing within 45 days after receipt of the petition if:
 - (a) the plat change includes the vacation of a public road;
 - (b) any owner within the plat notifies the county of their objection in writing within ten days of receiving mailed notification; or
 - (c) all of the owners in the subdivision have not signed the revised plat.
- (3) Any fee owner, as shown on the last county assessment rolls, of land within the platted subdivision may petition in writing to have the plat, any portion of it, or any road or lot contained in it, vacated, altered, or amended.
- (4) The Community Development Department shall review any proposal to vacate or alter any road or alley located within a subdivision. Upon receiving a recommendation from the Community Development Department, the application shall be considered at a public hearing held by the Planning Commission. The County Council shall then consider and act on the Planning Commission's recommendation at a public meeting.
- (5) The vacation or narrowing of a public road does not affect any existing easement or franchise right of any public utility.

An approved final plat shall be valid for no more than two years. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the Planning Commission. The Planning Commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

Any changes to roads shall include "Infrastructure design and engineering drawings requirements" in Chapter 35-2-4 also listed in application below.

The improvement agreements and bonds shall be forwarded to the County Manager for approval and acceptance.

All required information in this application must be completely filled out and signed with required paperwork submitted or application will be denied.

All checklist items must be attached and clearly *marked, tabbed, and labeled*. All checklist items require a response,

***N/A will only be accepted to road section if there are no changes to roads.**

Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a road or lot contained in a plat shall include:

- | | Applicant | County | |
|-----|-------------------------------------|--------------------------|--|
| (a) | ☒ | ☐ | The Application; Completely filled out and signed. |
| (b) | ☒ | ☐ | An original engineered pdf or AutoCAD file of the final plat for distribution to affected entities (final plat requirements are listed below). |
| (c) | ☒ | ☐ | The name and address of all owners of record of the land contained in the entire plat. |
| (d) | ☒ | ☐ | The name and address of all owners of record of land adjacent to any road that is proposed to be vacated, altered, or amended. |
| (e) | ☒ | ☐ | The signature of each of these owners who consents to the petition. |
| (f) | ☒ | ☐ | Any unpaid fees owed to Tooele County for the development of land, code enforcement, or building permits. |
| (g) | ☒ | ☐ | List required signature blocks. |

If Roads are proposed to change, then the following shall also be included:

- | | *Applicant | County | |
|-----|--------------------------|--------------------------|---|
| (h) | ☐ | ☐ | A cost estimate for construction of infrastructure, approved and signed by the County Engineer. |
| (i) | ☐ | ☐ | A pedestrian circulation plan. |
| (k) | ☐ | ☐ | A road connectivity plan. |
| (l) | ☐ | ☐ | Infrastructure design and engineering drawing requirements (listed below). |

The following items are to be submitted following the review of the approved plat:

1. Mylar drawn by a surveyor licensed in the State of Utah.
2. All signature blocks, except the zoning administrator's and Planning Commission Chair block shall be signed.

All requirements listed below shall be reflected in the plans submitted with this application or application will be denied.

FINAL PLAT REQUIREMENTS

(1) The final plat shall be prepared and certified by a registered land surveyor who holds a valid Utah license, has completed a survey of the property described on the plat, has verified all measurements and monumented any unmarked property corners, and has referenced to the filing number for the Record of Survey map filed with the County Surveyor's office. The applicant shall bond or provide to the county adequate security to place monuments as

represented on the plat upon the completion of the subdivision improvements.

(2) Every detail of the plat shall be legible.

(3) A traverse shall not have an error of closure greater than one part in 10,000.

(4) Each final plat shall include:

- (a) an indication that the plat is a final plat;
- (b) the date of the plat;
- (c) the general location of the subdivision with name and phase and adjoining properties with ownership with Entry number of vesting deed;
- (d) all deed lines of the proposed subdivision and all adjoining property lines;
- (e) the 100-foot radius wellhead protection zone for all wells proposed within the subdivision, all existing wells located within the subdivision, and all existing wells located outside of the subdivision where any portion of the protection zone falls within the subdivision;
- (f) bearing and distance tie-in to the historic and dependent survey and at least one established monument, or a statement that no historical monument could be located;
- (g) county, township, range, section, quarter sections, plats, and true north;
- (h) the graphic scale of the plat;
- (i) the square footage and acreage of each lot under one acre, or the acreage of each lot one acre or larger;
- (j) existing ground contours at 20-foot intervals;
- (k) the name of the subdivision as approved by the County Recorder;
- (l) the amount of water allocated to each lot in acre-feet if the subdivision does not have a public water system connection;
- (m) the following owners' dedication:

OWNERS' DEDICATION AND CONSENT TO RECORD

We are the owners of this tract of land and divide the same into lots and streets together with easements, to be known as (NAME OF SUBDIVISION). We dedicate to Tooele County the tracts of land designated on this plat as public roads. We also convey to any and all public and private utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for drainage and the installation, maintenance, and operation of utility service lines and facilities.

(n) the names of all owners, of record, under the signature lines in the owners' dedication; and

(o) signature blocks for:

- (i) all improvement, service, and special districts or areas where any part of the subdivision is located;
- (ii) the County Engineer;
- (iii) the County Surveyor;
- (iv) the County Attorney;
- (v) the County Health Department;
- (vi) the County Treasurer, indicating that all property taxes have been paid in full;
- (vii) the County Recorder, with space for the recordation number, the name(s) of the person(s) for whom the plat is recorded, the date and time of recording, and the fee; (viii) the fire authority having jurisdiction; and
- (ix) the Planning Commission chair and Community Development Department, or in the case of a minor subdivision, the Community Development Department.

(5) The bearings, distances, and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shoreline of a body of water, the bearings and distances of a closing meander traverse shall be provided, and a notation made that the plat includes all land to the water's high-level mark.

(6) If a plat is revised, a copy of the previous plat shall be provided for comparison purposes.

(7) All blocks and lots within each block shall be consecutively numbered.

(8) For all curves in the plat, sufficient data shall be given to re-establish the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.

(9) Excepted parcels, if any, shall be marked, "Not included in this subdivision."

- (10) All public lands shall be identified.
- (11) All public roads shall be marked as “dedicated public road.”
- (12) All private roads shall be marked as “private road.”
- (13) All roads shall be identified by names approved by the Community Development Department.
- (14) All lands within the subdivision's boundaries shall be accounted for as lots, walkways, streets, or excepted parcels.
- (15) Bearings and dimensions shall be given for all lot lines and easements, except bearings and lengths need not be provided for interior lot lines where the bearings and lengths are the same as those of both end lot lines.
- (16) Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included in one plat provided all owners join in the dedication and acknowledgments.
- (17) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.
- (18) Surveys shall tie into the Public Land Survey System (PLSS) and shall include a description, the name, and the date for survey monuments located.
- (19) The surveyor shall provide remainder descriptions for all property from the original parcel(s) or lot(s) that is not included in the subdivision.

INFRASTRUCTURE DESIGN AND ENGINEERING DRAWING REQUIREMENTS

- (1) Infrastructure design and engineering drawings and documents shall be submitted with the final plat and shall include:
 - (a) plan, profile, and typical cross-section drawings of the roads, bridges, culverts, water, sewers, and drainage structures;
 - (b) a grading and drainage plan indicated by solid-line contours superimposed on dashed-line contours of existing topography;
 - (c) the general location of trees over six inches in diameter measured at four and one-half feet above the ground, and in the case of heavily-wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;
 - (d) proposed and existing water and sewage system layouts;
 - (e) location of fire hydrants;
 - (f) proposed road layouts in dashed lines for any portion of the property to be developed in a later phase;
 - (g) water courses and proposed stormwater drainage systems, including culverts, water areas, streams, areas subject to occasional flooding, marshy areas, or swamps;
 - (h) areas within the 100-year floodplain;
 - (i) soil types and soil interpretations taken from the National Cooperative Soils Survey;
 - (j) a signing and striping plan showing the location of all street signs, striping, and traffic control devices required by the county per the Manual of Uniform Traffic Control Devices;
 - (k) a signature block for the County Engineer on each design and construction drawing;
 - (l) when the subdivision is located within the jurisdiction of a service or improvement district or area, a signature block for such service or improvement district or area;
 - (m) geologic maps and investigation reports regarding area suitability; and
 - (n) a design report stamped by an engineer licensed in the State of Utah.
- (2) All drawings shall be drawn to a scale not less than one inch equals 100 feet and indicate the basis of bearings, true north, the name of the subdivision, township, range, section, quarter section, and lot numbers of the property.
- (3) To change any aspect of the design of off-site improvements, a new set of infrastructure design and engineer drawings shall be submitted for approval. A signed set of drawings shall be onsite at all times during construction. All construction must conform to the approved plans.

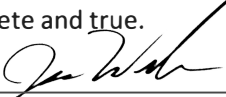
RECORD OF SURVEY MAP REQUIREMENTS

Record of Survey Map (Boundary Survey) Prerequisite for all Plat Submittals 17-27a-103 (60) “Record of survey map” means a map of a survey of land prepared in accordance with Section 10-9a-603, 17-23-17, 17-27a-603, or 57-8-13. To obtain a copy of these code Sections go to: https://le.utah.gov/xcode/Title17/17.html?v=C17_1800010118000101

The record of survey (ROS) map shall be completed and filed with the Tooele County Surveyor’s Office prior to submitting an application for a preliminary subdivision, planned unit development (PUD) or condominium plat. The filing number of the ROS shall be referenced on the application prior to acceptance by the governing agency. Any application without the filing number reference shall be deemed incomplete.

The ROS map is a document prepared by a Professional Land Surveyor (PLS) licensed by the State of Utah which determines the boundaries of the proposed project and is an expression of his/her professional opinion of the location of the division lines between the subject property or properties and the adjoining properties. The ROS map depicts an existing condition as opposed to a subdivision, PUD or condominium plat that creates new boundaries for future ownerships and as such the ROS map should not show proposed lot lines or future subdivision boundaries. The ROS map shall be used as a tool by those reviewing the preliminary subdivision, condominium, or PUD plat. Specific items to be addressed on the ROS map in conjunction with the plat submitted for review shall follow the State’s requirements listed in the code sections mentioned above.

I (We), the above-named applicant(s) do hereby understand the forgoing requirements and attest that all information is complete and true.



APPPPLICANT’S SIGNATURE



PROPERTY OWNER’S SIGNATURE

Dec 1 2025

DATE

Dec 1 2025

DATE

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we), Joseph and Lindsey Wilson the owner(s) of the real property located as follows: 455 country Club, Stansbury park Utah 84074 and further described in the attached application, do authorize the applicant listed in this application permissions to act in our behalf regarding this application. I (We) acknowledge this application to be true and complete and understand and give our permissions to continue with said application.


(Property Owner)


(Property Owner)

(Property Owner)

(Property Owner)

Notary

STATE OF UTAH)

:ss

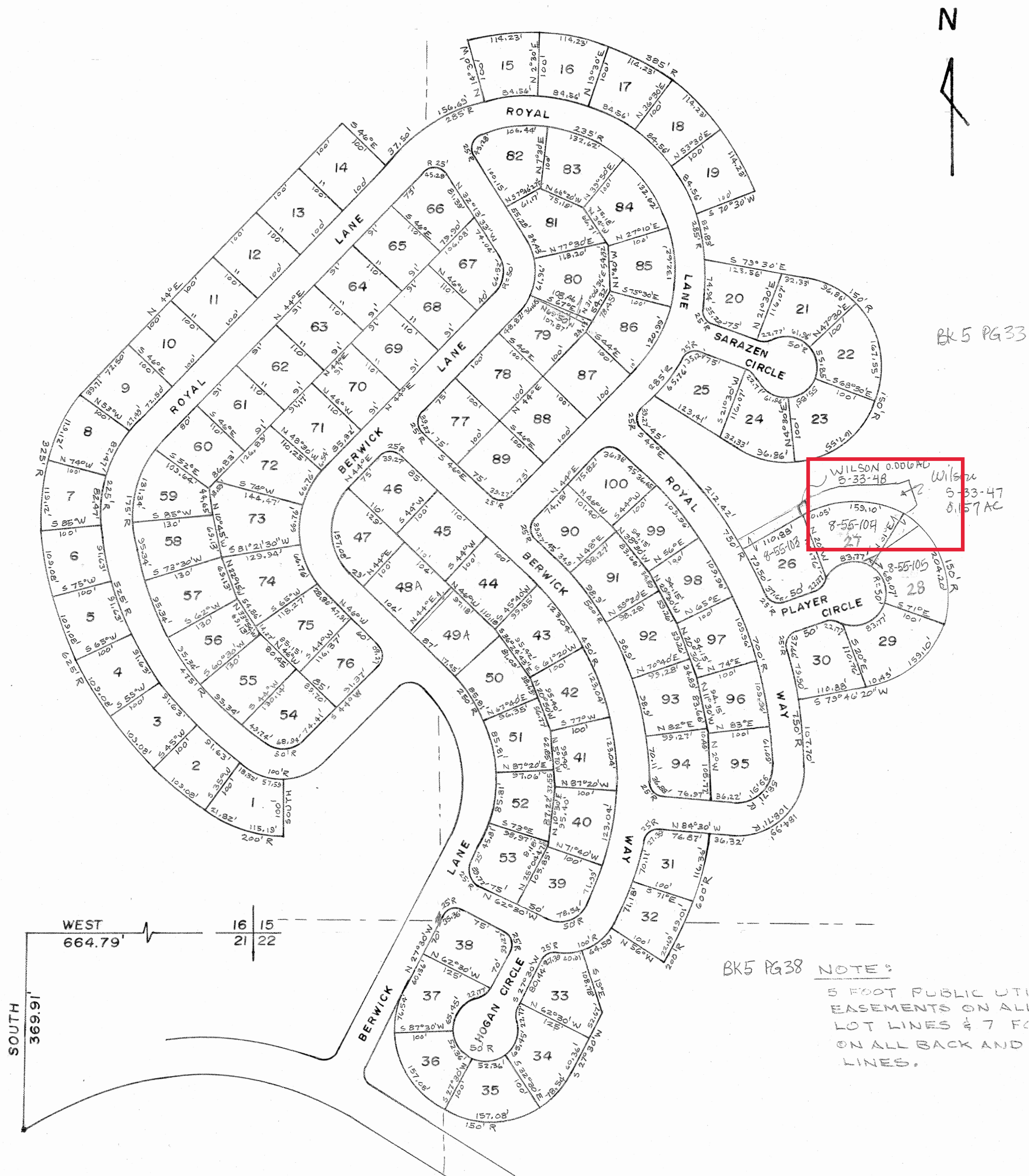
County of Tooele)

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

My Commission Expires

Notary Public

GOLF COURSE ISLAND SUBDIVISION NO. 3



REVISIONS INITIAL AND DATE						NOTES	U.S.T.C. approval Date:	PLAT DEPARTMENT TOOELE COUNTY, UTAH	Section ¹⁵ / ₂₁ T2SR4W	book page
514912	8-33-101	Nolan	8-55-104	10/13/20	OK					
	8-55-107		8-55-105		11	105			8	55
									drawn by: D	scale 1=
									date: 5/89	

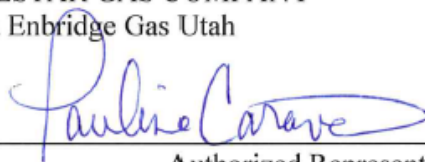
DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Enbridge Gas Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Tooele County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within, COMMENCING AT A STREET MONUMENT LOCATED AT THE INTERSECTION OF COUNTRY CLUB 413-420 / 458-469, FORMALLY KNOWN AS ROYAL WAY & ROYAL LANE, PER GOLF COURSE ISLAND SUBDIVISION NO.3 (ENTRY NO. 230280, BOOK 95 PAGE 153), SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, THENCE SOUTH 62°50'05" EAST, A DISTANCE OF 350.72 FEET TO THE NORTHWEST CORNER OF LOT 27 OF SAID SUBDIVISION; THENCE NORTH 60°13'40" EAST ALONG THE NORTHERLY LINE OF SAID GOLF COURSE ISLAND SUBDIVISION, A DISTANCE OF 10.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 20°00'00" WEST, A DISTANCE OF 26.07 FEET TO THE TOP OF THE BANK ON GOLF COURSE LAKE #14; THENCE ALONG SAID TOP OF BANK THE FOLLOWING (9) CALLS: 1) THENCE NORTH 66°59'44" EAST, A DISTANCE OF 15.75 FEET; 2) THENCE NORTH 69°47'56" EAST, A DISTANCE OF 24.28 FEET; 3) THENCE NORTH 73°21'09" EAST, A DISTANCE OF 13.27 FEET; 4) THENCE NORTH 87°00'26" EAST, A DISTANCE OF 35.99 FEET; 5) THENCE SOUTH 84°13'57" EAST, A DISTANCE OF 18.56 FEET; 6) THENCE SOUTH 87°45'13" EAST, A DISTANCE OF 47.45 FEET; 7) THENCE SOUTH 85°54'49" EAST, A DISTANCE OF 10.57 FEET; 8) THENCE NORTH 89°25'59" EAST, A DISTANCE OF 21.57 FEET; 9) THENCE NORTH 74°30'48" EAST, A DISTANCE OF 17.26 FEET; THENCE SOUTH 13°16'31" EAST, A DISTANCE OF 50.32 FEET; THENCE SOUTH 53°54'08" WEST, A DISTANCE OF 30.72 FEET TO THE NORTH LINE OF LOT 26, OF SAID GOLF COURSE ISLAND SUBDIVISION NO.3; . THENCE WESTERLY ALONG LOTS 26 AND LOT 27 OF SAID SUBDIVISION, A DISTANCE OF 192.72 FEET ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 73°36'49", (CHORD BEARS N 82°58'00" W, A DISTANCE OF 179.74 FEET) TO THE POINT OF BEGINNING. OUT OF 5-34-B-3 FOR 2020 YEAR. CONTAINING: 6,846 SQUARE FEET OR 0.157 ACRES, MORE OR LESS BASIS OF BEARINGS BEING SOUTH 36°09'22" EAST, A DISTANCE OF 419.89 FEET; BETWEEN A STREET MONUMENT AT THE INTERSECTION OF COUNTRY CLUB 413-420 / 458-469 (ROYAL WAY & ROYAL LANE) AND A STREET MONUMENT AT COUNTRY CLUB 452-456 (ROYAL WAY & PLAYER CIRCLE). Salt Lake Base and Meridian, Tooele County, Utah; said Subdivision recorded in the Office of the County Recorder for Tooele, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on March 25, 2026.

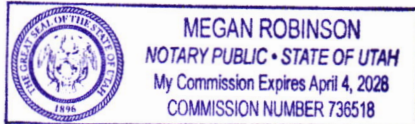
QUESTAR GAS COMPANY
Dba Enbridge Gas Utah

By: 
Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On March 19, 2026, personally appeared before me Pauline Carakeo, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Enbridge Gas Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.

Megan Robinson
Notary Public



Space above for County Recorder's use
PARCEL I.D.# 05-033-0-0048

DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Enbridge Gas Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Tooele County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within, COMMENCING AT A STREET MONUMENT LOCATED AT THE INTERSECTION OF COUNTRY CLUB 413-420 / 458-469, FORMALLY KNOW AS ROYAL WAY & ROYAL LANE, PER GOLF COURSE ISLAND SUBDIVISION NO.3 (ENTRY NO. 230280, BOOK 95 PAGE 153), SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, THENCE SOUTH 62°50'05" EAST, A DISTANCE OF 350.72 FEET TO THE NORTHWEST CORNER OF LOT 27 OF SAID SUBDIVISION AND THE POINT OF BEGINNING; THENCE NORTH 20°00'00" WEST, A DISTANCE OF 28.29 FEET TO THE HIGH WATER LINE OF GOLF COURSE LAKE NO.14; THENCE NORTH 61°50'39" EAST ALONG SAID HIGH WATER LINE, A DISTANCE OF 10.01 FEET; THENCE SOUTH 20°00'00" EAST, A DISTANCE OF 28.00 FEET TO THE NORTH LINE OF SAID LOT 27; THENCE ALONG SAID NORTH LINE SOUTH 60°13'40" WEST A DISTANCE OF 10.05 FEET TO THE POINT OF BEGINNING. CONTAINING: 279 SQUARE FEET OR 0.006 ACRES, MORE OR LESS OUT OF 8-55-26 FOR 2021 YEAR. 0.006 AC. Salt Lake Base and Meridian, Tooele County, Utah; said Subdivision recorded in the Office of the County Recorder for Tooele, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on March 19, 2026.

QUESTAR GAS COMPANY
Dba Enbridge Gas Utah

By: Pauline Caraveo
Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On March 19, 2026, personally appeared before me Pauline Caraveo, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Enbridge Gas Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.



Megan Robinson
Notary Public

Space above for County Recorder's use
PARCEL I.D.# 08-055-0-0104

DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Enbridge Gas Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Tooele County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 27, Golf Course Island Subdivision, located in the Southwest quarter of Section 15, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah; said Subdivision recorded in the Office of the County Recorder for Tooele County, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on March 19, 2026.

QUESTAR GAS COMPANY
Dba Enbridge Gas Utah

By:

Pauline Caraveo

Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On March 19, 2026, personally appeared before me Pauline Caraveo, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Enbridge Gas Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.



Megan Robinson
Notary Public



STANSBURY PARK IMPROVEMENT DISTRICT

30 Plaza • Stansbury Park, Utah 84074

435-882-7922 • Fax 435-882-4943

April 26, 2026

Property address:

~~455 Country Club Drive~~

Stansbury Park, UT

Parcel numbers involved:

- Tax ID 08-055-0-0104

- Tax ID 05-033-0-0047

- Tax ID 05-033-0-0048

The consolidation is part of an amended plat titled **“Golf Course Island Subdivision No. 3, Amended No. 1 – Final Plat.”**

Stansbury Park Improvement District agrees with the new proposed PUE, vacating the prior PUE which would have placed them in the center of the new proposed lot.

Brett Palmer

Manager,

Stansbury Park Improvement District



Tooele District
555 N Main St
Tooele, Utah, 84074

March 18, 2026

To Whom It May Concern:

This letter is to advise you that Rocky Mountain Power has no facilities installed within the rear(North) side Public Utility Easement, or the side(East and West) Public Utility Easement's of parcel 08-055-0-0104, 455 Country Club, Stansbury Park, Utah. Our facilities are located within the front(South) Public Utility Easements. We accept vacating the rear lot and side lot easements for the purpose of consolidating multiple parcels into a single tax-lot. If there are any questions or concerns, please do not hesitate to contact me with any questions or concerns.

Foster Greenwood

Foster Greenwood
Journeyman Estimator
Tooele District



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/>

CUP 2026-097

CUP Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Parcel ID(s): SITLA PROPERTY

Current Zone: MG-EX

Approximate Site Location: Located North of I-80, South of the Republic Services Wasatch Regional Landfill, on the East side of Rowley Rd.

Request: ETSRS LLC is requesting Conditional Use Approval for Land Farming Modified in the MG-EX zone.

Unincorporated: Tooele County

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting

Applicant Name: ETSRS, LLC

PROJECT DESCRIPTION

ETSRS, LLC is requesting a conditional use permit approval for a landfarming-modified facility. The site will provide industrial and commercial organizations with the capability to responsibly dispose of non-hazardous contaminated soils and liquids.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is located to the south of the Republic Services Wasatch Regional Landfill, on the east side of Rowley Rd. Majority of the area is zoned MG (Manufacturing General), a few sites zoned MG-EX (Mining, Quarry, Sand, and Gravel Excavation), and MU-40 (Multiple Use-40 Acre Minimum) to the west.

LAND USE CONSIDERATIONS (R-M-7 Zone)

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

GENERAL PLAN CONSIDERATIONS

The proposed subdivision is compatible with the Tooele County General Plan Update 2022. The Tooele County General Plan Update 2022, focuses the area north of I-80 to contain Hazardous Industries and Manufacturing General zones. Landfarming-modified falls under these categories.

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has found no current concerns or issues with the proposed request.

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 July 16, 2026.

PLANNING STAFF ANALYSIS

Table 27-7.2. Manufacturing, curing, compounding, processing, packaging, production and treatment. Such uses are to be located no closer than 1,300 feet from a residential and commercial zoning district boundary. (Ord. 2025-10, 8/19/25; Ord. 2005-30, 11/22/05)		
	Use	(MG-EX)
a	Accessory uses buildings customarily incidental to conditional uses	C
b	Asphalt plant	C
c	Coal	C
d	Gasoline and petroleum	C
e	Iron	C
f	Landfarming and landfarming - modified	C
g	Lime	C
h	Lubricating grease, oil, oilcloth, and oiled rubber goods	C
i	Ore smelting	C
j	Precious or semiprecious stones or metals	C
k	Tar	C

Tooele County Land Use Ordinance

27-6

Planning Staff has reviewed the proposed CUP and has found that the anticipated use of the property is to be cohesive with the Tooele County General Plan 2022. Pursuant to Chapter 27 of the Tooele County Land Use Ordinance, Table 27-7.2, Item (f), identifies landfarming and landfarming-modified as conditional uses; therefore the applicant shall apply for and obtain approval for a Conditional Use Permit (CUP) following approval of the preliminary and final plat, and site plan applications. The applicant has gone through all 3 applications.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission make a motion to approve the conditional use permit for the proposed ETSRS Facility for landfarming-modified with the conditions of:

1. Following and completing conditions identified at preliminary, final, and site plan application approvals.

MODEL MOTIONS

Sample Motion for Non-Approval

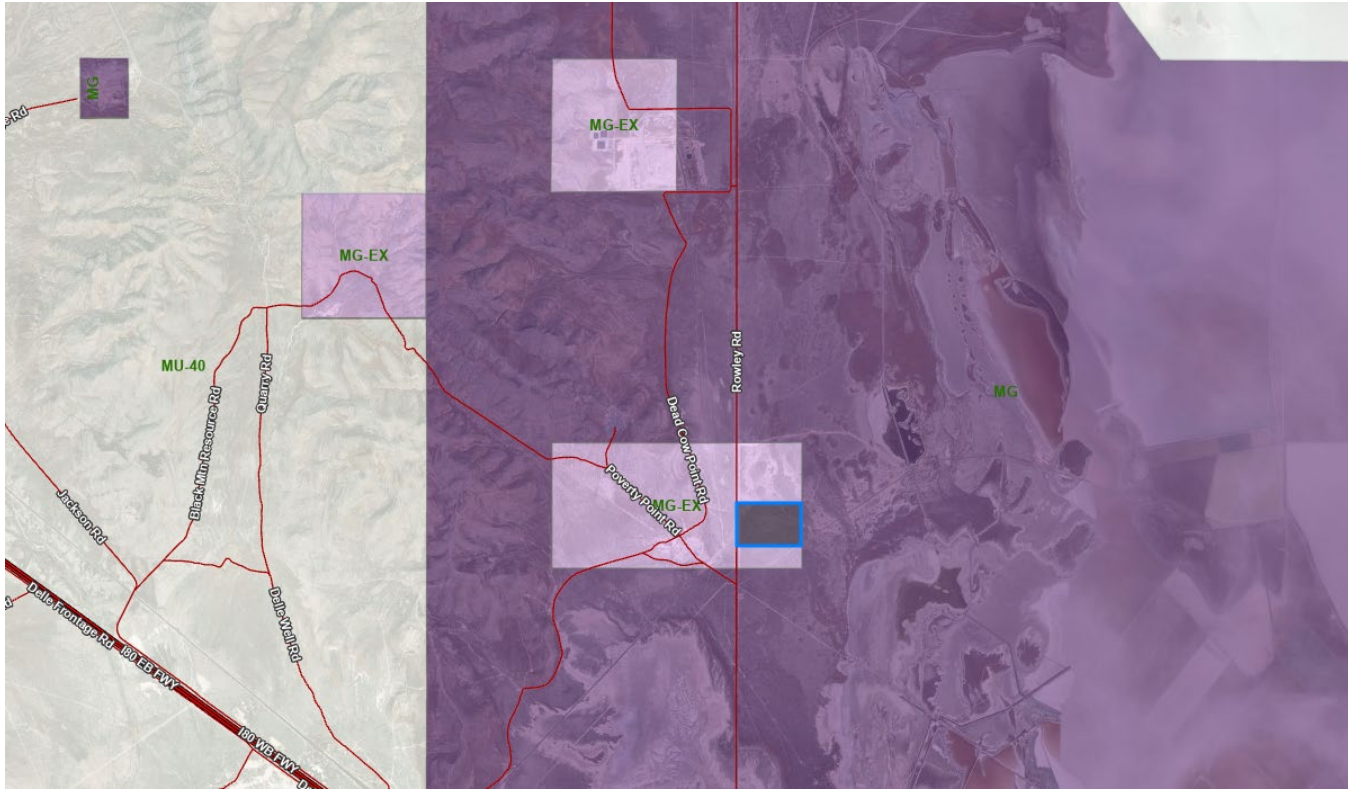
- "I move we table the CUP Request by ETSRS LLC for the proposed ETSRS Facility for landfarming-modified, application number 2026-097, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Approval

- "I move we approve the CUP Request by ETSRS LLC for the proposed ETSRS Facility for landfarming-modified, application number 2026-097, based on the findings and subject to the conditions listed by the Planning Staff."

CUP 2026-097: Request by ETSRS LLC for the proposed ETSRS Facility for landfarming-modified, application number 2026-097.

Located to the south of the Republic Services Wasatch Regional Landfill, on the east side of Rowley Rd.





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 # _____ Lot # _____

Subdivision Name: ETSRS Facility Subdivision

(For office use only)

CUP #: _____ Fee \$300.00 Receipt #: _____

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): SITLA (Contract No. 251010; Program No. I80BK00200)

Address per tax rolls: GRAMA REQUEST

City/County: Salt Lake City State: Utah Zip: 84111

Office/home phone: GRAMA REQUEST Fax: _____

Mobile phone: GRAMA REQUEST Message phone: _____

Email address: GRAMA REQUEST aim - Project Manager/Financial Analyst)

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

*Agent Authorization notarization needed

Name(s): ETSRS, LLC

Address per tax rolls: 3 GRAMA REQUEST D

City/County: Salt Lake City State: Utah Zip: 84104

Office/home phone: GRAMA REQUEST Fax: _____

Mobile phone: GRAMA REQUEST Message phone: _____

Email address: GRAMA REQUEST

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)

The proposed Site is planned for development on 103 acres of vacant land situated in Tooele County, Utah. This Site has remained undeveloped, presenting an opportunity to establish a new landfarming-modified facility focused on the remediation and recycling of select nonhazardous solid wastes. The Site will provide industrial and commercial organizations with the capability to responsibly dispose of nonhazardous contaminated soils and liquids, including industrial and commercial liquid waste (restaurant oils, greases, and sludges) and industrial and commercial biosolids from wastewater treatment plants. Utilizing advanced biodegradation techniques, the Site will effectively reduce contaminants present in the waste materials. Following successful completion of the biodegradation process, the finished organic-rich topsoil produced at the Site will be available for purchase and beneficial use.

Though the facility is within the MG-EX zoning district of Tooele County, there will be no activities related to mining at the facility.

Total acreage of parcel: 103 Area occupied by this use: 103

Current zoning designation: M-G Current use of land (residential, commercial, etc.): undeveloped

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

How many Employees will be coming to work at the property (whether to pick up items or work)? 10 maximum

How many deliveries or pickups will be made to the property?: 50 maximum

How many customers will be allowed at the property at one time? None - closed facility

What type and how much raw and finished product will be stored? Raw product ~100,000 cy. Finished product ~30,000 cy.
No product will remain on site. All raw product will be processed, reclaimed, and finished product (topsoil) will be sold.

How and where will equipment and materials/product be stored? Equipment - outdoors or under canopy at night. Materials - in process cells or basins.

What will your hours of operation be? Monday through Friday, 8 am to 4 pm

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? _____
The facility is within industrial use, which is compatible with surrounding properties.

2. In what ways does the project not fit in with surrounding properties and uses? _____
The facility is within the MG-EX zoning district of Tooele County. However, there will be no activities related to mining at the facility.

3. What is your plan to mitigate the potential conflicts/nuisances with surrounding properties and use, if an exist? There are no anticipated conflicts.

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:

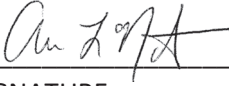
1. No more than 1 employee may be employed at the dwelling that does not reside within the dwelling. All other employees of the business who work at the dwelling shall be residents of that dwelling.
2. No retail or wholesale sales be conducted that would present a nuisance or interfere with the normal 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.



APPLICANT'S SIGNATURE

7/1/2026

DATE

See attached affidavit

PROPERTY OWNER'S SIGNATURE

7/1/2026

DATE

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we), AARON LANGSTON / SITLA the owner(s) of the real property located as follows: TOWNSHIP 1 NORTH RANGE 8 WEST, THE N1/2SE4, N1/2SE4 OF SECTION 28, 54B + M1 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.

[Signature]

(Property Owner)

(Property Owner)

AARON LANGSTON, MANAGING DIRECTOR OF RESIDENTIAL - COMMERCIAL DEVELOPMENT
(Property Owner)

(Property Owner)

/ SITLA

Notary

STATE OF UTAH)

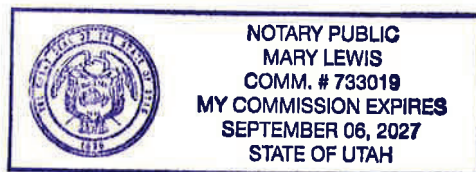
:SS

County of Washington
~~Tooele~~

Dated this 24th day of MARCH, 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.

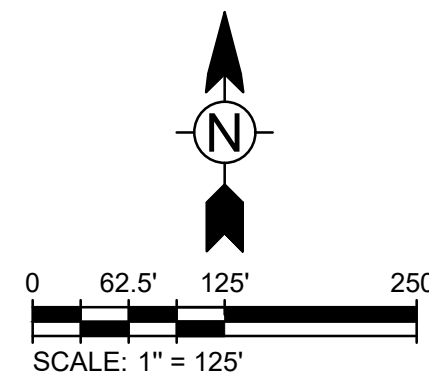
September 6, 2027
My Commission Expires

[Signature]
Notary Public



1. PROJECT COORDINATE SYSTEM IS NAD83 UTAH STATE PLANES CENTRAL ZONE, US FOOT.
2. 1 FOOT CONTOURS AND SITE LINEWORK PROVIDED BY COOK SURVEYING & ASSOCIATES ON JULY 7, 2025.

SCALE: 1"=125



	EXISTING CONTOURS (1FT MINOR, 5FT MAJOR)
	PROPERTY BOUNDARY
	EXISTING FENCE
	EXISTING OVERHEAD ELECTRICAL
	EXISTING SURVEY MONUMENT
	EXISTING POWER POLE
	ELECTRICAL POWERLINE
	PROPANE PIPELINE
	POTABLE WATER PIPELINE
	SEPTIC PIPELINE

1. ENGINEER/OWNER WILL PROVIDE AUTOCAD DESIGN FILES TO FACILITATE CONTRACTOR USE OF RTK/GPS EQUIPMENT FOR SITE GRADING AND OTHER APPLICABLE WORK.
2. CONTROL DATUM FOR SURVEYS WILL BE ESTABLISHED BY ENGINEER AND WILL BE INDICATED ON DRAWINGS "ISSUED FOR CONSTRUCTION." ADVISE ENGINEER OF OBSERVED DISCREPANCIES OR CONFLICTS IN SURVEY DATA.
3. PROTECT SURVEY CONTROL POINTS PRIOR TO STARTING SITE WORK; PRESERVE PERMANENT REFERENCE POINTS DURING CONSTRUCTION. PROMPTLY REPORT TO ENGINEER LOSS OR DESTRUCTION OF REFERENCE POINT OR RELOCATION REQUIRED BECAUSE OF CHANGES IN GRADES OR OTHER REASONS.
4. ENGINEER/OWNER WILL CONDUCT PERIODIC LAND SURVEYING TO ASSESS CONTRACTOR FIELD LAYOUT. HOWEVER, CONTRACTOR IS RESPONSIBLE FOR SITE CONTROL, SURVEYING, AND PROGRESS PAYMENT MEASUREMENTS AS REQUIRED BY SURVEYING.
5. QUALITY ASSURANCE TESTING WILL BE PERFORMED BY ENGINEER FOR THE STRUCTURAL FILL PLACED FOR BASIN EMBANKMENTS AND ROADS.

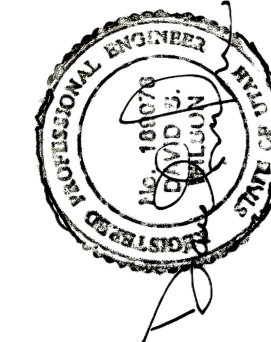
1. ESTABLISH GRADES FOR ADMINISTRATIVE AREA PER THE EXCAVATION AND GRADING SPECIFICATIONS, INCLUDING FLAT AREAS FOR OPERATIONS/MAINTENANCE BUILDING, SCALE, WATER TANK, FUEL TANK, PROPANE TANK, SEPTIC SYSTEM, GRAVEL PARKING AREA APPROXIMATELY 30-FEET BY 60-FEET, AND AREA STORMWATER BASIN.
2. COORDINATE WITH BUILDING CONTRACTOR TO PROVIDE UTILITIES AS SHOWN ON PLAN TO ADMINISTRATIVE AREA, INCLUDING THE FOLLOWING (UNLESS DIRECTED OTHERWISE BY ENGINEER/OWNER):
 - 2.1. ELECTRICAL POWER AS REQUIRED BY BUILDING CONTRACTOR; ALSO PROVIDE ELECTRICAL POWER TO WATER WELL, WATER TANK, FUEL TANK, SCALE, AND OTHER ADMINISTRATIVE AREAS AS DIRECTED BY THE ENGINEER/OWNER.
 - 2.2. ELECTRIC POWER WILL BE CONNECTED TO EXISTING OVERHEAD ELECTRICAL.
 - 2.3. CONNECTIONS TO WATER TANK FOR SERVICE WATER (E.G., BATHROOMS) AND FIRE SUPPRESSION SYSTEM.
 - 2.4. SANITARY PIPING FROM BUILDING TO SEPTIC SYSTEM.
 - 2.5. PROPANE GAS LINES FROM PROPANE TANK TO POINT OF SERVICE FOR HOT WATER HEATER AND COMFORT HEATING SYSTEM.
 - 2.6. TELECOMMUNICATION LINES WITH CONNECTIONS TO EXISTING SERVICES ALONG ROWLEY ROAD.
 - 2.7. OTHER UTILITIES AS DETERMINED NECESSARY BY ENGINEER/OWNER.
 - 2.8. UTILITY CONNECTIONS ARE APPROXIMATE AND SUBJECT TO FIELD REVISIONS.

3. PREPARE CONCRETE PAD/VAULT AND OTHER REQUIRED FACILITIES FOR TRUCK SCALE BASED ON DIMENSIONS AND PREPARATION REQUIREMENTS TO BE PROVIDED BY SCALE MANUFACTURER THROUGH ENGINEER/OWNER. SCALE PROVIDED BY OWNER.
4. INSTALL CONCRETE PADS PER SPECIFICATIONS ON DRAWING C-200 FOR WATER TANK, FUEL TANK AND PROPANE TANK, AND INSTALL THESE TANKS AT DIRECTION OF ENGINEER/OWNER.
5. INSTALL SEPTIC SYSTEM IN ACCORDANCE WITH APPROVED SEPTIC SYSTEM DESIGN (PREPARED BY ALTERNATIVE ONSITE SOLUTIONS (AOS)).
6. COORDINATE AND INSTALL OTHER INFRASTRUCTURE AS REQUESTED BY ENGINEER/OWNER.
7. MEASUREMENT AND PAYMENT FOR THESE SERVICES NOT ALREADY COVERED BY OTHER PAY ITEMS WILL BE PAID ON A TIME AND MATERIALS BASIS AGREED UPON BY CONTRACTOR, OWNER AND ENGINEER.

1. A 50-FOOT BY 100-FOOT BY 18-FOOT STRUCTURE WILL BE CONSTRUCTED ON THE WEST SIDE OF THE PROPERTY, NEAR THE ENTRANCE (5,000 SQUARE FEET). THE NORTHERN PORTION OF THE BUILDING, APPROXIMATELY 50 FEET BY 25 FEET, WILL HOUSE THE ENTRANCE, OFFICES, SCALE HOUSE, AND BREAK/LOCKER ROOM. THE REMAINING 50 FEET BY 75 FEET SECTION OF THE BUILDING WILL BE USED FOR EQUIPMENT MAINTENANCE AND STORAGE. A MUNICIPAL TRASH DUMPSTER WILL BE LOCATED ADJACENT TO THE BUILDING.

<u>TOOELE COUNTY APPROVAL SIGNATURES</u>	
TOOELE COUNTY - ENGINEER	DATE
TOOELE COUNTY - ZONING ADMINISTRATOR	DATE

TETRA TECH



**ISSUED FOR
CONSTRUCTION**

MARK	DATE	DESCRIPTION	BY
0	04/22/26	ISSUED FOR CONSTRUCTION	RNW
1	06/25/26	ISSUED FOR CONSTRUCTION	RNW

ETSR, LLC
TOOELE SRS FACILITY
TOOELE COUNTY (100%) DESIGN SUBMITTAL
SCOPE OF WORK/
SITE LAYOUT PLAN

PROJ:	117-848291-25001
DESN:	G. FINK
DRWN:	R. WOOLSEY
CHKD:	D. WILSON

C-100

ETSRS, LLC
TOOELE UTAH FACILITY
FINAL (100%) DESIGN

4750 WEST 2100 SOUTH, SUITE 400
SALT LAKE CITY, UT 84120
PHONE: 801.364.1064

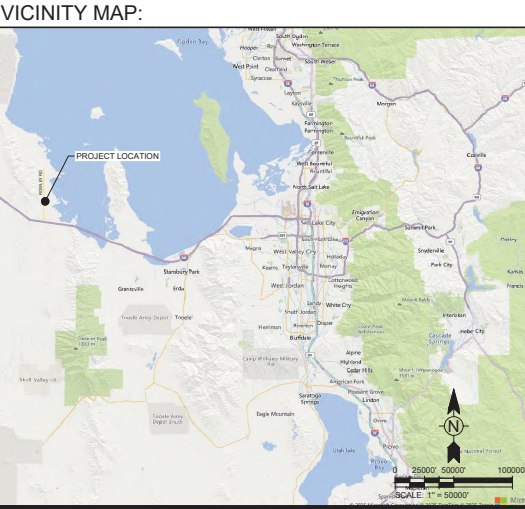


www.tetrattech.com

PROJECT LOCATION: Rowley Road, Tooele County, UT
CLIENT/APPLICANT INFORMATION: ETSRS, LLC, 3110 West California Avenue, Suite D, Salt Lake City, Utah 84104, 801.977.0731
OWNER INFORMATION: SITLA (Contract No. 251010; Program No. 180BK00200), 102 S 200 E, #600, Salt Lake City, Utah 84111, 801-538-5100
PROJECT DESCRIPTION / NOTES: PLANNED DEVELOPMENT OF A NEW SOIL RECYCLING SITE (ETSRS) IN TOOELE UTAH.

ISSUED:
REV 0: 04/17/26 - ISSUED FOR CONSTRUCTION
REV 1: 06/25/26 - ISSUED FOR CONSTRUCTION

ISSUED FOR CONSTRUCTION

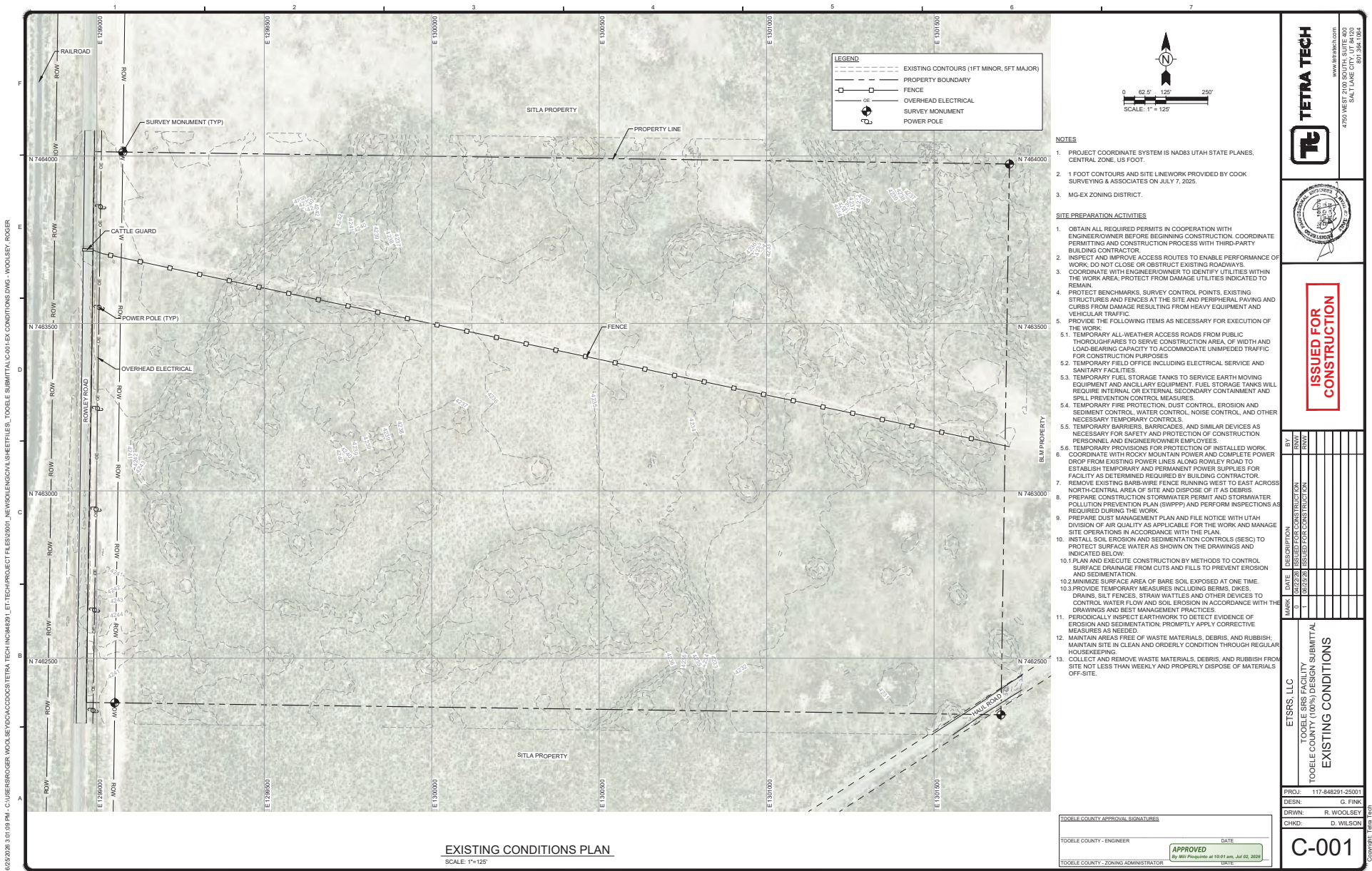


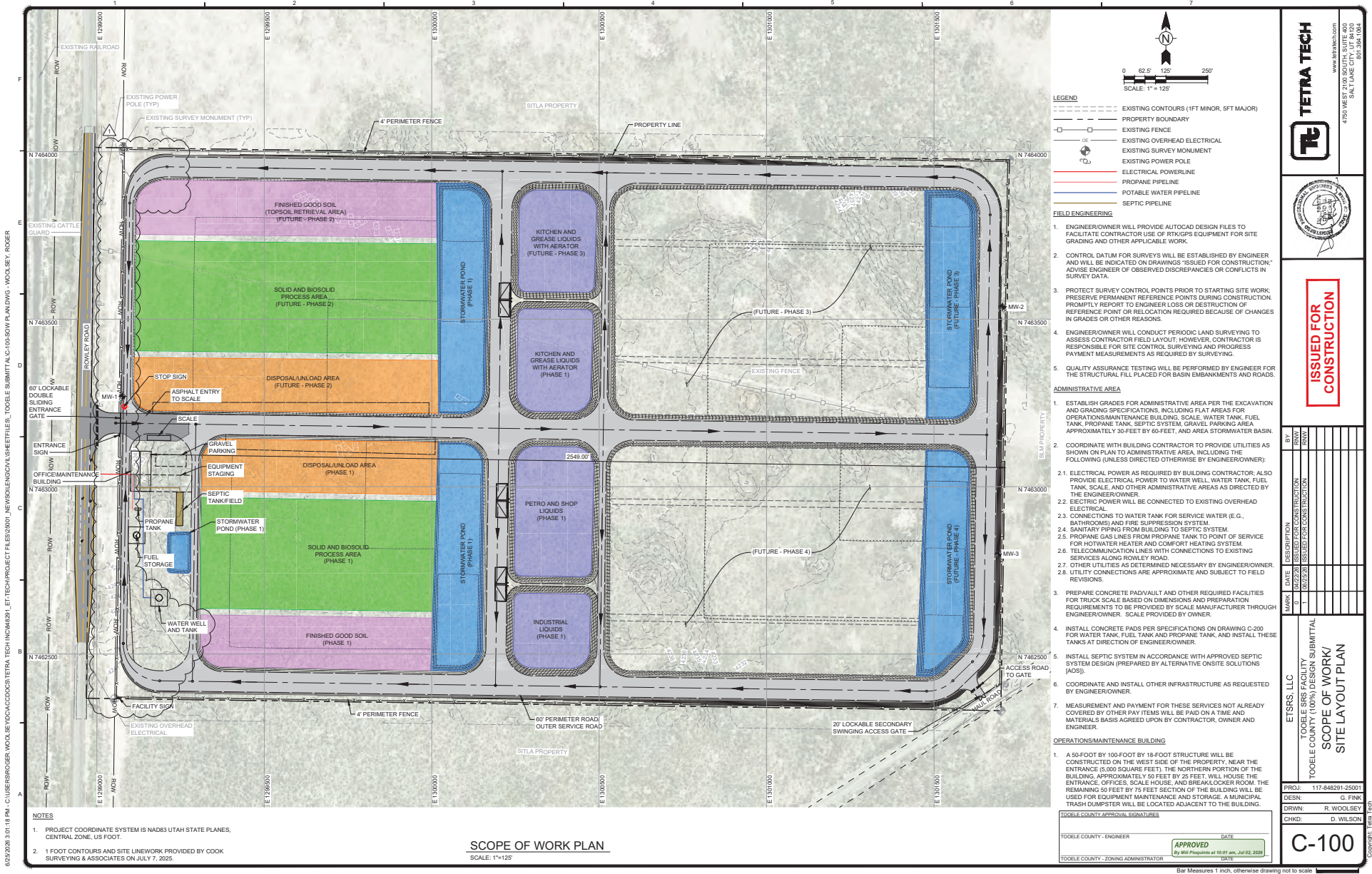
TOOELE COUNTY APPROVAL SIGNATURES		
TOOELE COUNTY - ENGINEER	DATE	
TOOELE COUNTY - ZONING ADMINISTRATOR	DATE	

APPROVED
By MS Projected at 10:01 am, Jul 02, 2024

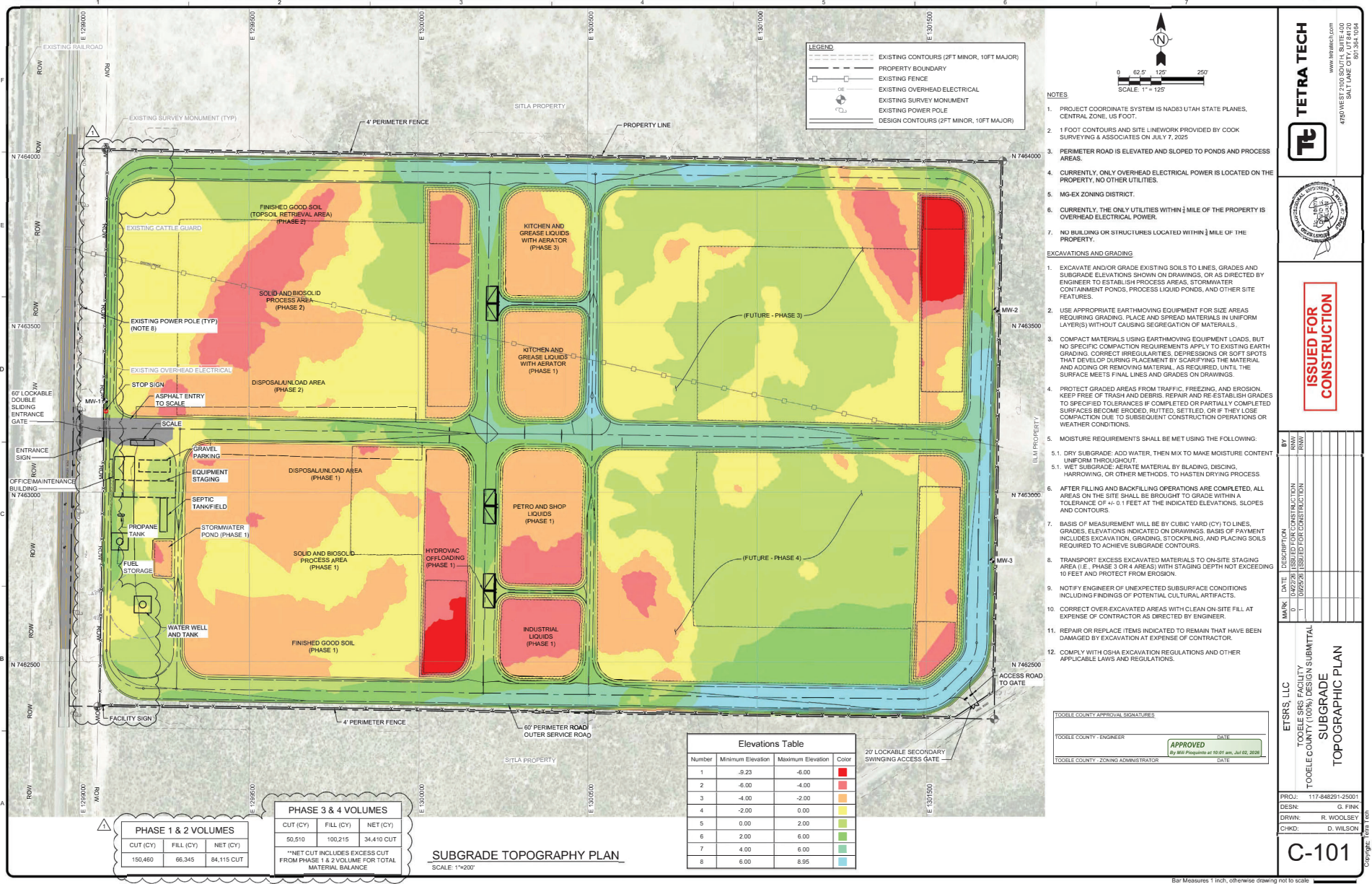
Sheet List Table	
DRAWING NO	DRAWING TITLE
G-001	COVER SHEET AND DRAWING INDEX
C-001	EXISTING CONDITIONS
C-100	SCOPE OF WORK - SITE LAYOUT PLAN
C-101	SUBGRADE TOPOGRAPHIC PLAN
C-102	FINAL GRADE TOPOGRAPHIC PLAN
C-103	TOPOGRAPHIC SECTIONS SHEET 1
C-104	TOPOGRAPHIC SECTIONS SHEET 2
C-105	KITCHEN GREASE LIQUIDS MANAGEMENT PLAN
C-106	PETROLEUM & SHOP LIQUIDS AND INDUSTRIAL LIQUIDS MANAGEMENT PLAN
C-107	PHASES 1 & 2 SOLID-BIOSOLIDS PROCESS AREA MANAGEMENT PLAN
C-108	PHASES 3 & 4 SOLID-BIOSOLIDS PROCESS AREA MANAGEMENT PLAN
C-109	ACCESS AND EGRESS ROAD DETAIL
C-200	LIQUID OFF-LOAD PADS WITH OWS DETAILS
C-201	TYPICAL FENCING DETAILS
C-202	TYPICAL ROAD SECTIONS
ES-100	EROSION AND SEDIMENT CONTROL PLAN

- SUMMARY OF WORK
1. ESTABLISH SITE BOUNDARIES, ACCESS, AND CONTROLS TO FACILITATE EQUIPMENT MOBILIZATION AND SITE PREPARATION FOR CONSTRUCTION ACTIVITIES.
 2. PERFORM GENERAL SITE GRADING TO LEVEL THE EXISTING TOPOGRAPHY WITH GRADUAL SLOPES TOWARD THE EAST CONSISTENT WITH EXISTING TOPOGRAPHY AND ESTABLISH AN ELEVATED PERIMETER AROUND THE SITE TO CAPTURE STORMWATER AND PREVENT OFF-SITE DISCHARGE.
 3. DEVELOP CONSTRUCTION AND OPERATIONAL ROADS AROUND THE SITE PERIMETER AND BISECTING THE PROCESS AREAS AND LIQUID MANAGEMENT BASINS DESCRIBED BELOW.
 4. CONSTRUCT SOLID AND BIOSOLID PROCESS AREAS TO RECEIVE IMPORTED WASTE SOILS FOR LANDFARMING-MODIFIED AND EVENTUAL EXPORT OF FINISHED GOOD SOIL. THE PROCESS AREAS WILL BE DEVELOPED IN PHASES BASED ON THE CAPACITY REQUIREMENTS AND TIME REQUIRED FOR COMPLETION OF THE BIODEGRADATION PROCESS.
 5. CONSTRUCT STORMWATER RETENTION BASINS AT THE EAST ENDS OF EACH PROCESS AREA TO RECEIVE, STORE AND EVAPORATE STORMWATER.
 6. CONSTRUCT WASTE LIQUIDS BASINS TO RECEIVE, STORE AND TREAT WASTE LIQUIDS; AND CONSTRUCT OFF-LOAD AREAS CONSISTING OF REINFORCED CONCRETE PADS FOR RECEIPT OF WASTE LIQUIDS FROM VACUUM TRUCKS AND OTHER HAUL VEHICLES. THE RECEIVING STRUCTURES SHALL INCLUDE GRADED FLOW CHANNELS WITH BAFFLES AND PIPES TO SEPARATE OILS/GREASES AND WATER PRIOR TO DISCHARGE OR WATER INTO THE BASINS.
 7. DEVELOP ADMINISTRATIVE FACILITIES AREA AND COMPLETE INSTALLATIONS AS DIRECTED BY OWNER/ENGINEER INCLUDING OPERATIONS/MAINTENANCE BUILDING, SCALE EMPLOYEE PARKING, EQUIPMENT STAGING, SEPTIC SYSTEM, WATER WELL AND STORAGE TANK, DIESEL FUEL TANK, PROPANE TANK, AREA STORMWATER POND, AND ANCILLARY PIPING AND RELATED EQUIPMENT.
 8. ESTABLISH SITE SECURITY INCLUDING A PERIMETER FENCE AND GATES AT THE MAIN (WEST) ACCESS AND (SOUTHEAST) ACCESS.
 9. CONSTRUCT ROWLEY ROAD ACCESS AND EGRESS WITH ADDITIONAL LANES TO SUPPORT SAFE ENTRANCE AND EXIT TO SITE FOR OPERATIONAL EQUIPMENT.
 10. INSTALL PERIMETER GROUNDWATER MONITORING WELLS ON THE UPGRADE (WEST) AND DOWNGRADE (EAST) SIDES OF THE PROPERTY FOR COMPLIANCE MONITORING PURPOSES. WELLS COMPLETED BY OWNER.





6/25/2026 2:32:45 PM - C:\USERS\ROGER.WOOLSEY\Documents\Tetra Tech\117-848291-25001-LETT-TECH\PROJECT FILES\25001-NEW\ENGINEERING\SHET\FILES\TOELE SUBMITTAL\C-101-500 PLAN\DWG - WOOLSEY, ROGER



TETRA TECH



ISSUED FOR CONSTRUCTION

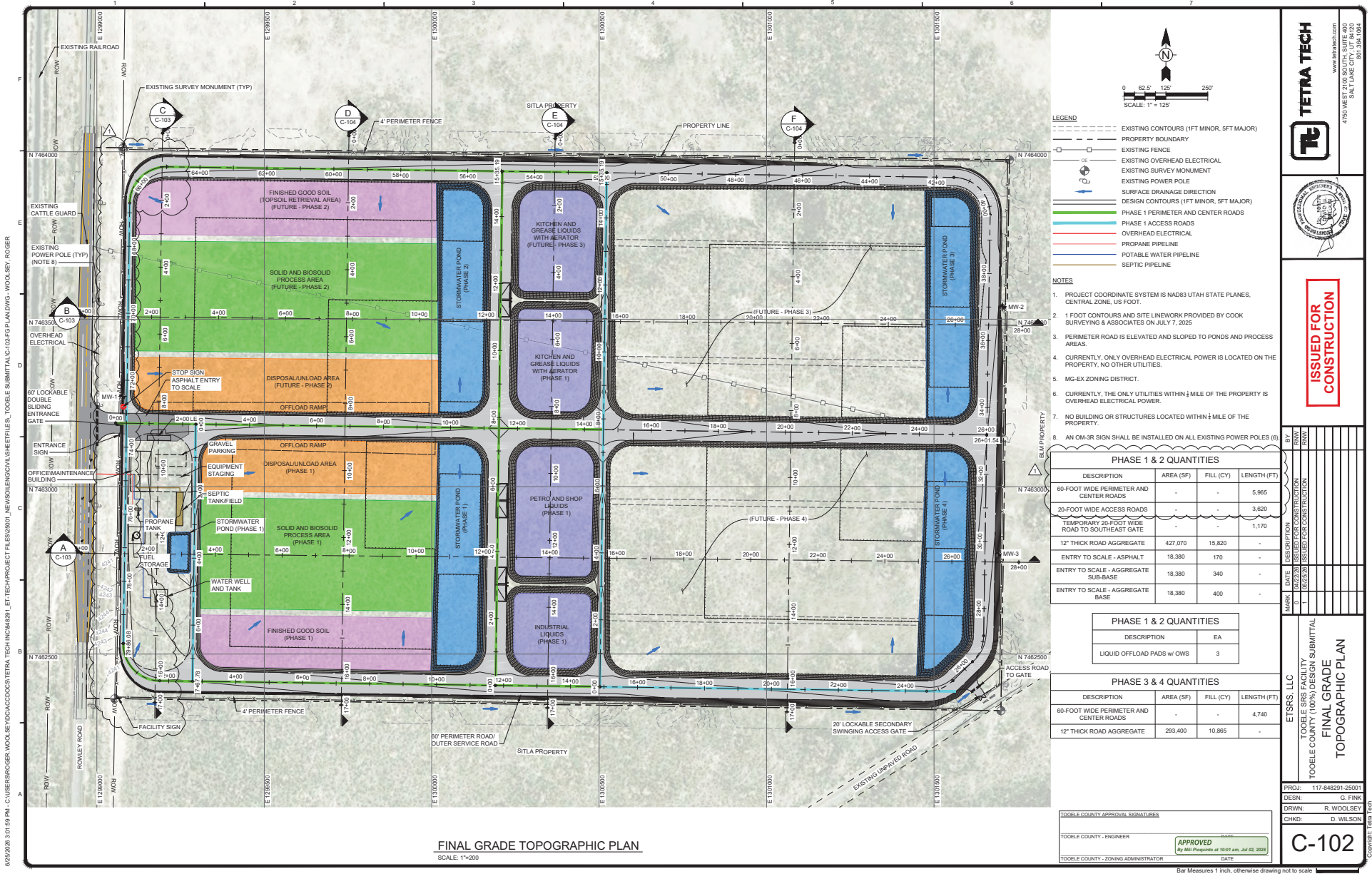
ETSRs, LLC			
TOOELE SRS FACILITY			
TOOELE COUNTY (100%) DESIGN SUBMITTAL			
SUBGRADE			
TOPOGRAPHIC PLAN			
MARK	DATE	DESCRIPTION	BY
	04/22/26	ISSUED FOR CONSTRUCTION	ROW
	09/25/26	ISSUED FOR CONSTRUCTION	RAW

PROJECT: 117-848291-25001
DESIGN: G. FINK
DRAWN: R. WOOLSEY
CHECKED: D. WILSON

C-101

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Bar Measures 1 inch, otherwise drawing not to scale





NOTICE OF PUBLIC HEARING

- **SUBJECT:** CUP 2026-097: Land farming-modified facility.
- **PROJECT SUMMARY:** ETSRS LLC is requesting a Conditional Use Approval for Land Farming Modified in the MG-EX zone.

Unincorporated: Tooele County

Planner: Mili Pioquinto

On **July 22, 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:

July 22, 2026

Item Title:

CUP 2026-097: Land farming-modified facility.

Summary:

ETSRS LLC is requesting a Conditional Use Approval for Land Farming Modified in the MG-EX zone.



NOTICE OF PUBLIC MEETING

- **SUBJECT:** REZ 2026-051
 - **PROJECT SUMMARY:** Rezone from MU-40 (Multiple Use 40-acre minimum) to MG-EX (Mining, Quarry, Sand, and Gravel Excavation).
 - **PARCEL:** 06-017-B-0046
- Unincorporated:** Bauer area **Planner:** Mili Pioquinto

On **July 22, 2026** the Tooele County Planning Commission will hold a public meeting 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 the meeting, however, there will not be a public hearing for this item. A public hearing for this item was held on 05/09/2026. 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
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<https://tooeleco.gov/index.php>



Tooele County Planning Commission Agenda Item Summary

Department Making Request:

Community Development

Meeting Date: July 22, 2026

Item Title:

REZ 2026-051: A rezone request to change from MU-40 (Multiple Use 40-acre minimum) to MG-EX (Mining, Quarry, Sand, and Gravel Excavation).

Summary:

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.



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/>

REZ 2026-051

Rezone Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Parcel ID(s): 06-017-B-0046

Current Zone: MU-40

Approximate Site Location: Located South of Tooele City Municipality, west of SR-36, and sits adjacent of the Tooele County Solid Waste Management Facility.

Request: Rezone from MU-40 (Multiple Use 40-acre minimum) to MG-EX (Mining, Quarry, Sand, and Gravel Excavation)

Unincorporated: Bauer Area

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting

Applicant Name: Gardner Francis

PROJECT DESCRIPTION

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.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property consists of approximately 125.84 acres located south of the Tooele City municipal boundary, west of State Route 36, and adjacent to the Tooele County Solid Waste Management Facility. Immediate surrounding zones include RR-5 (Rural Residential 5-acre minimum), A-40 (Agricultural 40-acre minimum), MU-40 (Multiple Use 40-acre minimum), MG (Manufacturing General) and MG-EX (Mining, Quarry, Sand, and Gravel Excavation).

LAND USE CONSIDERATIONS (MU-40 to MG-EX)

Requirement	Existing Zone (MU-40)	Proposed Zone (MG-EX)
Minimum Lot Size	40 acres (1,742,400 sq. ft.)*	N/A
Minimum Lot Width	660 feet	N/A
Minimum Frontage	60 feet – On a public street or an approved private street.	N/A
Minimum Front Yard Setback	30 feet	Not clearly stated in ordinance; Setbacks are to be established during conditional use permit approval
Minimum Rear Yard Setback	Main Building: 60 Feet Accessory Buildings: 10 Feet	Not clearly stated in ordinance; Setbacks are to be established during conditional use permit approval

Minimum Side Yard Setback	Main Building: 30 Feet Accessory Buildings: 1. From the front setback to distance ten feet behind the main dwelling – 30 feet. 2. From a distance ten feet behind the dwelling to the rear of the lot – 10 feet.	Not clearly stated in ordinance; Setbacks are to be established during conditional use permit approval
Maximum Building Height	35 feet	No Maximum Height Stated
Maximum Building Coverage	Five Percent (5%)	No Maximum Building Coverage Stated
Required Improvements	Street Grading, Street Base, Curb, Gutter and Sidewalk, On-site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal, and Street Monuments.**	All requirements are to follow Chapters 27 and 30 of the Tooele County Land Use Ordinance
* A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to or past the affected lot or parcel. **Ord. 2015-21, 4/21/15; Ord. 2005-30, 11/22/05		

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

GENERAL PLAN CONSIDERATIONS

According to the Tooele County General Plan (Update 2022), the subject property is located within an area that is outlined for Manufacturing.

ISSUES OF CONCERN/PROPOSED MITIGATION

The property is located within the former Bauer area, historically known for intensive mining and smelter operations. As a result, toxic waste remnants have been documented in the vicinity, and many surrounding parcels have been required to conduct soil remediation to address contamination concerns.

NEIGHBORHOOD RESPONSE

No comments were received from the general public or the surrounding neighbors after this staff report was submitted and reviewed by the Tooele County Planning Commission on May 6, 2026 meeting.

PLANNING STAFF ANALYSIS

The applicant has submitted an updated project description package addressing the information requested as part of the rezone application. Any additional project-specific details will be reviewed and addressed during the Conditional Use Permit (CUP) process.

Throughout the review process, the applicant has been proactive in communicating with staff and responding to requests for additional information. Planning staff have no outstanding concerns at this time, as the items identified during the previous meeting have been satisfactorily addressed. Any remaining project-specific concerns will be evaluated during the CUP review process.

PLANNING STAFF RECOMMENDATION

The applicant has since provided revised information addressing all previous incomplete items. Planning Staff has updated this staff report to reflect the revised application request. Planning Staff recommends that the Tooele Planning Commission review and analyze the information provided in this staff report to ensure the proposed rezone request is comprehensive and consistent with existing land uses, available infrastructure, and the Tooele County General Plan (2022 Update) prior to making a recommendation to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Non-Approval

- "I move we 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."

Sample Motion for Approval

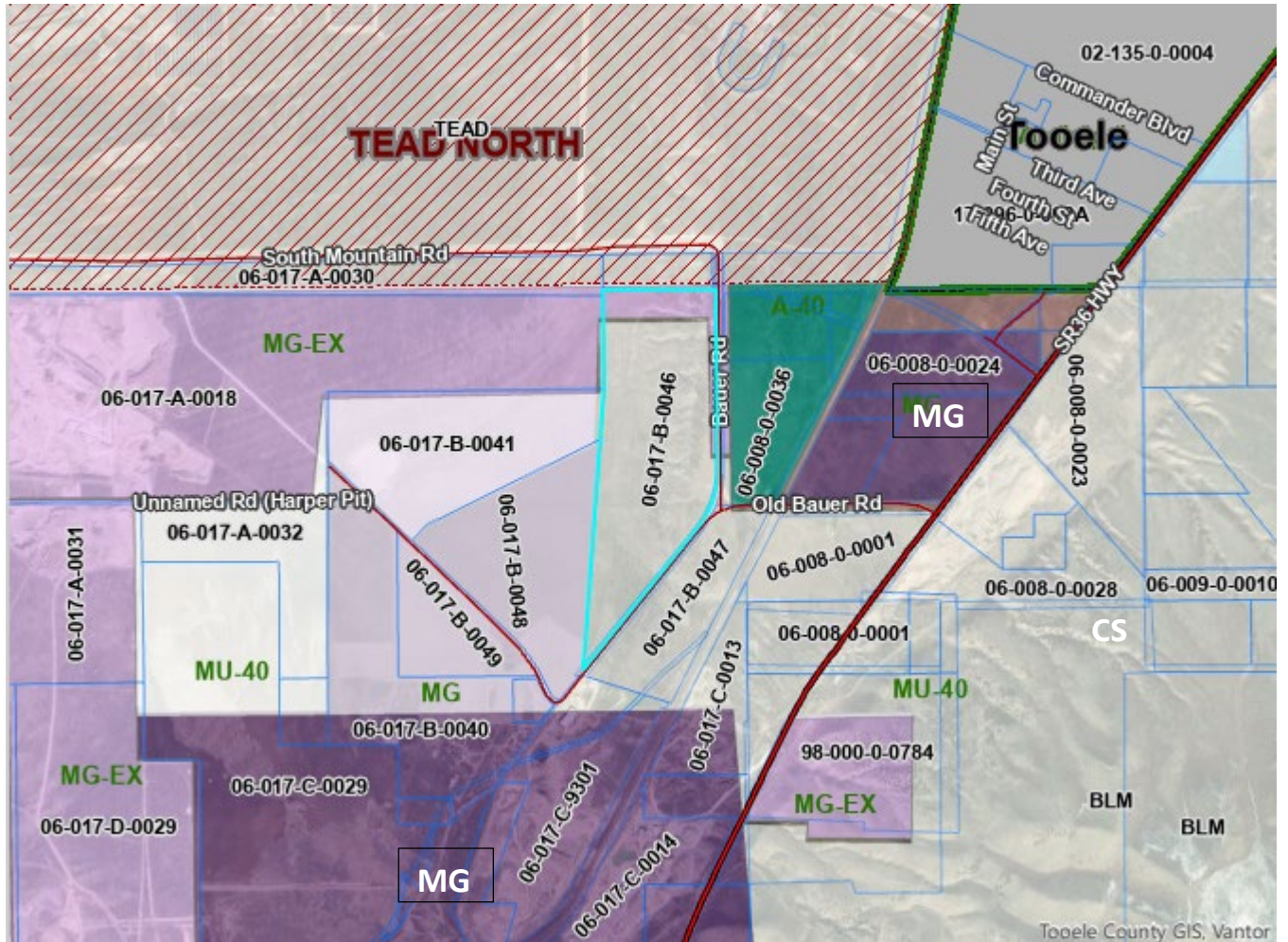
- "I move we recommend approval to the County Council of the Rezone Request by Gardner Francis for rezoning of MU-40 to MG-EX, application number 2026-051, based on the findings and subject to the conditions listed by the Planning Staff."

Sample Motion for Denial

- "I move we recommend denial for 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."

REZ 2026-051: Rezone from MU-40 (Multiple Use 40-acre minimum) to MG-EX (Mining, Quarry, Sand, and Gravel Excavation).

Located South of Tooele City Municipality, west of SR-36, and sits adjacent of the Tooele County Solid Waste Management Facility (Parcel 06-017-B-0046).





Rezone Application

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

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

Fee \$1,000.00

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

Parcel(s) #: 06-017-B-0046 Lot(s) #: _____

Subdivision Name: _____ (if applicable)

REZ #: 2024-051 (For office use only) Fee \$1,000.00 Receipt #: 131
Date complete application submitted: _____ (4/7/24)

Application Determination:

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

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

Property Owner(s) Information

Name(s): S.R.S.G. Sorensen Revocable Living Trust
Address per tax rolls: Available through GRAMA request
City/County: West Jordan State: UT Zip: 84081
Office/home phone: _____ Fax: _____
Mobile phone: _____ Message phone: _____
Email address: Available through GRAMA request

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

*Property Owner's Authorization notarization needed

Name(s): Gardner Francis
Address per tax rolls: Available through GRAMA request
City/County: Kaysville State: UT Zip: 84037
Office/home phone: Available through GRAMA request
Mobile phone: Available through GRAMA request
Email address: Available through GRAMA request

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

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

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING THAT:

Application is hereby made to the Planning Commission requesting a zoning map amendment from MU-40 to MG-EX to facilitate the responsible extraction of mineral resources. This request is predicated on the property's unique geological characteristics and its proximity to established industrial operations in the Bauer area. The proposed rezone represents the highest and best use of the land, aligning with the Tooele County General Plan and Resource Management Plan by promoting economic prosperity through resource utilization while ensuring compatibility with the existing industrial character of the vicinity.

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

An application to amend the zoning map shall address:

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

Applicant check County check

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☒ | a) General existing site characteristics including ownership, topography, soils, drainage, vegetation, and other physical characteristics of the area proposed to be changed; |
| ☒ | ☒ | b) A legal description of the area to be zoned; |
| ☒ | ☒ | c) Types of land uses permitted, conditional or prohibited in the current zoning district <u>and</u> the proposed zoning district; |
| ☒ | ☒ | d) Existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, <u>easements</u> , and parking; |
| ☒ | ☒ | e) Existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures, and buildings with a <u>general description</u> of size area, intensities/densities, and height, and proposed storm-water drainage facilities; |
| ☒ | ☒ | f) Existing and proposed utilities and infrastructure; |
| ☒ | ☒ | g) Relationship of proposed zone change with Tooele County General Plan and how specifically the proposed zone change would conflict, conform, complement, or otherwise affect the Tooele County General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area; |
| ☒ | ☒ | h) An area map showing adjacent property owners and existing land uses within <u>1,000 feet</u> of the area proposed to be rezoned; property owner labels printed from the recorder's office. |
| ☒ | ☒ | i) The location, description, and acreage of land uses; |
| ☒ | ☒ | j) Approximate location and number of residential units along with approximate square footage, density, and height; |
| ☐ | ☐ | k) Approximate location and square footage of non-residential buildings; |

- | | | | |
|-------------------------------------|---|-------------------------------------|--|
| ☐ | - | ☐ | l) Calculation of approximate amount of open space both before and after buildout construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas; |
| ☐ | - | ☐ | m) If the site has unusual or unique natural features, a demonstration of how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees, and other vegetation, and prevents the disruption of natural draining patterns, and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability; |
| ☒ | ? | ☐ | n) A description of the availability of culinary and irrigation water, community facilities such as schools, fire protection services and other types of facilities that would serve the re-zoned area and how these facilities are affected by this proposal; |
| ☒ | | ☒ | o) Approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land; |
| ☒ | | ☒ | p) An indication of the construction schedule of any project proposed; |
| ☒ | - | ☐ | q) For multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase; |
| ☒ | - | ☐ | r) A detailed traffic study showing the vehicle trips per day on average at buildout and a determination how the project would significantly alter existing traffic patterns or volume; |
| ☒ | | ☒ | s) For applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone; and |
| ☐ | | ☐ | t) Any other study or information required by the planning commission or Zoning Administrator. |

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.

Shannon Sorrenson

PROPERTY OWNER'S SIGNATURE

Gardner Francis

APPLICANT'S SIGNATURE

4/2/2026

DATE

4/2/2026

DATE

PROJECT DESCRIPTION

Rezone Application: Parcel No. 06-017-B-0046

MU-40 to MG-EX | Tooele County, Utah

Prepared by: Gardner Francis, Westland Development | April 2026

Project Overview

Application is hereby made requesting a zoning map amendment for approximately 125.84 acres located in the Bauer Road area of Tooele County, Utah (Parcel No. 06-017-B-0046), owned by S.R.S.G. Sorensen Revocable Living Trust. The applicant is Gardner Francis of Westland Development, authorized by the property owner pursuant to the notarized Property Owner's Authorization affidavit submitted herewith.

This request seeks to rezone the subject property from MU-40 (Multiple Use, 40-acre minimum) to MG-EX (Mining, Quarry, Sand and Gravel Excavation Zone) to facilitate the responsible extraction of mineral resources. The proposed rezone represents the highest and best use of the land, aligning with the Tooele County General Plan and Resource Management Plan by promoting economic prosperity through resource utilization while ensuring compatibility with the existing industrial character of the vicinity.

a) Existing Site Characteristics

The subject property consists of approximately 125.84 acres of undeveloped land located along the west side of Bauer Road in unincorporated Tooele County, Utah. The site is situated in the East Half of Section 12 and the Northeast Quarter of Section 13, Township 4 South, Range 5 West, Salt Lake Base and Meridian.

Topography on the site ranges from approximately 4,875 feet to 5,025 feet in elevation, with a natural drainage swale running generally north to south through the central portion of the parcel. Soils are consistent with arid desert conditions typical of the western Tooele Valley. Vegetation is sparse, consisting primarily of native desert scrub. The property is currently undeveloped with no permanent structures, utilities, or impervious surfaces. The site's geological characteristics and mineral deposits are consistent with aggregate and mineral extraction operations present in the surrounding industrial area along the Bauer Road corridor.

b) Legal Description

A parcel of land, situate in the East Half of Section 12, and the Northeast Quarter of Section 13, Township 4 South, Range 5 West, Salt Lake Base and Meridian, said parcel also located in Tooele County, Utah, more particularly described as follows:

Beginning at a point on the West Line of Bauer Road, said point being located North 0°07'22" West 49.56 feet and North 89°39'26" West 99.97 feet from the found monument representing the Northwest Corner of Section 7, Township 4 South, Range 4 West, Salt Lake Base and Meridian, said monument being set during the 2004 resurvey of said section recorded October 4, 2004 as Entry No. 230115 in Book 974 at Page 891 in the Office of the Tooele County Recorder (the Basis of Bearing being South 0°07'22" East 2,639.66 feet, which is the measured line between the found 2004 monuments representing the Northwest Corner and West Quarter Corner of Section 7, Township 4 South, Range 4 West, Salt Lake Base and Meridian); and running:

Thence along the said West Line of Bauer Road the following four (4) courses: (1) South 00°05'42" East 50.34 feet; (2) South 00°06'57" East 2,202.95 feet; (3) Southerly 801.33 feet along the arc of a 1,160.00-foot radius tangent curve to the right (center bears South 89°53'03" West and the long chord bears South 19°40'27" West 785.49 feet through a central angle of 39°34'48"); (4) South 39°27'51" West 2,287.40 feet to a point on the East Line of a parcel having Entry No. 553261 as recorded in the Office of the Tooele County Recorder;

Thence North 04°47'31" East 3,534.87 feet along said East Parcel Line to the Southeast Corner of a parcel having Entry No. 380952 as recorded in the Office of the Tooele County Recorder; Thence North 00°05'50" West 1,244.83 feet along said East Parcel Line; Thence South 89°39'26" East 1,420.62 feet to the Point of Beginning.

Contains 5,481,791 square feet or 125.84 acres. Out of Parcel 6-17-B-34 for Tax Year 2025.

c) Current vs. Proposed Zoning

The property is currently zoned MU-40 (Multiple Use, 40-acre minimum), which provides for limited agricultural, open space, and low-intensity rural uses. Mineral extraction is not a permitted or conditional use within the MU-40 zone.

The proposed MG-EX (Mining, Quarry, Sand and Gravel Excavation Zone) is specifically designed by Tooele County to accommodate mining, quarrying, sand and gravel extraction, and all directly related operations. The MG-EX zone was established by Tooele County Ordinance Chapter 27 to appropriately separate mineral extraction activities from incompatible land uses while providing a clear, structured regulatory framework for responsible resource development, including a required Conditional Use Permit and five-year operations plan.

d) Transportation

The subject property has direct access along the west side of Bauer Road, a Tooele County paved roadway, which provides the primary point of ingress and egress for the site. No new public road construction is anticipated at this time. Internal haul roads and site circulation will be established as part of the grading and extraction operations and will be further detailed at the Conditional Use Permit stage.

A detailed traffic study quantifying vehicle trips per day at buildout will be provided as part of the CUP application in accordance with MG-EX zone requirements (Item r).

e) Existing and Proposed Land Uses

The property is currently undeveloped with no existing structures, impervious surfaces, or active land uses. The proposed use is mineral and aggregate extraction consistent with the MG-EX zone. A preliminary grading plan has been prepared and is attached hereto as Exhibit A, depicting the proposed mining boundary, existing topography, final design grades, and a cross-section profile showing the final floor elevation of 4,875 feet.

The extraction boundary (mining boundary) encompasses the central and southern portions of the parcel as shown on the attached grading plan. Detailed site plans, impervious surface calculations, and stormwater management facilities will be addressed at the CUP stage.

f) Utilities and Infrastructure

No permanent utility connections are proposed or required for this operation at this time. Potable water and dust suppression water will be supplied via water truck, which is typical for mineral extraction operations of this nature. No sewer, culinary water distribution system, or permanent electrical service is anticipated. All infrastructure and utility needs will be further evaluated and documented at the Conditional Use Permit stage.

Temporary sanitary facilities, including portable restroom units, will be provided on-site for all operational personnel in compliance with applicable OSHA and Utah state health and safety requirements. These units will be regularly maintained and serviced throughout the duration of active extraction operations.

g) Tooele County General Plan Consistency

The proposed rezone is consistent with the Tooele County General Plan and Resource Management Plan, which recognize and support mineral resource extraction as a significant and appropriate economic use in designated areas of the county. The Bauer Road corridor contains established industrial and

extraction-related operations, and the subject parcel's geological characteristics, topography, and proximity to existing industrial uses make it well-suited for MG-EX designation.

The rezone promotes economic development and resource utilization in a manner that is compatible with the existing character of the surrounding area. No conflicts with the General Plan are anticipated. The MG-EX zone's built-in CUP and operations plan requirements ensure that ongoing operations remain consistent with county standards and objectives.

h) Adjacent Property Owners and Area Map

An area map identifying adjacent property owners and existing land uses within 1,000 feet of the subject parcel is attached as Exhibit B. Property owner labels have been obtained from the Tooele County Recorder's Office as required.

i) Location, Description, and Acreage

The subject parcel totals approximately 125.84 acres located along the west side of Bauer Road in unincorporated Tooele County, Utah (Township 4 South, Range 5 West). The intended use is mineral and aggregate extraction within the proposed MG-EX zone. The mining boundary as depicted on the attached grading plan encompasses the active extraction area within the larger parcel boundary.

j & k) Residential and Non-Residential Buildings

No residential units are proposed. No permanent structures are proposed at this time. Any future structures associated with the extraction operation, including scale houses, equipment storage, or processing facilities, will be identified and described as part of the Conditional Use Permit application.

m) Natural Features and Drainage Preservation

The applicant acknowledges the natural drainage swale traversing the central portion of the parcel and is committed to its responsible management throughout the life of the project. While a detailed drainage analysis and mitigation plan will be prepared by a licensed civil engineer as part of the Conditional Use Permit application, the applicant commits that no extraction activity will occur in or immediately adjacent to the natural drainage swale without a County-approved drainage management plan in place. The extraction pit configuration, with perimeter slopes graded at 2H:1V, is anticipated to function as a natural retention basin that captures surface runoff within the pit area and reduces the volume of drainage currently reaching the swale. The applicant is committed to preserving natural drainage patterns to the greatest extent practicable and will work collaboratively with Tooele County and a licensed civil engineer to develop a drainage solution, whether through preservation in place, controlled rerouting, or incorporation into the pit's retention design, that meets County standards and protects existing downstream drainage patterns.

n) Community Facilities and Services

Water will be provided on-site via water truck; no connection to a culinary water system is required. Fire protection services are available through the **North Tooele Fire District**. Given the industrial and extraction nature of the proposed use, no significant impacts to schools, parks, or other community facilities are anticipated. Emergency access will be maintained via Bauer Road.

o) Stormwater Conceptual Drainage Statement

The subject property currently drains naturally in a generally southerly and westerly direction consistent with the existing topography, which ranges from approximately 5,025 feet at the southern boundary to 4,875 feet within the lower central portions of the parcel. A natural drainage swale traverses the central portion of the site and conveys surface runoff offsite during storm events.

The proposed extraction operation, as depicted on the attached grading plan, will establish a final floor elevation of 4,875 feet within the mining boundary. The extraction pit configuration, with perimeter slopes graded at 2H:1V, will function as a natural retention basin, capturing surface runoff within the pit area and

reducing the volume of stormwater leaving the site. It is anticipated that post-grading drainage patterns within the mining boundary will be self-contained within the pit during typical storm events.

A detailed stormwater drainage analysis, including retention and detention calculations, will be prepared and submitted as part of the Conditional Use Permit application in accordance with Tooele County requirements.

p) Construction Schedule

Extraction operations are anticipated to commence following receipt of all required approvals, including the rezone and a subsequent Conditional Use Permit. A detailed construction and operations schedule will be provided at the CUP stage. The project is anticipated to proceed in a single mobilization phase, with extraction operations ongoing thereafter subject to market demand.

q) Phasing Plan

The project may be developed in phases depending on operational logistics and market conditions. A phasing plan describing the anticipated timing and geographic extent of each extraction phase will be submitted as part of the CUP application.

The applicant anticipates conducting extraction operations in phases of approximately 30 acres at a time, allowing for orderly and manageable site progression. The applicant is committed to open and collaborative communication with Tooele County throughout every phase of operations, including active coordination with the Tooele County Roads Department regarding access points, haul route designation, road use responsibilities, and any road maintenance or restoration obligations that may arise as a result of extraction-related traffic on Bauer Road. The applicant understands that these are shared responsibilities and is committed to entering into a clear, mutually agreed-upon framework with the Roads Department through the CUP process, ensuring that the County is never left managing road impacts that are the applicant's responsibility to address.

r) Traffic Study

A detailed traffic study showing estimated vehicle trips per day at buildout, and a determination of how the project would alter existing traffic patterns or volumes on Bauer Road, will be provided as part of the Conditional Use Permit application. At this conceptual stage, truck traffic associated with extraction operations is anticipated to utilize Bauer Road as the primary access route, consistent with existing industrial traffic patterns in the corridor.

This project description is submitted in support of the Rezone Application for Parcel No. 06-017-B-0046. The applicant respectfully requests that the Planning Commission find the application complete and schedule the matter for public hearing. The applicant acknowledges that additional information or studies may be required by the Planning Commission or Zoning Administrator and agrees to cooperate fully in providing such information.

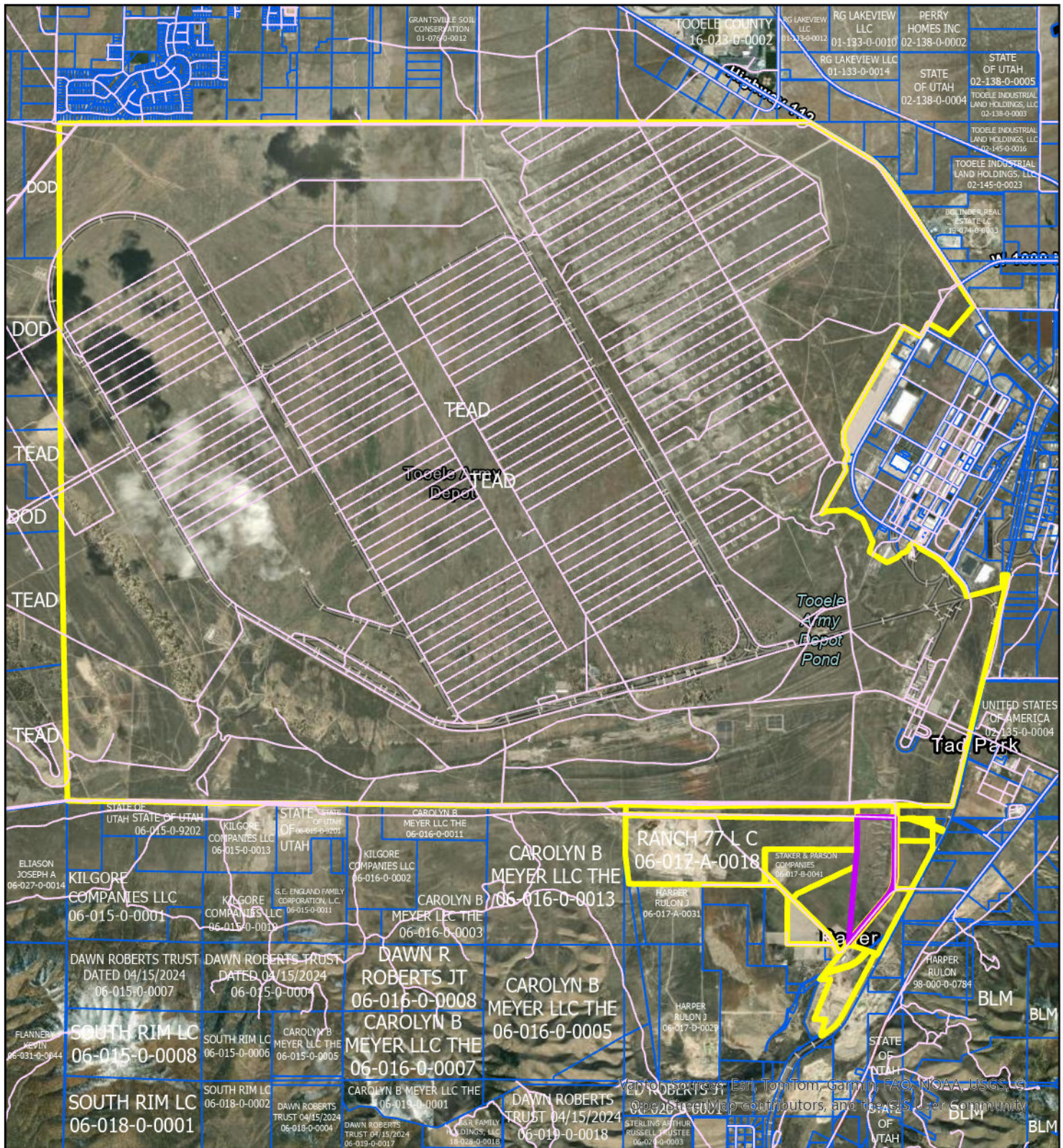
Exhibits attached: Exhibit A: Preliminary Grading Plan | Exhibit B: Vicinity and Adjacent Property Owner Map

Gardner Francis

Principal Developer, Westland Development Services

~~385.251.5800 | Gardner@westlanddevs.com~~

Date: _____



RADIUS REPORT

Gardner Francis
06-017-B-0046

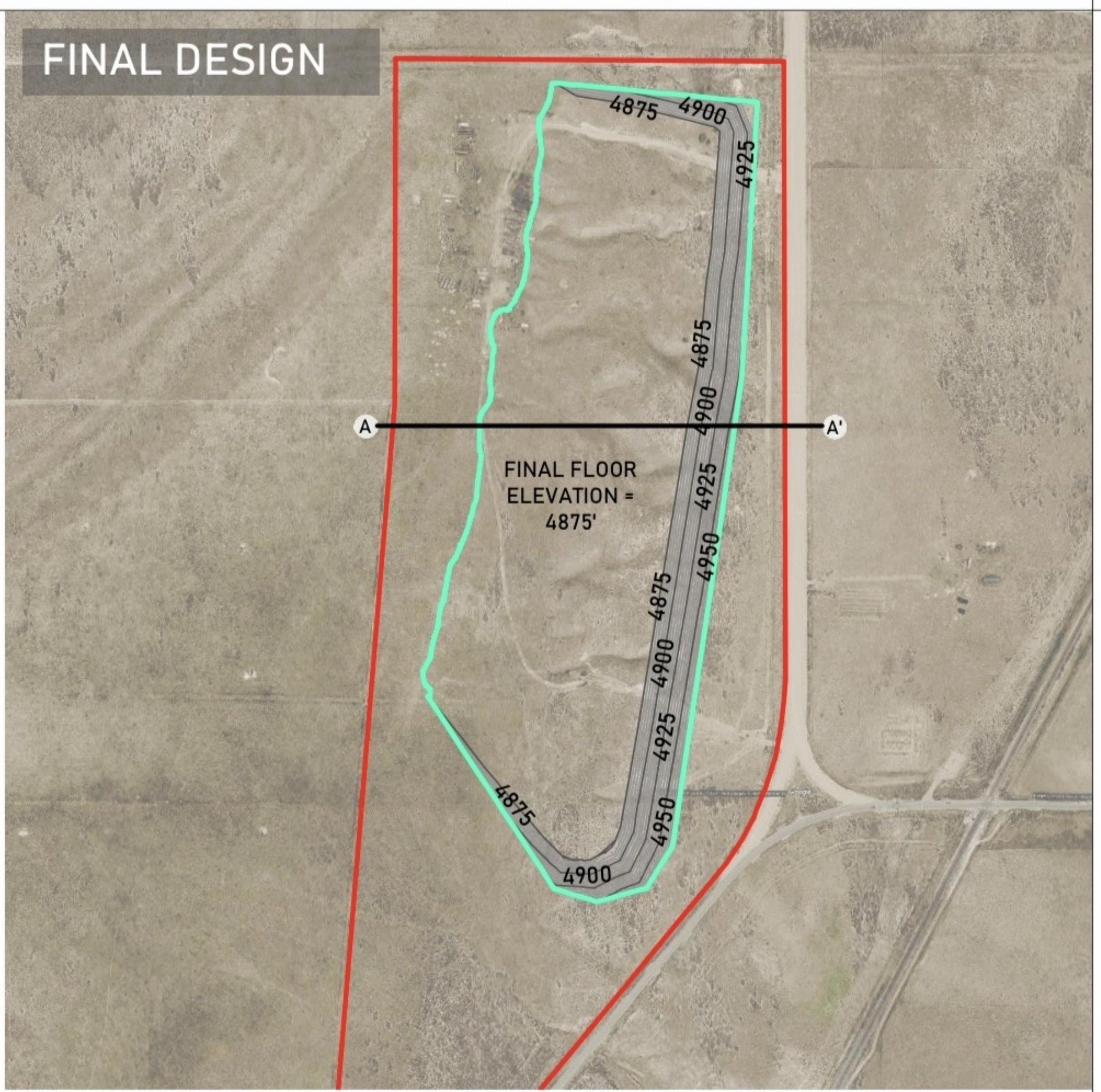
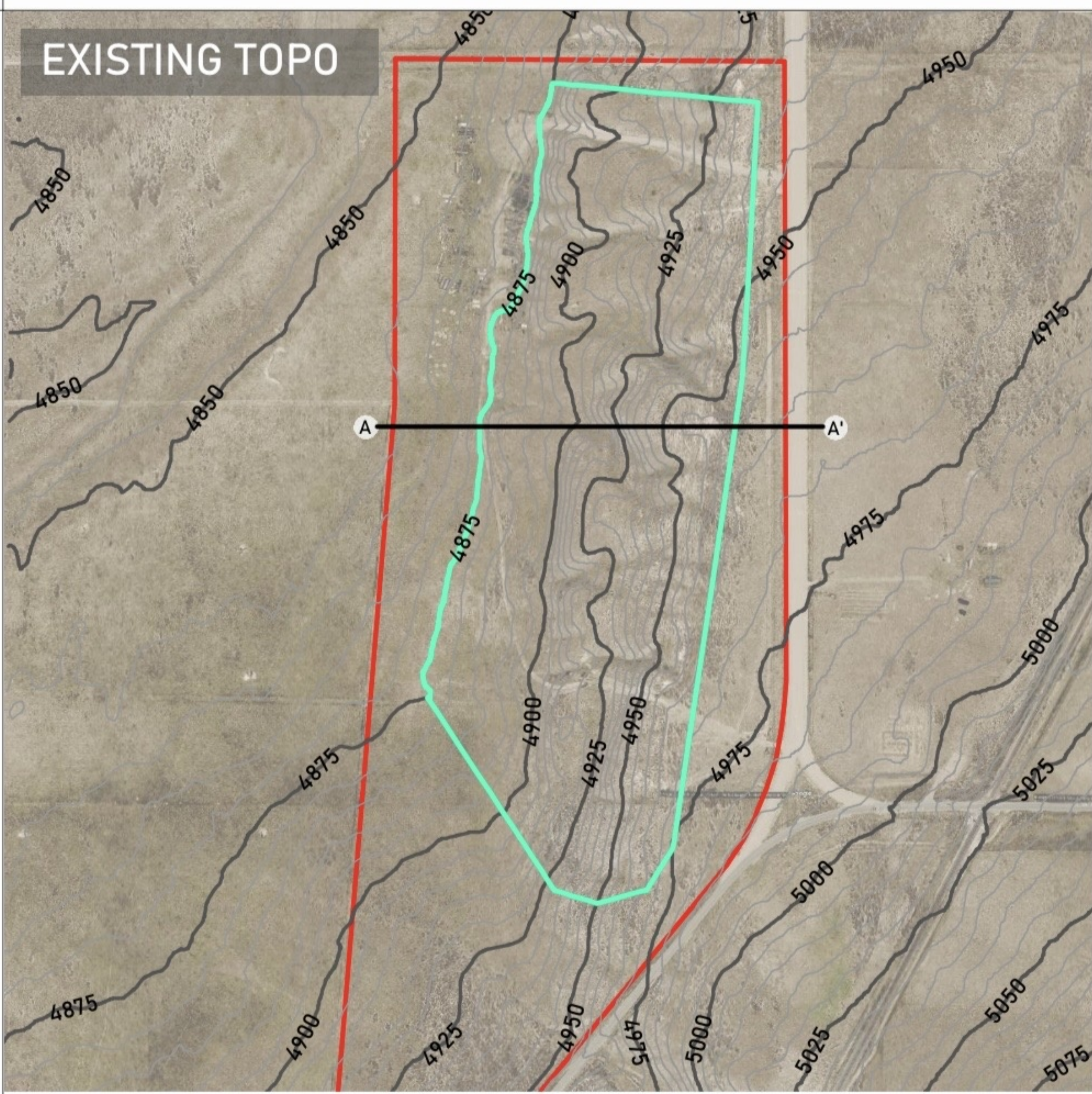


GIS Map Disclaimer:

TOOELE COUNTY

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 by 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 2,350 4,700 9,400 US Feet



0' 500'

4800
4750
4700

EXISTING SURFACE

2H:1V

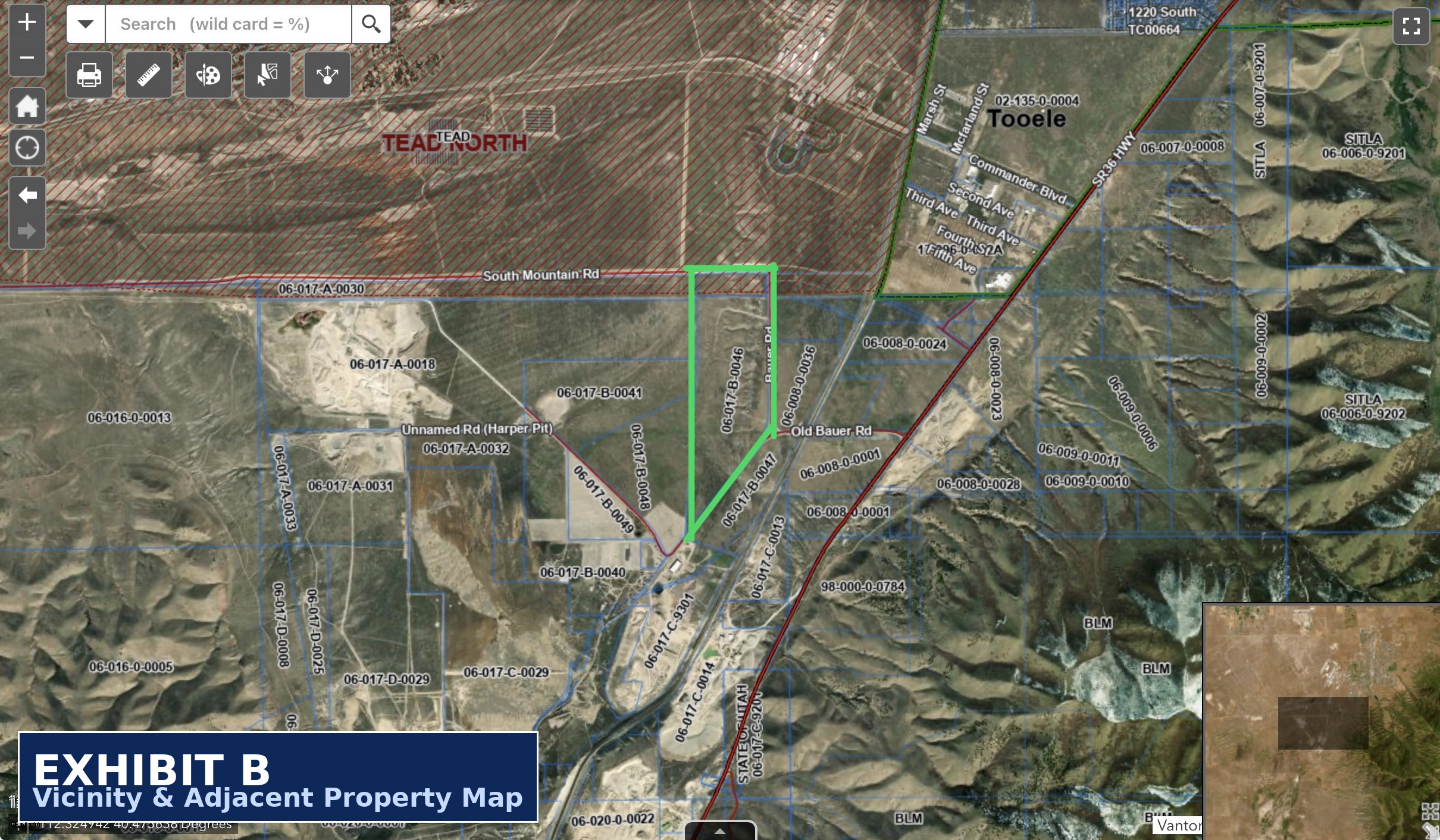
FINAL DESIGN

A'

EXHIBIT A

Preliminary Grading Plan

SORENSEN
PROPERTY
BAUER, UT
GRADING PLAN



Search (wild card = %)



TEAD NORTH

Tooele

South Mountain Rd

SR36 HWY

Old Bauer Rd

Unnamed Rd (Harper Pit)

EXHIBIT B
Vicinity & Adjacent Property Map

BLM

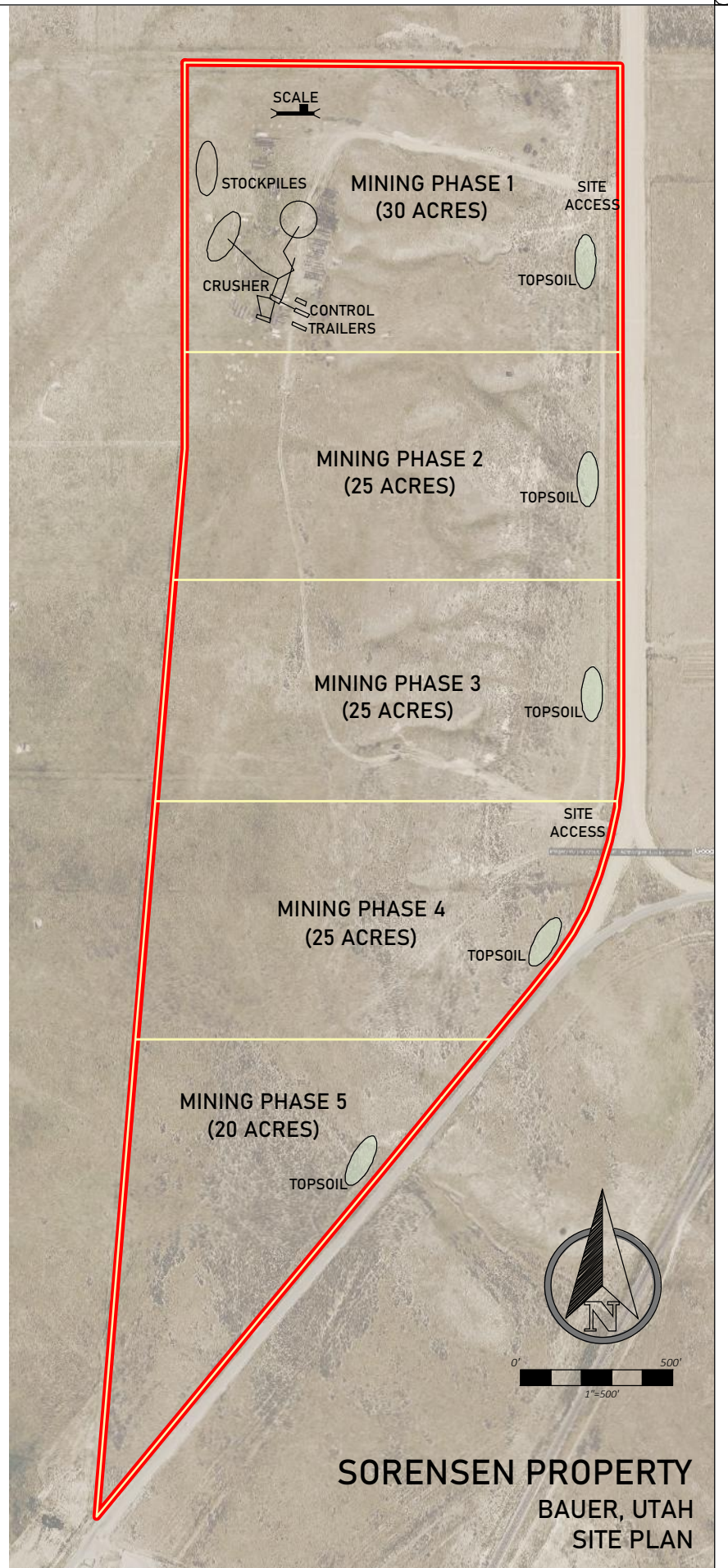
BLM

STATE OF UTAH

Vantor

RECLAMATION NOTES:

- MINING PHASE 1 WILL REMAIN OPEN UNTIL THE END OF OPERATIONS AND WILL BE THE FINAL PHASE RECLAIMED. ALL OTHER PHASES WILL BE MINED CONCURRENTLY AS THEY ARE BEING RECLAIMED.
- EACH PHASE WILL HAVE A FINAL GRADE OF 33 DEGREES FOR GRAVEL MATERIALS, WHICH WILL BE RECLAIMED AS THE NEXT PHASE BEGINS MINING OPERATIONS. THE GOAL IS TO ELIMINATE AS MUCH DISTURBANCE AT A TIME AS POSSIBLE.
- TOPSOIL WILL BE STOCKPILED SEPARATELY AND USED FOR RECLAMATION.
- THE FINAL PIT FLOOR WILL BE RECLAIMED WITH A 2% GRADE AND CHanneled INTO A 'V' SHAPE FROM EAST TO WEST FOR DRAINAGE.
- NATURAL DRAINAGE PATTERNS WILL BE RESTORED OR REALIGNED WHENEVER POSSIBLE.
- ALL SIDE WALLS OF PIT SHALL BE SMOOTHED AND EVENLY CONTOURED.
- MOUNDS OF FILL SHALL NOT REMAIN AFTER RECLAMATION EXCEPT WHERE PERMITTED OR USED AS SAFETY BARRIER.
- ALL MINING INFRASTRUCTURE WILL BE REMOVED FROM SITE.
- ANY HAUL ROADS WILL BE RECLAIMED USING MATERIAL ONSITE.
- NO PERMANENT BUILDINGS WILL BE CONSTRUCTED UNLESS A BUILDING PERMIT IS APPROVED WITH TOOELE COUNTY.
- WATER MAY BE HAULED IN AND STORED IN LARGE TANKS (10K GALLONS) AND USED FOR DUST SUPPRESSION.



PHASE I ENVIRONMENTAL SITE ASSESSMENT

Summary Narrative

Parcel No. 06-017-B-0046 | Bauer Road, Tooele County, Utah

Prepared by Terracon Consultants, Inc. | June 4, 2026

Submitted in Support of Rezone Application | Westland Development Services

Overview

A Phase I Environmental Site Assessment (ESA) was conducted for the subject property by Terracon Consultants, Inc. (Midvale, Utah) in accordance with ASTM Standard Practice E1527-21, the current industry standard for Phase I assessments. The assessment was commissioned by Fleet Mining Services in connection with the proposed mineral extraction operation on the approximately 125-acre parcel (Parcel No. 06-017-B-0046) located along Bauer Road in unincorporated Tooele County, Utah. The site reconnaissance was performed on May 27, 2026 by qualified Environmental Professional Ellie Roubal, under the responsible charge of ESA Group Manager Tina Cheney.

The purpose of the assessment was to identify any Recognized Environmental Conditions (RECs), Controlled RECs (CRECs), or Significant Data Gaps (SDGs) associated with the property. RECs represent the presence or likely presence of hazardous substances or petroleum products that could indicate an existing release, past release, or material threat of release to the environment.

Scope of Assessment

Terracon's assessment included the following four components as required under ASTM E1527-21:

Historical Review

Historical aerial photographs, topographic maps, and ownership records were reviewed dating back to 1943. The subject parcel has consisted of undeveloped agricultural and grassed land with dirt access roads throughout the entire period reviewed. No commercial or industrial activity was identified on the property at any point in its recorded history. Surrounding properties have historically consisted of agricultural land, dirt access roads, and railroad tracks. Agricultural structures were developed to the west in the 1950s, landfill operations appeared south of the site by the late 1990s, and a petroleum pipeline valve station was developed to the east in the early 2000s. No RECs were identified through the historical review.

Environmental Records Review

Federal and state environmental regulatory databases were searched. The subject parcel is not listed in any environmental regulatory database. Two nearby facilities were identified within the specified search distances and evaluated in detail:

Tooele Army Depot (North Area) — Located north of the subject parcel. Based on distance, topographic gradient relative to the site, and estimated depth to groundwater, this listing does not constitute a REC in connection with the subject property.

Tooele County Solid Waste Management Facility — Located south of the subject parcel. Based on distance, cross-gradient position relative to the site, and archived regulatory status, this listing does not constitute a REC in connection with the subject property.

Site Reconnaissance

A physical inspection of the subject property was conducted on May 27, 2026. The site consists of undeveloped land with a dirt access road. Miscellaneous dumping, including 55-gallon drums and soil piles, was observed on-site. Based on interviews with the property owner and direct site observations, these items were evaluated and determined not to constitute RECs in connection with the site.

Adjoining Property Reconnaissance

Adjoining properties were observed and evaluated. The site is bordered by undeveloped land and the Tooele Army Depot (North Area) to the north; Bauer Road, grassed land with trailers and soil piles, and a petroleum pipeline valve station to the east; Bauer Road and undeveloped land to the southeast; the Tooele County Solid Waste Management facility to the south; and undeveloped land to the west. No evidence of RECs originating from off-site property operations was identified.

Conclusions

Terracon Consultants, Inc. performed a Phase I ESA consistent with the procedures included in ASTM Practice E1527-21 for Parcel No. 06-017-B-0046. Based on the full scope of assessment described above, including historical review, environmental records review, site reconnaissance, and adjoining property reconnaissance:

- No Recognized Environmental Conditions (RECs) were identified in connection with the site.
- No Controlled RECs (CRECs) were identified in connection with the site.
- No Significant Data Gaps (SDGs) were identified.

Recommendations

Based on the scope of services, limitations, and conclusions of this assessment, Terracon did not identify RECs, CRECs, or SDGs in connection with the site. As such, no additional environmental investigation is warranted at this time. The full Phase I ESA report (Terracon Project No. 1000007137, dated June 4, 2026) is available upon request.

TRAFFIC IMPACT STUDY

Summary Narrative

Parcel No. 06-017-B-0046 | Bauer Road, Tooele County, Utah

Prepared by A-Trans Engineering | May 27, 2026

Submitted in Support of Rezone Application | Westland Development Services

Overview

A Trip Generation Memo and Traffic Impact Study was prepared for the subject property by A-Trans Engineering (Salt Lake City, Utah), authored by Joseph Perrin, PhD, PE, PTOE, Principal, and dated May 27, 2026. The study was prepared in connection with the proposed rezone of Parcel No. 06-017-B-0046 from MU-40 (Multiple Use, 40-acre minimum) to MG-EX (Mining, Quarry, Sand and Gravel Excavation Zone) on approximately 125.84 acres located along Bauer Road in Tooele County, Utah. The study evaluated the traffic impact of the proposed mining operation on the surrounding roadway network, with a specific focus on SR 36 and the Bauer Road/SR 36 intersection.

Trip Generation

Mining operations generate significantly less traffic than most other land uses. Standard ITE Trip Generation Manual methodology was noted but determined to be less applicable given the low traffic volumes associated with mining. Based on information provided by the applicant, the proposed operation is anticipated to generate 18 truck trips per day (18 inbound and 18 outbound), plus associated employee vehicle trips estimated at up to 30 vehicles per day, for a combined total of approximately 96 daily trips to and from the site.

For context, UDOT recorded 8,107 Average Daily Trips (ADT) along the relevant section of SR 36 in 2023. As a two-lane rural arterial, SR 36 has an estimated roadway capacity of 19,500 vehicles per day, meaning the road currently operates at approximately 41.6% of capacity. The 96 daily trips generated by the proposed mining operation represent approximately **0.5% of SR 36's total roadway capacity** — a de minimis addition to traffic that poses no capacity concern.

The study concluded that there is no concern regarding traffic from a capacity standpoint.

Access and Infrastructure

The primary transportation consideration for mining operations is the safe connection of slow-moving heavy trucks to the higher-speed primary highway. The subject property's access route runs from the site via Bauer Road to SR 36, a UDOT Category 2 highway.

Under UDOT Administrative Rule R930-6, Category 2 highways may require auxiliary lanes (acceleration, deceleration, and taper lanes) at access points depending on projected peak hour turning volumes. The study evaluated whether the proposed operation would trigger these requirements.

The study found that the Bauer Road/SR 36 intersection already has acceleration and deceleration truck lanes in place in both the northbound and southbound directions. Because the infrastructure improvements that could be required by this rezone are already constructed and operational, **no roadway mitigation or additional improvements are required as a condition of this rezone.**

Conclusions

A-Trans Engineering's analysis identified no traffic-related concerns or deficiencies associated with the proposed rezone. Specifically:

- **No capacity concerns:** The project adds approximately 0.5% to SR 36's existing traffic volume, well within the road's available capacity.
- **No infrastructure improvements required:** The Bauer Road/SR 36 intersection already has the auxiliary truck lanes required under UDOT R930-6 for a Category 2 highway.
- **No mitigation needed:** All relevant roadway improvements are already in place. No further traffic-related mitigation is warranted in connection with the rezone.

Full study prepared by ~~Joseph Perrin, PhD, PE, PTOE | A-Trans Engineering | (801) 949-8848 |~~
~~atrans@comcast.net~~

May 27, 2026



RE: Westland Development – Trip Generation Memo– Tooele, UT

The following is a trip generation memo for the proposed rezoning of the Westland Development (125.84 acres located in the Bauer Road area of Tooele County, Utah (Parcel No. 06-017-B-0046), owned by S.R.S.G. Sorensen Revocable Living Trust.).

The property is proposing a rezone from MU-40 to MG-EX. This is a change from agricultural, open space and rural uses to mining operations. There are several other mining operations in the area. Both land uses generate very low traffic, but the mining operation will likely include more heavy truck using the roadway. The roadway connection from the property will be from Bauer Road to State Route 36 (SR 36). Figure 1 identifies the site location, Bauer Road and SR 36.

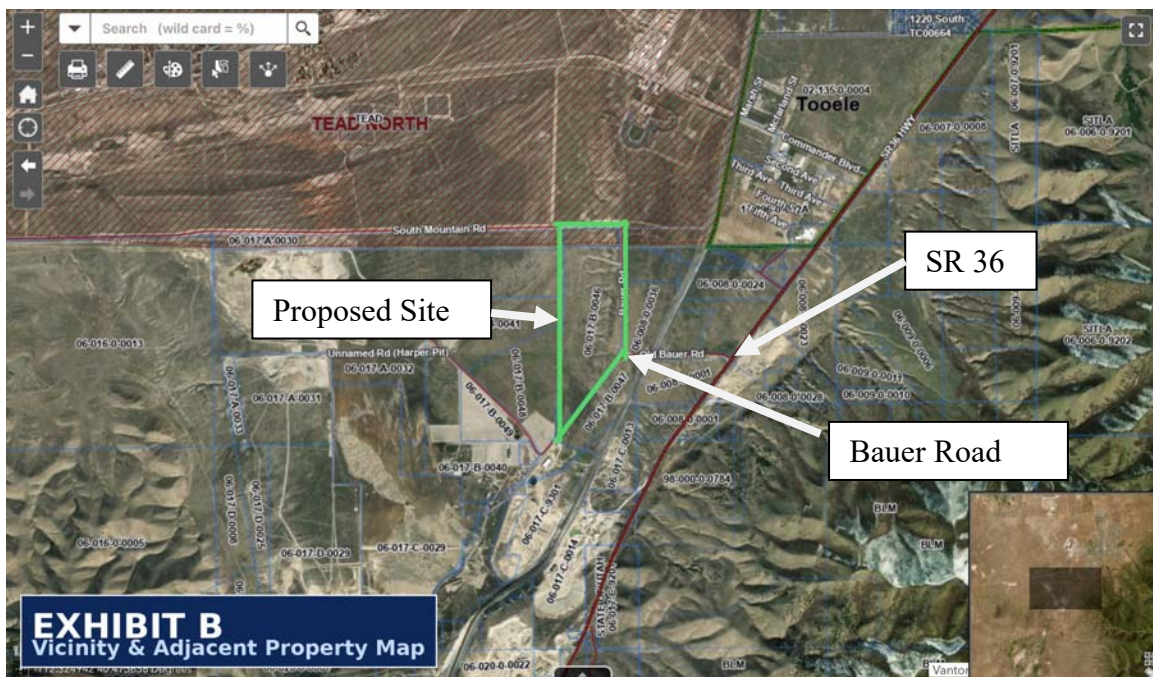


Figure 1: Site Location

Trip Generation

Typically, trip generation estimates come from the Institute of Transportation Engineers (ITE) *Trip Generation* Manual based on land uses and development level such as square footage of building or employees or number of residential units. However, mining operation generates such little traffic, that capacity is not the issue but the truck operations and the need for auxiliary lanes. According to the developer, the mining operations will include 18 trucks a day. This would be 18 inbound and 18 outbound trips and the associated employees that are working the mining operations. These employees would be assumed to be vehicles, not heavy truck trips.

In 2023, UDOT recorded 8,107 Average Daily Trips (ADT) along this section of SR 36. A two-lane rural arterial such as SR 36 has a capacity of 19,500. This indicates that SR 36 is operating at approximately 41.6% of the roadway capacity. With 18 trucks a day and even assuming up to 30 employees, this would be 96 daily trips to the mining site. This is 0.5% of the SR 36 roadway capacity.

- Therefore, there is no concern of traffic from a capacity aspect.

Access

The primary transportation issue with mining operations is the connection to the primary highway in the area. These slower moving vehicles must access the higher speed road and the most effective way to minimize potential high speed vehicles coming upon a slow moving truck that has just entered the highway is for truck acceleration and deceleration lanes.

SR 36 is a UDOT and depending on the number of trucks, the need for acceleration and deceleration lanes may be required. SR 36 is a UDOT Category 2 of SR 36. A Category 2 Road has the following requirements.

From UDOT Administrative R930-6

(B) Any of the following apply for an access to an access category 2 or 3 highway:

(I) A left turn lane with deceleration, storage, and taper lengths is required for any access with a projected peak hour left turn ingress turning volume greater than 5 vehicles per hour.

(II) A right turn lane with deceleration and taper lengths is required for any access with a projected peak hour right turn ingress turning volume greater than 10 vehicles per hour.

(III) A right turn lane with acceleration and taper lengths is required for any access with a projected peak hour right turning volume greater than 10 vehicles per hour.

(IV) A left turn acceleration lane may be required if such a design will be a benefit to the safety and operation of the roadway.

(V) Left turn acceleration lanes are generally not required where the posted speed is less than 50 mph, the intersection is signalized, or the acceleration lane would interfere with the left turn ingress movements to any other access.

- The Bauer Road and SR 36 intersection already has acceleration and deceleration truck lanes to both the north and south and therefore, the improvements that may have become required for this rezoning are already in place. Therefore, no mitigation is needed.
- The following pictures are from Google Earth and show the aerial of the intersection and street views for various angles of the approaches to the intersection.



Looking North toward the intersection



Looking North AT the Intersection



Looking North, North of the Intersection



Looking South from North of the Intersection

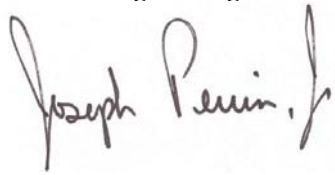


Looking South towards the Intersection

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

Please let me know if you have any questions.

Sincerely,
A-Trans Engineering

A handwritten signature in dark ink, reading "Joseph Perrin, Jr." in a cursive style.

Joseph Perrin, PhD, PE, PTOE
Principal



NOTICE OF PUBLIC HEARING

- **SUBJECT:** TCLUO 2026-102: RSDZ Regionally Significant Development Zone Overlay
- **PROJECT SUMMARY:** Staff is requesting an ordinance to adopt a Regionally Significant Development Zone (RSDZ) Overlay

Unincorporated: Tooele County

Planner: Mili Pioquinto

On **July 22, 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:

July 22, 2026

Item Title:

TCLUO 2026-102: RSDZ Regionally Significant Development Zone Overlay.

Summary:

Staff is requesting an ordinance to adopt a Regionally Significant Development Zone (RSDZ) Overlay.



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 2026-102

RSDZ Overlay Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Request: Tooele County Planning Staff is requesting the Tooele County Land Use Ordinance Regionally Significant Development Zone Overlay.

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting.

PROJECT DESCRIPTION

The purpose of the ordinance is to establish a Regionally Significant Development Zone Overlay (the "RSDZ Overlay") to align the County's land use regulations with, and to facilitate the County's potential designation of, a regionally significant development zone under Title 63N, Chapter 3a, and Title 17C, Chapter 6, Utah Code Annotated 1953, as amended.

The RSDZ Overlay is intended to:

- (a) pre-position appropriate land use entitlements, intensities, and development standards in areas the County may propose as a regionally significant development zone;
- (b) support enhanced development, public infrastructure, and economic-development objectives consistent with state law; and
- (c) provide a predictable framework for coordinating County land use approvals with a regionally significant development zone proposal. This ordinance is a land use overlay only and does not, by itself, create a regionally significant development zone or any tax increment.

LAND USE CONSIDERATIONS

- (1) **Establishment of overlay; Relationship to underlying zoning.** The RSDZ Overlay will be established as an overlay zoning district that may be applied to land within unincorporated County. The underlying base zoning district will remain in effect except as expressly modified by the RSDZ overlay. Where a conflict exists between the overlay and the underlying zoning, the more specific provision applicable within the RSDZ Overlay controls, except that more specific use specific standards in the County Land Use Ordinance, including Chapter 34 for data center facilities and supporting generation or microgrid components, control unless a later ordinance or lawful development or entitlement agreement expressly provides otherwise.
- (2) **Designation and mapping of overlay areas.** The Council may apply the RSDZ Overlay to one or more areas by amendment of the official zoning map in accordance with CLUDMA and the County Land Use

Ordinance. Application of the overlay shall be supported by findings that the area is suitable for enhanced development and is consistent with the County general plan.

(3) Permitted and Conditional uses.

- a. Within the RSDZ Overlay, in addition to the uses allowed in the underlying district and subject to the standards of this ordinance, the following uses may be allowed as permitted or conditional uses, except that the uses described in Subsection A(5) are allowed only as conditional uses: (1) mixed-use development; (2) multi-family and higher-density residential, including income-targeted housing; (3) commercial, office, research, and light industrial uses; (4) public infrastructure and improvements; and (5) where specifically designated on the zoning map, large load customer facilities, qualifying data centers, and supporting energy and utility facilities, each as a conditional use.
- b. A use identified as conditional, including a large load customer facility, qualifying data center, or supporting energy or utility facility described in Subsection A(5), requires a conditional use permit issued in accordance with the County Land Use Ordinance and any more specific applicable chapter, including Chapter 34 for data center facilities.
- c. The County may limit or condition large-load, data-center, and energy uses to designated sub-areas of the overlay to manage infrastructure, water, traffic, and compatibility impacts.

(4) Development and design standards. Permitted density and intensity within the RSDZ Overlay shall be sufficient to support enhanced development as contemplated by Title 63N, Chapter 3a, subject to the standards of this ordinance and the County Land Use Ordinance. Development within the RSDZ Overlay is subject to site plan review under the County Land Use Ordinance. Design standards addressing compatibility, circulation, phasing, and buffering apply as provided in the County Land Use Ordinance and as may be established by this ordinance. Where a zone has been approved and a zone governing document applies, the development parameters of the governing document control to the extent consistent with this ordinance, Chapter 34 where applicable, other County land use regulations, and state law; no zone governing document waives or modifies Chapter 34 data-center standards unless a later ordinance or lawful development or entitlement agreement expressly provides otherwise.

(5) Infrastructure, utilities, and water.

- a. An applicant shall demonstrate that adequate public infrastructure and improvements are or will be available to serve the proposed development.
- b. An applicant shall demonstrate an adequate culinary and, where applicable, secondary water supply, identify the source(s) of that supply, and coordinate with the relevant water provider(s) and the County.
- c. Large-load and data-center uses shall coordinate electrical and other utility service with the serving utility and the County, including any required capacity, energy storage, or grid impact mitigation.
- d. Public infrastructure and improvements within the overlay may be financed through a zone or a financing district as provided under state law; nothing in this ordinance obligates the County to provide such financing.

GENERAL PLAN CONSIDERATIONS

This ordinance is intended to align with the Tooele County General Plan Update (2022) by ensuring that the permitted and conditional uses within the County's industrial zoning districts are consistent with the General Plan's vision and land use objectives for industrial development.

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 July 22, 2026.

PLANNING STAFF ANALYSIS

In H.B. 507, the Legislature established the framework for regionally significant development zones. The county finds that establishing the RSDZ overlay will identify areas where major development is appropriate before projects are proposed. It establishes clear rules and expectations for development, helps growth occur in an organized and planned manner, and provides a consistent process for reviewing projects. This supports the County's General Plan while protecting public health, safety, and welfare.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to recommend the adoption of the Tooele County Land Use Ordinance Regionally Significant Development Zone Overlay (RSDZ) to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Non-Approval

- "I move we table the Tooele County Land Use Ordinance Request by staff for adoption of the Regionally Significant Development Zone Overlay, application number 2026-102, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Approval

- "I move we recommend the Tooele County Land Use Ordinance Request by staff for adoption of the Regionally Significant Development Zone Overlay, application number 2026-102, based on the findings and subject to the conditions listed by the Planning Staff."



NOTICE OF PUBLIC HEARING

- **SUBJECT:** TCLUO 2026-100: Tooele County Land Use Ordinance Chapter 34- Data Center Facilities
- **PROJECT SUMMARY:** Staff is requesting Tooele County Land Use Ordinance Chapter 34 to create a chapter for Data Center Facilities

Unincorporated: Tooele County

Planner: Mili Pioquinto

On **July 22, 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:

July 22, 2026

Item Title:

TCLUO 2026-100: Tooele County Land Use Ordinance Chapter 34 - Data Center Facilities.

Summary:

Staff is requesting Tooele County Land Use Ordinance Chapter 34 to create a chapter for Data Center Facilities.



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 2026-100

Chapter 34 Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: July 22, 2026

Request: Tooele County Planning Staff is requesting the Tooele County Land Use Ordinance Chapter 34 to create a chapter for Data Center Facilities.

Planner(s): Mili Pioquinto

Planning Staff Recommendation: To be announced at planning commission meeting.

PROJECT DESCRIPTION

Chapter 34 is intended to establish land use standards and review procedures for data center facilities in the unincorporated areas of Tooele County.

LAND USE CONSIDERATIONS

- (1) **Applicability.** This Chapter will apply the establishment, expansion, substantial modification, operation, monitoring, enforcement, and decommissioning of data center facilities, co-located power generation facilities, and microgrids that serve data center facilities within Tooele County's land-use jurisdiction.
- (2) **Relationship to state law.** References of Chapter 34 to the County Land Use, Development, and Management Act mean Utah Code Title 17, Chapter 79, as amended, and any successor provisions. This Chapter shall be interpreted and applied consistently with applicable Utah law, including the standards governing conditional uses, land use decisions, application completeness, appeal authorities, vested rights, development agreements, exactions, notices, records, and judicial review.
- (3) **Conditional use standard.** A data center facility that is allowed as a conditional use, shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with Utah law and Chapter 34.
- (4) **Administrative decision.** A decision on a conditional use permit under Chapter 34 will be an administrative land use decision. When acting as Land Use Authority under this Chapter, the Planning Commission shall apply the standards of this Chapter to the evidence in the record and shall not base a decision on generalized public opposition, unsupported speculation, or policy preferences that are not tied to adopted standards.
- (5) **Designated Land Use Authority.** The Planning Commission is designated as the Land Use Authority for all data center facilities, including small, large, and hyperscale data center facilities and any data center facility that includes co-located power generation or a microgrid. The Planning Commission acts in an administrative capacity when deciding an application under Chapter 34.
- (6) **Other permits required.** Approval under Chapter 34 does not replace any building permit, fire code approval, health department approval, air quality permit, water right approval, wastewater approval,

stormwater approval, encroachment permit, road access approval, utility approval, state or federal permit, or other approval required by law.

- (7) **Preemption and jurisdiction.** Nothing in Chapter 34 authorizes the County to regulate any matter preempted by federal or state law. For nuclear generation, the County's review is limited to matters within the County's land-use authority, including site compatibility, local infrastructure, access, non-radiological land use impacts, emergency services coordination, and compliance with County development standards. The County does not regulate radiological safety, nuclear licensing, fuel enrichment, spent-fuel handling, or matters reserved to the United States Nuclear Regulatory Commission or another agency with exclusive jurisdiction.
- (8) **Development authority project areas.** Where a facility is proposed within a project area of the Military Installation Development Authority or another entity exercising independent land use authority, land use review may occur under that entity's process rather than the County's. In such cases, the County may request that the disclosure, transparency, infrastructure, public safety, and mitigation standards of this Chapter inform that review and any intergovernmental agreement, participation agreement, development agreement, or project area plan.
- (9) **Other applicable state laws.** The land use review under Chapter 34 shall also be informed by, and interpreted consistently with, the following state-law frameworks where they apply to the proposed facility: the County Energy Excise Tax Act, Title 59, Chapter 35; the Large Load Customer provisions of the Public Service Commission Act, Title 54, Chapter 26; the qualifying data center provisions of Title 59, Chapter 12; the Prohibition on Tax Increment Incentives for Large Load Data Centers Act, Title 11, Chapter 41, Part 2; the Creation of Regionally Significant Development Zones, Title 63N, Chapter 3a; and the Regionally Significant Development Zones Act, Title 17C, Chapter 6. References mean the cited provisions as amended and any successor provisions. Nothing in this Chapter independently authorizes the County to impose, administer, collect, dedicate, transfer, rebate, or pledge a tax or other public revenue.
- (10) **Separate land use, utility, tax, and economic-development decisions.** Approval under this Chapter does not determine whether a facility is a qualifying data center, large load customer, large load data center, or high-impact consumer; does not determine delivered value, tax liability, exemption eligibility, utility rates, or entitlement to an incentive; and does not create or approve an RSDZ. Any tax levy, repeal, or rate change; RSDZ proposal or modification; dedication or transfer of revenue; incentive; tax-increment participation; utility tariff; or economic-development agreement requires separate action 2 by the legally authorized body under applicable law. Fiscal estimates submitted under this Chapter are planning information only and do not bind the County, the Utah State Tax Commission, a utility, an RSDZ agency, or another taxing entity. The Land Use Authority shall not approve or deny a land use application solely because of the amount of projected tax revenue or the availability of an incentive, but may consider identifiable public infrastructure and service impacts and lawful mitigation of those impacts. Information submitted under this Chapter may be used to inform separate actions under the Tooele County Energy Excise Tax Ordinance, the RSDZ Overlay chapter, the RSDZ statutes, or other applicable tax, utility, and economic-development laws, subject to GRAMA and other applicable confidentiality requirements.
- (11) **County implementing ordinances.** This Chapter shall be interpreted and applied consistently with the Tooele County Energy Excise Tax Ordinance adopted pursuant to Title 59, Chapter 35, Utah Code Annotated 1953, as amended, and the Regionally Significant Development Zone Overlay chapter of the Tooele County Land Use Ordinance.

GENERAL PLAN CONSIDERATIONS

Chapter 34 is intended to align with the Tooele County General Plan Update (2022) by ensuring that the permitted and conditional uses within the County's industrial zoning districts are consistent with the General Plan's vision and land use objectives for industrial development.

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 July 22, 2026.

PLANNING STAFF ANALYSIS

Review and Decision Matrix

Facility Type	Land Use Authority	Planning Commission Role	Public Hearing	Final Action
Small data center facility	Planning Commission	Reviews and decides as Land Use Authority	As required for CUPs or as determined by County ordinance	Approve, approve with conditions, or deny
Large data center facility	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Hyperscale data center facility	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Any data center with co-located power generation or a microgrid	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Any data center within the RSDZ Overlay	Planning Commission	Reviews and decides as Land Use Authority; coordinates with the community reinvestment agency and applicable RSDZ implementing documents if an RSDZ has been approved	Required before final decision	Approve, approve with conditions, or deny
Substantial modification	Same Land Use Authority as original approval unless classified as minor under Section 34-13	As applicable	As applicable	Approve, approve with conditions, or deny

Tooele County currently does not have land use regulations specifically addressing data center facilities. To ensure the protection of public health, safety, and welfare, as well as environmental resources, the County is developing zoning regulations that provide a framework for the responsible siting and development of these facilities.

Under the proposed ordinance, a data center facility may be established only within the Manufacturing General (M-G) zoning district; within an area subject to the Regionally Significant Development Zone (RSDZ) Overlay where the official zoning map specifically designates large load customer facilities, qualifying data centers, and supporting energy and utility facilities pursuant to the RSDZ Overlay chapter; or within another

zoning district that expressly permits data center facilities by ordinance.

The purpose of these regulations is to ensure that data center development occurs in locations that are compatible with surrounding land uses, have adequate infrastructure and utility capacity, and minimize potential impacts on the public and the environment.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to recommend the adoption of Chapter 34 to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Non-Approval

- "I move we table the Tooele County Land Use Ordinance Request by staff for adoption of Chapter 34, application number 2026-100, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Approval

- "I move we recommend the Tooele County Land Use Ordinance Request by staff for adoption of Chapter 34, application number 2026-100, based on the findings and subject to the conditions listed by the Planning Staff."

CHAPTER 34

DATA CENTER FACILITIES

34-1. Purpose and Intent.

This Chapter establishes land use standards and review procedures for data center facilities in Tooele County. The purposes of this Chapter are to:

- (1)** provide for the orderly development of data center facilities in locations where they are compatible with surrounding land uses and public infrastructure;
- (2)** establish objective standards for the review of data center facilities and provide a transparent, predictable, and legally defensible process for applicants, affected property owners, residents, service providers, reviewing agencies, the Planning Commission, and the County Council;
- (3)** protect residential areas, sensitive lands, agricultural operations, public infrastructure, and adjacent uses from reasonably anticipated detrimental effects, including noise, low-frequency sound, light trespass, air emissions, traffic, vibration, visual impacts, water demand, wastewater impacts, emergency response impacts, and construction impacts;
- (4)** ensure that the County and the public have complete, accurate, and timely information about a proposed facility's resource use, infrastructure needs, fiscal impacts, and operational impacts before a land use decision is made;
- (5)** ensure that public infrastructure and public service costs attributable to a facility are identified and lawfully allocated through conditions of approval, improvement agreements, development agreements, reimbursement agreements, impact fees, service agreements, or other lawful mechanisms;
- (6)** provide for safe operation, continuing compliance monitoring, complaint response, annual reporting, and eventual decommissioning of data center facilities;
- (7)** support economic development that is consistent with the Tooele County General Plan, adopted land use regulations, infrastructure capacity, fiscal sustainability, and the health, safety, and welfare of County residents; and
- (8)** avoid unnecessary barriers to lawful data center development where the standards of this Chapter are met and reasonably anticipated detrimental effects can be substantially mitigated through reasonable conditions.

34-2. Applicability; Relationship to Other Laws; Land Use Authority.

- (1) Applicability.** This Chapter applies to the establishment, expansion, substantial modification, operation, monitoring, enforcement, and decommissioning of data center facilities, co-located power generation facilities, and microgrids that serve data center facilities within Tooele County's land-use jurisdiction.
- (2) Relationship to state law.** References in this Chapter to the County Land Use, Development, and Management Act mean Utah Code Title 17, Chapter 79, as amended, and any successor provisions. This Chapter shall be interpreted and applied consistently with applicable Utah law, including the standards governing conditional uses, land use decisions, application completeness, appeal authorities, vested rights, development agreements, exactions, notices, records, and judicial review.

(3) Conditional use standard. A data center facility that is allowed as a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with Utah law and this Chapter.

(4) Administrative decision. A decision on a conditional use permit under this Chapter is an administrative land use decision. When acting as Land Use Authority under this Chapter, the Planning Commission shall apply the standards of this Chapter to the evidence in the record and shall not base a decision on generalized public opposition, unsupported speculation, or policy preferences that are not tied to adopted standards.

(5) Designated Land Use Authority. The Planning Commission is designated as the Land Use Authority for all data center facilities, including small, large, and hyperscale data center facilities and any data center facility that includes co-located power generation or a microgrid. The Planning Commission acts in an administrative capacity when deciding an application under this Chapter.

(6) Other permits required. Approval under this Chapter does not replace any building permit, fire code approval, health department approval, air quality permit, water right approval, wastewater approval, stormwater approval, encroachment permit, road access approval, utility approval, state or federal permit, or other approval required by law.

(7) Preemption and jurisdiction. Nothing in this Chapter authorizes the County to regulate any matter preempted by federal or state law. For nuclear generation, the County's review is limited to matters within the County's land-use authority, including site compatibility, local infrastructure, access, non-radiological land use impacts, emergency services coordination, and compliance with County development standards. The County does not regulate radiological safety, nuclear licensing, fuel enrichment, spent-fuel handling, or matters reserved to the United States Nuclear Regulatory Commission or another agency with exclusive jurisdiction.

(8) Development authority project areas. Where a facility is proposed within a project area of the Military Installation Development Authority or another entity exercising independent land use authority, land use review may occur under that entity's process rather than the County's. In such cases, the County may request that the disclosure, transparency, infrastructure, public safety, and mitigation standards of this Chapter inform that review and any intergovernmental agreement, participation agreement, development agreement, or project area plan.

(9) Other applicable state laws. The land use review under this Chapter shall also be informed by, and interpreted consistently with, the following state-law frameworks where they apply to the proposed facility: the County Energy Excise Tax Act, Title 59, Chapter 35; the Large Load Customer provisions of the Public Service Commission Act, Title 54, Chapter 26; the qualifying data center provisions of Title 59, Chapter 12; the Prohibition on Tax Increment Incentives for Large Load Data Centers Act, Title 11, Chapter 41, Part 2; the Creation of Regionally Significant Development Zones, Title 63N, Chapter 3a; and the Regionally Significant Development Zones Act, Title 17C, Chapter 6. References mean the cited provisions as amended and any successor provisions. Nothing in this Chapter independently authorizes the County to impose, administer, collect, dedicate, transfer, rebate, or pledge a tax or other public revenue.

(10) Separate land use, utility, tax, and economic-development decisions. Approval under this Chapter does not determine whether a facility is a qualifying data center, large load customer, large load data center, or high-impact consumer; does not determine delivered value, tax liability, exemption eligibility, utility rates, or entitlement to an incentive; and does not create or approve an RSDZ. Any tax levy, repeal, or rate change; RSDZ proposal or modification; dedication or transfer of revenue; incentive; tax-increment participation; utility tariff; or economic-development agreement requires separate action

by the legally authorized body under applicable law. Fiscal estimates submitted under this Chapter are planning information only and do not bind the County, the Utah State Tax Commission, a utility, an RSDZ agency, or another taxing entity. The Land Use Authority shall not approve or deny a land use application solely because of the amount of projected tax revenue or the availability of an incentive, but may consider identifiable public infrastructure and service impacts and lawful mitigation of those impacts. Information submitted under this Chapter may be used to inform separate actions under the Tooele County Energy Excise Tax Ordinance, the RSDZ Overlay chapter, the RSDZ statutes, or other applicable tax, utility, and economic-development laws, subject to GRAMA and other applicable confidentiality requirements.

(11) County implementing ordinances. This Chapter shall be interpreted and applied consistently with the Tooele County Energy Excise Tax Ordinance adopted pursuant to Title 59, Chapter 35, Utah Code Annotated 1953, as amended, and the Regionally Significant Development Zone Overlay chapter of the Tooele County Land Use Ordinance.

34-3. Definitions.

For this Chapter, the following terms have the meanings given below. Terms not defined in this Chapter have the meaning given elsewhere in the Tooele County Land Use Code or, if not defined there, their ordinary meaning.

A-weighted decibel (dBA). A measure of sound pressure level weighted to approximate the response of human hearing to ordinary audible sound.

Air cooling system. A cooling system that rejects heat primarily to the air without the consumptive use of water.

Appeal Authority. The person, board, commission, hearing officer, or other body designated by County ordinance to decide an appeal of a land use decision.

Applicant. The property owner, authorized agent, developer, operator, or other person submitting an application under this Chapter.

Backup generator. An internal combustion engine or combustion turbine, together with associated fuel supply, installed to provide standby electrical power.

Baseload generation source. An on-site or nearby generation source designed to operate continuously to meet the major consumer's electrical demand, as distinguished from a backup generator that operates only during outages or testing.

Battery energy storage system, or BESS. An electrochemical energy storage system, including but not limited to a lithium-ion battery system, used to store electrical energy for later use.

C-weighted decibel (dBC). A measure of sound pressure level weighted to capture more low-frequency sound energy than the A-weighted scale, used to evaluate tonal and low-frequency noise.

Closed-loop cooling system. A cooling system that recirculates cooling fluid and is designed to minimize consumptive water use.

Co-located power generation. An electrical generation facility, including a natural gas turbine, reciprocating engine, fuel cell installation, nuclear reactor, or other generation technology, developed on or adjacent to a data center site primarily to serve the data center facility, whether or not the generation facility also delivers power to the electrical grid.

Community reinvestment agency. A community reinvestment agency designated to manage a regionally significant development zone under Title 17C, Chapter 6, Utah Code, as amended.

Complete application. An application that contains the plans, documents, studies, fees, and other information expressly required by this Chapter, the general conditional use permit provisions of the Land Use Code, and the County's published application checklist, subject to a written completeness determination under applicable law. A request for supplemental information shall identify the specific objective and the ordinance-based requirement that has not been satisfied.

Construction phase. The period beginning with grading, excavation, site preparation, utility work, or building construction and ending when the facility or applicable phase receives a certificate of occupancy or other authorization to commence operations.

Data center facility. A building or group of buildings used primarily to house computer servers and associated electronic equipment for the storage, processing, or transmission of digital data, together with accessory cooling, electrical, fire-protection, security, and support systems.

Data center facility, hyperscale. A data center facility with a designed or contracted electrical demand of 100 megawatts or more at full build-out.

Data center facility, large. A data center facility with a designed or contracted electrical demand of 50 megawatts or more, or a gross floor area of 100,000 square feet or more, that is not a hyperscale data center facility.

Data center facility, small. A data center facility that is neither a large nor a hyperscale data center facility.

Decommissioning. The cessation of facility operations, removal of equipment and structures, stabilization of the site, and restoration of the site as required by this Chapter and the approved decommissioning plan.

Demand response. A program or operating commitment under which a data center facility temporarily reduces electrical demand from the regional grid, shifts demand to on-site generation or storage, or otherwise modifies operations in response to grid conditions or utility direction.

Emergency operation. The use of backup generation or emergency systems during a utility outage, grid emergency, equipment failure, emergency response event, or other actual emergency condition, excluding routine testing.

Energy storage system. One or more devices, including battery energy storage systems and long-duration energy storage systems, used to store electrical energy for later use.

Energy-delivery meter. A revenue-grade meter, service meter, point-of-delivery meter, or other metering point used by an energy supplier, utility, or the Utah State Tax Commission to identify the location or quantity of energy delivered to a high-impact consumer.

Facility operator. The person or entity responsible for operating, maintaining, monitoring, and reporting on a data center facility after approval.

High-impact consumer. An end-user of energy that meets the definition of a high-impact consumer under the County Energy Excise Tax Act, Title 59, Chapter 35, Utah Code Annotated 1953, as amended, and as applied under the Tooele County Energy Excise Tax Ordinance.

Incentive. For purposes of the state restrictions applicable to large load data centers, a payment of public funds funded by tax increment or personal property tax revenue that meets the definition in Section 11-41-201, Utah Code, as amended. The term does not include a sales and use tax exemption that state law excludes from the definition.

Islanded operation. Operation of a microgrid disconnected from the regional electrical grid and supplied entirely by on-site or nearby generation and storage.

Land Use Authority. The person or body designated by this Chapter to review and decide a land use application under this Chapter.

Large load customer. An electrical customer that meets the definition of a large load customer under Section 54-26-101, Utah Code, as amended, or any successor provision.

Large load data center. A large load customer that is also a qualifying data center, as provided in Section 11-41-201, Utah Code, as amended.

Leq (equivalent continuous sound level). The constant sound level that, over a stated measurement period, contains the same total sound energy as the actual fluctuating sound measured over that period.

Long-duration energy storage system, or LDES. An energy storage system designed to discharge stored electrical energy for at least eight continuous hours and that does not rely primarily on lithium-ion electrochemical cells, including but not limited to electrostatic, mechanical, thermal, gravity-based, and flow-battery storage technologies.

Microgrid. A locally controlled electrical system comprising one or more major power consumers, one or more on-site or nearby baseload generation sources, optional backup generation or energy storage, optional interconnection to the regional electrical grid, and a control system that determines how and when the system interacts with the regional grid, including operation in islanded mode.

Nighttime hours. The period from 10:00 p.m. to 7:00 a.m., local time.

Noise-sensitive receptor. A dwelling, school, place of worship, hospital, residential care facility, campground, public park, or other existing or approved use where quiet is reasonably expected.

Open-loop or evaporative cooling system. A cooling system that relies on the evaporation of water to reject heat and that consumptively uses water.

Operations phase. The period after a facility or phase has received a certificate of occupancy or other authorization to commence data center operations.

Public information summary. A plain-language summary of the proposed facility, impacts, mitigation, public process, and applicant commitments that excludes protected records and is suitable for posting on the County website.

Qualifying data center. A data center that meets the definition of a qualifying data center under Section 59-12-102, Utah Code, as amended, for purposes of the state sales and use tax exemption.

Regionally significant development zone, or RSDZ. A zone created under Title 63N, Chapter 3a, Part 2, Utah Code, as amended, and managed under Title 17C, Chapter 6, Utah Code, as amended.

Routine generator testing. Scheduled testing, maintenance, exercising, commissioning, or similar operation of backup generators that is not emergency operation.

RSDZ implementing documents. The approved or modified RSDZ proposal, terms established by the applicable increment-financing committee, and any zone governing document, entitlement agreement, development agreement, participation agreement, interlocal agreement, or other agreement required or authorized to implement the RSDZ under Title 63N, Chapter 3a, and Title 17C, Chapter 6, Utah Code Annotated 1953, as amended.

RSDZ Overlay. The Regionally Significant Development Zone Overlay established by the Tooele County Land Use Ordinance to pre-position land use entitlements for areas that may be proposed as, or have been approved as, a regionally significant development zone, as provided in the Regionally Significant Development Zone Overlay chapter of the Tooele County Land Use Ordinance.

Sending property. The parcel or parcels on which a data center facility is located. The sending property line is the boundary of the sending property from which noise and other effects are measured unless another measurement location is expressly required by this Chapter or a condition of approval.

Substantial modification. A change or series of changes, measured cumulatively from the original approval or the most recent approval processed as a substantial modification, that: increases approved electrical demand by more than 10 percent; increases approved annual or peak-day water use by more than 10 percent; increases gross floor area by more than 10 percent; changes the approved cooling-system type; adds or materially expands co-located power generation, a microgrid, or an energy storage system; changes fuel type or the approved operating profile of a generation source; changes an energy-delivery meter, point of delivery, energy supplier, or tenant configuration in a manner that materially affects infrastructure, emergency response, or fiscal analysis; changes approved access routes in a manner that materially affects public roads; or materially changes the facility's noise, emissions, lighting, traffic, water, wastewater, emergency response, visual, fiscal, or infrastructure impacts.

34-4. Permitted Locations; Conditional Use Permit Required; Review Matrix.

(1) Zoning districts. A data center facility may be established only in the Manufacturing General (M-G) zoning district; within an area to which the Regionally Significant Development Zone (RSDZ) Overlay has been applied, where the zoning map specifically designates large load customer facilities, qualifying data centers, and supporting energy and utility facilities under the RSDZ Overlay chapter; or in another zoning district that expressly allows data center facilities by ordinance.

(2) Conditional use permit required. No data center facility, no co-located power generation facility, and no microgrid serving a data center facility may be established, expanded, or substantially modified as a use permitted by right. Each facility requires a conditional use permit reviewed and decided under this Chapter.

(3) Co-located power generation and microgrids. Co-located power generation and microgrid components are not accessory uses exempt from this Chapter. They shall be reviewed as part of the data center facility conditional use permit or as a substantial modification of an approved permit.

(4) Substations and transmission infrastructure. To the extent within the County's land use jurisdiction and within the applicant's ownership or control, substations, transmission lines, switchyards, battery storage systems, long-duration storage systems, and related electrical infrastructure primarily serving a data center facility shall be disclosed and reviewed as part of the application. Such infrastructure shall not be segregated from the application to avoid compliance with the standards of this Chapter.

(5) Site plan and subdivision compliance. Approval under this Chapter does not eliminate site plan, subdivision, road dedication, access, grading, drainage, building permit, fire code, or other applicable review requirements.

(6) Coordination within the RSDZ Overlay. Where a data center facility is proposed within an area to which the RSDZ Overlay has been applied:

(a) the development standards, operational performance standards, submittal requirements, monitoring, enforcement, and decommissioning requirements of this Chapter apply in addition to the RSDZ Overlay chapter;

(b) if an RSDZ has been approved, County review shall be coordinated with the community reinvestment agency and shall consider the approved RSDZ proposal, committee-established terms, and applicable RSDZ implementing documents;

(c) the County retains its land use authority, and creation or approval of an RSDZ does not itself approve a land use application, amend this Chapter, waive a development standard, or create a vested right to a data center facility;

(d) the approved RSDZ proposal, committee-established terms, and RSDZ implementing documents govern RSDZ financing, revenue participation, and contractual commitments; this Chapter and other duly adopted land use regulations govern land use review unless a valid development or entitlement agreement lawfully provides otherwise; and

(e) a conflict or ambiguity shall be resolved in a manner consistent with state law, after consultation with the County Attorney.

Review and Decision Matrix

Facility Type	Land Use Authority	Planning Commission Role	Public Hearing	Final Action
Small data center facility	Planning Commission	Reviews and decides as Land Use Authority	As required for CUPs or as determined by County ordinance	Approve, approve with conditions, or deny
Large data center facility	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Hyperscale data center facility	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Any data center with co-located power generation or a microgrid	Planning Commission	Reviews and decides as Land Use Authority	Required before final decision	Approve, approve with conditions, or deny
Any data center within the RSDZ Overlay	Planning Commission	Reviews and decides as Land Use Authority; coordinates with the community reinvestment agency and applicable RSDZ implementing documents if an RSDZ has been approved	Required before final decision	Approve, approve with conditions, or deny
Substantial modification	Same Land Use Authority as original approval unless classified as minor under Section 34-13	As applicable	As applicable	Approve, approve with conditions, or deny

34-5. Pre-Application Review; Application and Submittal Requirements.

(1) **Pre-application conference.** A pre-application conference is required before submittal of an application for a large or hyperscale data center facility, any data center facility that includes co-located power generation, and any data center facility that includes a microgrid. The Community Development Department may require a pre-application conference for a small data center facility when site conditions, infrastructure needs, or potential impacts warrant early coordination.

(2) **Purpose of pre-application conference.** The pre-application conference is intended to identify applicable standards, required studies, reviewing agencies, public process expectations, utility and infrastructure issues, emergency response concerns, public information needs, and any potential need for a development agreement, improvement agreement, reimbursement agreement, participation agreement, or other legally authorized implementation mechanism.

(3) **Complete application required.** In addition to the objective submittal requirements that generally apply to a conditional use permit, an application shall include the materials described in this Section and the County's published checklist. The County may waive a specific item only in writing, with stated reasons, and only when the item is objectively inapplicable to the proposed facility or phase. A completeness deficiency notice shall identify the specific required item and the additional information needed. Studies shall be prepared by professionals qualified by education, licensure, certification, or demonstrated experience appropriate to the subject matter.

(4) **Independent review.** The County may obtain independent review of a technical study submitted under this Chapter when the scope or complexity of the application requires specialized expertise. Review costs charged to the applicant shall be limited to the County's actual, reasonable cost, imposed under an adopted fee schedule or written reimbursement agreement, and administered as provided in Section 34-14. Independent review may address water, wastewater, traffic, noise, air quality, fiscal impact, fire protection, emergency response, utilities, environmental resources, geotechnical conditions, stormwater, lighting, energy storage, microgrids, or decommissioning. For a large data center facility, a hyperscale data center facility, and any data center facility that includes co-located power generation or a microgrid, the County shall obtain independent technical review of the water supply and use study and the electrical power and infrastructure plan, and may obtain independent review of any other study. A person performing independent review shall be professionally qualified and shall have no financial, employment, or contractual interest in the applicant, the proposed facility, or its approval. The independent reviewer's written findings shall be a public record and shall be published with the staff report under Section 34-9, subject to the Government Records Access and Management Act.

(5) **Phased applications.** A phased project shall disclose the impacts of each phase and the impacts at full build-out. The Land Use Authority may condition approval of later phases on updated studies, completion of infrastructure, monitoring results, or additional review if the impacts materially differ from those in the approved application.

34-5-1. Project Description and Disclosure Statement

The application shall include:

- (1) the applicant, property owner, facility operator if known, and ownership of the proposed facility;
- (2) the anticipated end users or tenants of the facility, to the extent known and subject to GRAMA-protected records procedures;
- (3) the identity of the ultimate parent entity and any beneficial owner of the applicant, and any anchor tenant or principal end user whose identity is known at the time of application; this information shall be provided at intake, the public information summary shall be updated if any such identity is first disclosed after intake, and an applicant may not withdraw and refile an application for the purpose of delaying or avoiding disclosure required by this Chapter, subject to GRAMA-protected records procedures;
- (4) the facility type and tier and whether co-located power generation or a microgrid is proposed;
- (5) total site area, parcel numbers, building footprint, building height, gross floor area, impervious area, and proposed phasing;
- (6) construction schedule, anticipated operations date, and full build-out schedule;
- (7) total estimated capital investment;
- (8) estimated taxable value after each phase and at full build-out; and

(9) a plain-language public information summary suitable for public posting. The public information summary shall state, in plain language: the type of water supply to be used for cooling, identified as culinary or potable water or as reclaimed or other non-potable water, together with the projected annual water use; and the projected effect, if any, on existing residents' electric service reliability and on costs borne by existing utility customers, to the extent within the County's authority to require disclosure.

34-5-2. Site Plan and Development Plan

The application shall include:

- (1) a dimensioned site plan showing buildings, equipment yards, substations, transmission facilities, energy storage systems, microgrid components, access points, emergency access, parking, loading, fencing, security features, lighting, landscaping, screening, drainage facilities, utilities, easements, setbacks, and phasing;
- (2) grading, drainage, stormwater, erosion control, dust control, and construction management plans;
- (3) architectural elevations and renderings showing building mass, materials, articulation, rooftop equipment, screening, and visibility from public rights-of-way and nearby properties; and
- (4) a description of how the facility will comply with all applicable County engineering, road, stormwater, fire, building, and development standards.

34-5-3. Water Supply and Use Study

The application shall include:

- (1) projected average, peak-day, peak-month, and annual water use stated in gallons per day, acre-feet per year, and gallons per megawatt-hour where reasonably calculable;
- (2) the cooling system type and the basis for projected water use;
- (3) the identity and location of each water source to be used;
- (4) evidence of water rights adequate to serve the facility, a written will-serve commitment from the water provider, or another legally sufficient water supply plan;
- (5) a water conservation plan, including reuse, non-potable water, reclaimed water, dry cooling, closed-loop cooling, or other conservation measures considered;
- (6) projected volume and quality of wastewater generated; and
- (7) the proposed method of wastewater treatment and disposal, with written confirmation from the receiving treatment provider or reviewing agency that adequate capacity exists or will be provided before operation.

34-5-4. Electrical Power and Infrastructure Plan

The application shall include:

- (1) projected peak and average electrical demand stated in megawatts by phase and at full build-out;
- (2) whether the electrical grid, on-site generation, co-located generation, a microgrid, energy storage, or a combination will supply power;
- (3) a written statement from the serving electrical utility identifying, to the extent available, the maximum power to be delivered, planned method of delivery, transmission-line routing, voltage, substations, switchyards, capacity constraints, and anticipated service schedule;
- (4) the location and design of substations, switchyards, transmission infrastructure, energy storage systems, microgrid components, and utility corridors on or serving the site;
- (5) the location of each existing or proposed energy-delivery meter and point of delivery; the identity of the energy supplier or utility serving each meter; whether buildings, phases, tenants, co-located generation, or behind-the-meter resources will use separate meters; and any anticipated change in meter

location, ownership, or configuration during phasing, including information sufficient to identify the meter location for purposes of the Tooele County Energy Excise Tax Ordinance;

(6) a description of how the cost of new generation, transmission, distribution, substations, switchyards, and road-crossing infrastructure will be allocated, stated in dollar terms to the extent reasonably calculable, including whether any cost is proposed to be borne by existing utility customers or a public entity and the estimated magnitude of that exposure;

(7) known reliability, redundancy, emergency-operation, demand-response, curtailment, or grid-support commitments;

(8) a copy or public summary of any written will-serve commitment, electric-service agreement, capacity reservation, interconnection study, or similar utility communication in the applicant's possession, including planning and execution lead time and conditions on power delivery, subject to the protected-records procedures in section 34-5-15;

(9) identification of any take-or-pay tariff, minimum-capacity payment, capacity-reservation charge, or similar commitment offered, accepted, or under negotiation, including the stated percentage of contracted capacity and duration, to the extent the information is available to the applicant;

(10) an analysis of potential stranded infrastructure costs if projected demand is not realized, including proposed mitigation through phased construction, security, capacity commitments, or other measures;

(11) for an energy storage system, the technology type, chemistry or working medium, rated power and energy capacity, discharge duration, design service life, fire and thermal-runaway risk profile, applicable listing and testing certifications, manufacturer-recommended separation distances, and proposed fire-suppression, monitoring, and emergency-response measures;

(12) for a facility that meets or may meet the definition of a large load customer, a copy or public summary of any large-load-customer service agreement, special tariff, capacity reservation, or similar arrangement in the applicant's possession, including the categories of cost recovery, capacity payment, take-or-pay, and risk allocation and the agreement duration, subject to section 34-5-15; and

(13) identification of whether the facility is expected to be a high-impact consumer or large load data center and the factual basis for the applicant's preliminary classification, for planning and coordination purposes only and without representing that the County, the Utah State Tax Commission, a utility, or any other entity has made a tax, utility, exemption, or incentive determination.

34-5-5. Air Quality and Emissions Analysis

The application shall include:

(1) all sources of air emissions associated with the facility, including backup generators, routine generator testing, emergency operations, baseload generation sources, and co-located power generation;

(2) the type, number, capacity, fuel source, emissions rating, and control technology for all backup generators and generation units;

(3) modeled emissions of nitrogen oxides (NO_x), carbon monoxide (CO), particulate matter 2.5 microns and smaller (PM_{2.5}), unburned hydrocarbons (HC), carbon dioxide (CO₂), and other regulated air pollutants, stated separately for each pollutant and for each generation source, and modeled ambient concentrations at property lines and nearest sensitive receptors where required by applicable permitting or professional practice;

(4) copies of applications for, and approvals of, permits from the Utah Division of Air Quality and any other agency with jurisdiction, as available;

(5) the anticipated frequency, duration, hours, and coordination procedures for routine generator testing; and for any baseload generation source, the anticipated operating profile, including continuous (24 hours per day, every day of the year) operating assumptions where applicable;

(6) for any proposed natural gas turbine, reciprocating engine, or other combustion source proposed to operate as a baseload generation source, identification of the emissions control technology proposed,

including selective catalytic reduction or equivalent controls; the expected percentage reduction in NO_x and CO; the effect of the proposed controls on PM_{2.5} emissions, including any potential increase in PM_{2.5} from the use of ammonia-based selective catalytic reduction at varying engine loads; and the expected CO₂ emissions, which are not reduced by selective catalytic reduction and which may only be reduced through carbon capture and storage or fuel substitution; and

(7) a description of any proposed carbon capture and storage technology, including the maturity of the technology at commercial scale, the percentage of CO₂ expected to be captured, and the location and method of carbon storage.

34-5-6. Noise Study

The application shall include, prepared by a qualified acoustical professional, a study that:

- (1) documents existing ambient sound levels at the sending property line and nearest noise-sensitive receptors, measured before construction in both dBA and dBC scales;
- (2) projects operational sound levels at the same locations, including nighttime levels, in both dBA and dBC, and including continuous (24 hours per day, every day of the year) operating assumptions for any baseload generation source or microgrid;
- (3) identifies tonal, low-frequency, narrowband, impulsive, or other distinctive noise components;
- (4) documents construction noise impacts and mitigation;
- (5) proposes noise mitigation measures, including equipment selection, siting, walls, enclosures, silencers, baffling, berms, operating limits, or other measures; and
- (6) proposes a post-construction noise verification protocol.

34-5-7. Exterior Lighting Plan

The application shall include:

- (1) a photometric exterior lighting plan showing fixture types, mounting heights, shielding, direction, controls, and projected light levels at property lines;
- (2) demonstration of compliance with this Chapter and any applicable County outdoor lighting or dark-sky standards;
- (3) a description of nighttime lighting reduction, motion controls, security lighting, and emergency lighting; and
- (4) a glare analysis where lighting may affect residential areas, public roads, agricultural operations, or sensitive lands.

34-5-8. Traffic and Transportation Study

The application shall include:

- (1) projected construction-phase and operational traffic, including employee, contractor, heavy-truck, oversize-load, fuel-delivery, equipment-delivery, and service traffic;
- (2) proposed haul routes, access points, intersections, road segments, and construction staging areas;
- (3) road and intersection improvements needed to accommodate the facility;
- (4) rail access or rail crossing impacts, if applicable;
- (5) a traffic control and safety plan for construction; and
- (6) a description of how road improvements and ongoing maintenance attributable to the facility will be funded.

34-5-9. Fire Protection, Hazardous Materials, and Emergency Response Plan

The application shall include:

- (1) fire-detection and fire-suppression systems for buildings, electrical rooms, battery energy storage systems, long-duration energy storage systems, fuel storage, and generation facilities;
- (2) a hazardous-materials inventory, including fuel, coolant, battery materials, fire-suppression agents, cleaning agents, and other regulated materials;
- (3) an emergency response plan addressing fire, explosion, hazardous-materials release, battery thermal runaway, fuel release, severe weather, seismic events, cyber-related operational disruption where relevant to physical response, and related events;
- (4) written evidence that the plan has been reviewed by the fire agency with jurisdiction and by Tooele County Emergency Services;
- (5) identification of additional fire-service capacity, apparatus, equipment, training, inspection, communications, water supply, access, or mutual-aid needs attributable to the facility and how those needs will be funded; and
- (6) a process for periodic emergency drills or tabletop exercises if required by the Land Use Authority or fire agency with jurisdiction.

34-5-10. Economic and Fiscal Impact Analysis

The application shall include:

- (1) projected permanent operations employment stated separately from construction employment, including wage ranges and job classifications where available;
- (2) projected construction employment and anticipated duration;
- (3) commitments regarding local hiring, apprenticeship, workforce training, vendor opportunities, or coordination with Tooele Technical College, local school districts, or other workforce partners, if any;
- (4) all incentives, tax abatements, tax-increment participation, rebates, grants, discounted utility service, public infrastructure assistance, energy-excise-tax revenue sharing, RSDZ revenue, or other public financial participation requested or anticipated, identifying the proposed provider, source of funds, amount, duration, legal authority, and required separate approvals;
- (5) a net fiscal impact analysis identifying projected public revenues and projected public capital and operating costs attributable to the facility over not less than 10 years, with assumptions and sensitivity ranges;
- (6) identification of impacts on County services, special districts, school districts, utility providers, transportation agencies, or other public entities and the proposed method for addressing costs attributable to the facility;
- (7) identification of whether the facility meets, or is expected to meet, the definitions of qualifying data center, large load customer, large load data center, and high-impact consumer, together with the factual basis for each preliminary classification;
- (8) the estimated value of any state or local sales and use tax exemption claimed or anticipated for the facility, stated over not less than 10 years and identifying the assumptions used;
- (9) if a county energy excise tax applies or may apply, the projected annual delivered value of energy and a schedule showing the assumed tax rate, gross tax collections, amounts required by state law to be deposited in or retained by a state account, amounts projected to be distributed to the County, amounts proposed to be dedicated or transferred to an RSDZ or provided as an incentive, and net revenue projected to remain available to the County, stated over not less than 10 years;
- (10) a comparison of requested or anticipated public financial participation against projected property tax, county energy excise tax, and other public revenue and against projected public costs, presented so the County and public may evaluate net fiscal impact; and
- (11) a statement acknowledging that all tax classifications, exemption estimates, delivered-value estimates, RSDZ assumptions, and incentive assumptions are preliminary planning information and are subject to separate determinations and approvals under applicable law.

34-5-11. Environmental, Natural Resources, and Sensitive Lands Assessment

The application shall include:

- (1) existing site conditions, including topography, drainage, floodplain, wetlands if any, wildfire interface, geologic hazards, seismic constraints, soils, vegetation, and sensitive lands;
- (2) surveys or desktop analysis for sensitive wildlife, habitat, wildlife corridors, raptors, migratory birds, and other applicable natural resources;
- (3) projected impacts and proposed mitigation;
- (4) copies of federal or state environmental review documents prepared for the facility, if any; and
- (5) identification of any permits or approvals required from state or federal agencies.

34-5-12. Decommissioning and Site Restoration Plan

The application shall include:

- (1) the decommissioning and site restoration plan required by Section 34-11;
- (2) a decommissioning cost estimate prepared by a qualified professional acceptable to the County;
- (3) the proposed form of financial assurance; and
- (4) a schedule for decommissioning after abandonment, closure, or revocation.

34-5-13. Community Engagement and Public Information Plan

The application shall include:

- (1) a description of applicant outreach to adjacent property owners, affected residents, service providers, municipalities, special districts, and the public;
- (2) any public information meetings held or proposed by the applicant;
- (3) a proposed method for providing project information, application summaries, updates, and responses to common questions;
- (4) a process for receiving, tracking, responding to, and reporting public comments and complaints;
- (5) a method for notifying neighbors of operational changes, expansions, substantial modifications, construction impacts, emergencies, or incidents; and
- (6) a plan for maintaining a publicly available facility contact during construction and operation.

34-5-14. Co-Located Power Generation and Microgrid Supplement

The application shall include:

- (1) if co-located power generation or a microgrid is proposed, the applicant shall submit the additional information required by Section 34-8.

34-5-15. Protected Records and Public Version

The application shall include:

- (1) the applicant shall identify any record or portion of a record for which the applicant asserts protected status under GRAMA and shall provide a written basis for the claim;
- (2) the applicant shall provide a public version or public summary of the application sufficient to allow meaningful public review of the facility's location, scale, water use, power demand, infrastructure needs, reasonably anticipated impacts, mitigation measures, public costs, and requested approvals; and
- (3) the County shall classify and respond to records requests in accordance with GRAMA and County records policies.

34-5-16. RSDZ, Tax, and Incentive Coordination Supplement

If the application is within the RSDZ Overlay, is within a proposed or approved RSDZ, or includes a request for an incentive or public revenue participation, the application shall include:

- (1) the status and boundaries of the RSDZ or proposed RSDZ and the identity of the creating entity and community reinvestment agency;
- (2) the approved or proposed RSDZ proposal, committee-established terms, and RSDZ implementing documents applicable to the site, to the extent available and subject to GRAMA;
- (3) the amount, source, duration, and proposed use of any requested tax increment, personal property tax revenue, county energy excise tax revenue, zone revenue, infrastructure participation, rebate, or other incentive;
- (4) an explanation of how each requested incentive or revenue commitment is authorized under Title 11, Chapter 41, Part 2; Title 63N, Chapter 3a; Title 17C, Chapter 6; or other applicable law, recognizing that land use approval does not approve the incentive or revenue commitment.

34-6. Development Standards.

(1) Setbacks. A data center facility building, co-located power generation facility, energy storage system, substation, switchyard, or similar high-impact support facility shall be set back not less than 500 feet from the property line of a residentially zoned or residentially used parcel and not less than 100 feet from any other property line or public right-of-way. A hyperscale data center facility, or a facility that includes co-located power generation or a microgrid, shall be set back not less than 1,000 feet from the property line of a residentially zoned or residentially used parcel. Setbacks are measured from the exterior wall or equipment perimeter of the regulated building or facility to the applicable property line. Security fencing, landscaping, stormwater facilities, access drives, and underground utilities may be located within a setback if otherwise permitted and if they do not defeat the purpose of the setback.

(2) Height. No building or structure shall exceed 60 feet in height unless a different maximum height is allowed in the underlying zone and the Land Use Authority finds that increased height will not create an unmitigated visual, lighting, emergency access, fire protection, or compatibility impact. Incidental rooftop equipment may exceed the height limit only as allowed by the Land Use Code and shall be screened in accordance with this Chapter.

(3) Site coverage and impervious area. The facility shall comply with the maximum lot coverage, and impervious area standards of the underlying zoning district. If the underlying district does not establish a numerical standard, site coverage shall be limited by compliance with adopted stormwater, drainage, fire-access, emergency-circulation, landscaping, screening, and setback requirements. The applicant shall demonstrate, through the approved drainage and site plans, that the impervious area will not create an unmitigated off-site drainage or flood impact.

(4) Screening and landscaping. The perimeter of the site shall be screened from existing or planned public rights-of-way and adjacent residential, agricultural, recreational, and sensitive land uses by a combination of drought-tolerant landscaping, preserved vegetation, earthen berms, walls, fencing, and architectural treatments. At installation or at the stated maturity date in the approved landscape plan, screening shall obscure direct ground-level view of generators, transformers, substations, switchyards, energy storage units, mechanical yards, loading areas, and refuse areas from the identified viewing locations, except at required access and ventilation openings. The approved landscape plan shall state the installation height, expected mature height, spacing, irrigation method, replacement standard, and maintenance responsibility for plant materials.

(5) Building design; principal façade standards. Exterior building facades shall reduce the appearance of large, uninterrupted blank walls. This Subsection applies to each principal façade, meaning a façade that faces an existing or planned public right-of-way; an adjacent parcel that is residentially zoned, residentially used, or approved for residential development; or an adjacent parcel containing an existing or approved school, day care, park, recreational facility, religious assembly, cemetery, community

center, civic use, or agritourism use. A principal façade visible from an adopted scenic corridor or gateway shall comply with the same standards. (Refer to Figure 34-6-1.)

(a) Differentiated surfaces. Each principal façade shall incorporate, at horizontal intervals no less frequent than every 150 horizontal linear feet or three times the average height of the building, whichever interval is shorter: (i) fenestration or an approved green-wall treatment; and (ii) a change in at least one of the following design elements: building material, pattern, texture, color, or accent materials.

(b) Fenestration and fenestration-like treatments. Fenestration or fenestration-like architectural treatments shall comprise not less than 30 percent of the total surface area of each principal façade. Qualifying treatments include glazing, translucent panels, framed recessed panels, louvers, articulated equipment screens, or other façade elements that create the appearance, depth, and rhythm of window openings. Treatments shall be provided in separated placements or clustered bays, no one of which may count toward more than 7.5 percent of the total façade area; shall be distributed horizontally and vertically; and shall be compatible with the façade design and materials.

(c) Green-wall alternative. A green-wall treatment may substitute for up to one-half of the required fenestration or fenestration-like coverage only if the applicant submits a water budget, species list, irrigation and drainage plan, replacement standard, and long-term maintenance plan demonstrating suitability for the Tooele County climate. Drip irrigation and drought-tolerant species are required, and reclaimed or other non-potable water shall be used where lawfully available and technically feasible. Failure to maintain the green wall requires replacement with a compliant architectural treatment or restored vegetation.

(d) Main entrance feature. Each data center building shall include at least one main entrance feature that projects or recesses from the main building plane, or is differentiated from the remainder of the façade by a change in building material. The main entrance feature shall incorporate foundation plantings consisting of a mix of evergreen and deciduous shrubs, drought-tolerant ornamental grasses, or herbaceous perennials along not less than 50 percent of the length of the entrance façade or, in the alternative, required buffer and parking-area landscaping elsewhere on the site shall be provided at a rate of 20 percent more plant units than otherwise required.

(e) Mechanical equipment façade alternative. Where principal-façade standards apply to two opposing sides of a building, one façade facing an existing or planned public right-of-way may be designed as a mechanical-equipment façade if the equipment is screened from ground-level view from public rights-of-way and adjoining parcels using mesh, lattice, cladding, grillwork, or similar materials that permit required ventilation, and the façade and screening comply with the differentiated-surface intervals in paragraph (a).

(f) Consistent design. Where a building has more than one principal façade, the principal façades shall be consistent in design, materials, details, and treatment.

Figure 34-6-1. Data Center Building Design and Site Design Standards (Illustrative)

Illustrative only; ordinance text controls. Adapted from the facade and site design framework of Loudoun County, Va. Zoning Ordinance § 4.06.02 and Figure 4.06.02-1.

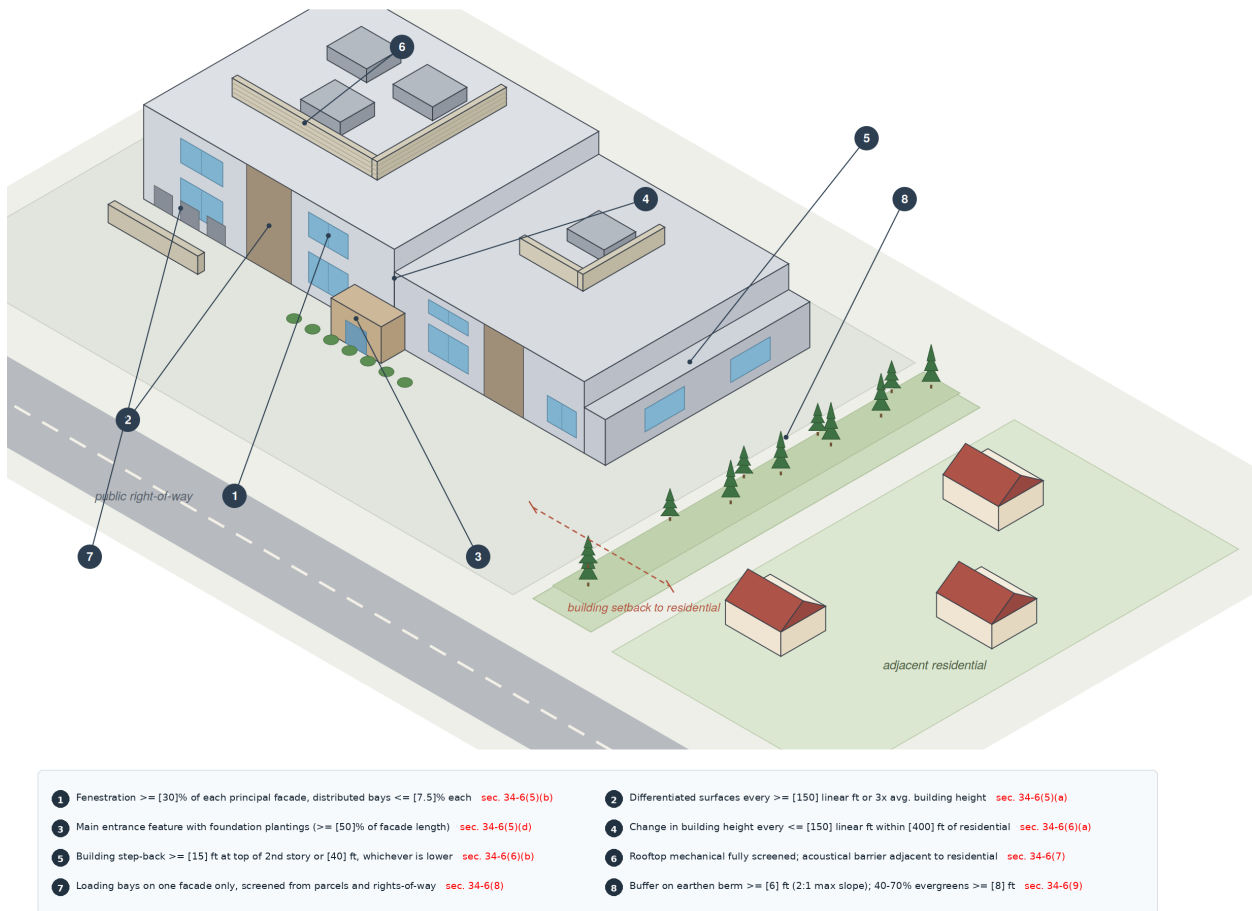


Figure 34-6-1. Illustrative depiction of building design and site design standards under Subsections 34-6(5) through 34-6(9). In the event of any conflict between this figure and the text of this Chapter, the text controls.

(6) Building massing adjacent to residential. Where any portion of a data center building is located within 400 feet of the property line of a residentially zoned or residentially used parcel, or a parcel approved for residential development, including where a public road separates the parcels, each building façade facing the residential parcel shall: (a) include a change in building height at horizontal intervals no less frequent than every 150 horizontal linear feet or three times the average height of the building, whichever interval is shorter; and (b) provide a step-back of not less than 15 feet from the plane of the building wall, beginning at the top of the second story of the building or at 40 feet in height, whichever is lower. (Refer to Figure 34-6-1.)

(7) Mechanical equipment location and screening. All ground-level and rooftop mechanical equipment shall be shown on the site plan and screened on all sides by materials compatible with the nearest principal façade. Screening may use perforated or louvered surfaces only to the extent needed for ventilation. Ground-mounted mechanical equipment may not be located in a required front yard and, where adjacent to residentially zoned or residentially used property, shall be located behind a principal building or at the side of the building farthest from the residential property unless the site plan demonstrates equivalent distance and acoustic attenuation. Exterior mechanical equipment adjacent to residential property shall include an acoustical barrier designed by a qualified acoustical professional to

achieve the noise limits in Section 34-7. Screening from existing or planned public rights-of-way is required in all cases.

(8) Loading bays and refuse collection areas. Loading bays shall be located on only one façade of each building, shall not face a residentially zoned or residentially used parcel unless the Land Use Authority finds that no other location is feasible and enhanced screening is provided, and shall be screened from ground-level view from all adjacent parcels and existing or planned public rights-of-way. Refuse collection areas shall be fully screened on all sides by a permanent enclosure.

(9) Berms, buffer plantings, and parking setbacks adjacent to residential. Where the site is adjacent to a residentially zoned or residentially used parcel, or a parcel approved for residential development, including where separated by a public road, the following apply along the common or facing property line: (a) the perimeter buffer shall be located on an earthen berm not less than 6 feet in height with side slopes no steeper than 2:1, unless a certified sightline exhibit demonstrates that existing topography provides equal or greater screening; (b) buffer plantings shall consist of not less than 40 percent and not more than 70 percent evergreen trees not less than 8 feet in height at planting, not more than 30 percent large deciduous trees, not more than 30 percent small deciduous trees, and not more than 20 percent shrubs, drought-tolerant ornamental grasses, and perennials, using species suited to Tooele County climate and water conditions; (c) parking shall be set back not less than 50 feet from the property line and shall be screened from ground-level view by preserved vegetation, topography, or a professionally designed combination of berm, opaque fence or wall, and plantings shown on a certified sightline exhibit; (d) berms and fences shall be designed for drainage, erosion control, wind loading, fire access, and maintenance; and (e) preserved vegetation and topography may substitute where the Community Development Department determines from the submitted sightline exhibit that the substitution provides screening of equivalent density, depth, and height. (Refer to Figure 34-6-1.)

(10) Substations and transmission infrastructure. Substations, switchyards, transmission infrastructure, and utility corridors serving the facility shall be located on the site or on adjacent land included in the application to the extent practicable and within the applicant's ownership or control. Such facilities shall meet applicable setbacks, screening, fencing, access, safety, and emergency response requirements.

(11) Access and circulation. The site shall provide safe and adequate access for employees, contractors, deliveries, emergency responders, fire apparatus, maintenance vehicles, fuel delivery, oversize loads, and utility service vehicles. Access shall be designed to avoid unnecessary impacts on residential streets, school routes, agricultural operations, and local roads not designed for heavy industrial traffic.

(12) Stormwater, grading, and drainage. The facility shall comply with applicable County stormwater, grading, drainage, erosion control, and floodplain standards. The applicant shall demonstrate that runoff from roofs, parking areas, equipment yards, utility corridors, and impervious areas will be managed without creating adverse downstream impacts.

(13) Construction management. Before construction, the applicant shall submit a construction management plan addressing phasing, work hours, dust control, haul routes, staging areas, road protection, traffic control, noise, lighting, emergency access, worker parking, temporary utilities, public communication, and complaint response.

(14) Conditions tied to phases. The Land Use Authority may require infrastructure improvements, monitoring, mitigation, financial assurance, service agreements, or updated studies before a later phase may commence if the need for those measures is tied to the impacts of that phase.

34-7. Operational Performance Standards.

(1) Noise. A data center facility shall not produce sound exceeding 50 dBA Leq at the sending property line during any 15-minute measurement period or 45 dBA Leq at the nearest noise-sensitive receptor

during nighttime hours. Measurements shall be made under representative operating conditions with an integrating sound-level meter meeting the applicable ANSI performance standard, using documented weather conditions, microphone location, background-sound correction, and calibration. The approved noise study shall include both dBA and dBC measurements and one-third-octave-band analysis sufficient to identify tonal, low-frequency, narrow-band, or impulsive components. If a tonal or impulsive component is identified under an applicable ANSI method, a 5 dBA penalty shall be added to the measured level for compliance. If the measured dBC level exceeds the measured dBA level by 20 decibels or more at a noise-sensitive receptor, the operator shall implement the low-frequency mitigation measures identified in the approved noise study and demonstrate compliance through follow-up monitoring.

(2) Post-construction verification. Compliance with the approved noise limits shall be verified by the post-construction noise study required under Section 34-10. If post-construction monitoring identifies an exceedance or a distinctive noise component requiring mitigation, the operator shall implement corrective measures and submit follow-up verification within the timeframe specified by the County. For a facility that includes a baseload generation source or microgrid, the post-construction study shall verify compliance under continuous operating conditions.

(3) Exterior lighting. Exterior lighting shall use full-cutoff, shielded fixtures directed downward; shall be limited to the minimum level necessary for safety, security, and operations; and shall not cause illumination exceeding 0.1 foot-candle at a property line, measured at grade on a vertical plane, including security lighting. Lighting shall be reduced or curtailed during nighttime hours to the extent consistent with safety and security. Emergency lighting may exceed the limit only during an emergency or required testing. The photometric plan shall identify fixture output, mounting height, shielding, controls, and maximum property-line illumination.

(4) Water conservation. A closed-loop or air-cooling system is required unless the applicant demonstrates through a life-cycle water and energy analysis that an open-loop or evaporative system: (a) incorporates practicable reuse, reclaimed-water, non-potable-water, blowdown-recovery, and leak-detection measures; and (b) achieves the approved annual, peak-month, and peak-day water-use limits. Reclaimed or other non-potable water shall be used where lawfully available, technically feasible, and approved by the applicable provider and regulatory agency. Culinary or potable drinking water shall not be used for cooling at a data center facility except to the extent the applicant demonstrates that no reclaimed or other non-potable supply is lawfully available and technically feasible, in which case the Land Use Authority may approve the minimum potable use necessary, subject to the water-use limits and conservation measures of this Subsection.

(5) Drought-contingency water curtailment. The applicant shall submit, and the operator shall implement, a drought response plan that provides for staged reductions in the facility's consumptive water use when a drought stage is declared by the State of Utah, Tooele County, or the water provider serving the facility. The plan shall identify the operational measures available at each drought stage and the maximum reduction in consumptive water use achievable at each stage without compromising life-safety or fire-protection systems. The Land Use Authority may impose conditions of approval implementing the drought response plan, and the operator shall report drought-stage curtailment actions in the annual compliance report under Section 34-10.

(6) Air emissions and generators. All generators, turbines, engines, and other emission sources shall comply with applicable federal and state emission standards and permits. A backup generator shall use the highest emissions-control tier or certification applicable to the engine category and intended stationary use that is commercially available at the time of permit issuance, unless the Utah Division of Air Quality approves or requires a different configuration. A baseload combustion source shall use the control technology required by the applicable air-quality permit and any additional control supported by site-specific modeling and a County finding that the condition is within County authority and reasonably necessary to mitigate a land-use impact. Routine, non-emergency generator testing shall comply with the

approved testing plan and applicable air permit. On a site adjacent to residentially zoned or residentially used property, routine testing is allowed only from 7:00 a.m. to 5:00 p.m. from May 1 through September 30 and from 11:00 a.m. to 5:00 p.m. from October 1 through April 30. Except for commissioning and routine testing, backup generators may operate only during emergency operation. Continuous operation of a baseload generation source shall comply with the noise limits in Subsection 1 at all hours.

(7) Energy storage systems. Energy storage systems shall comply with the State Construction Code, State Fire Code, County-adopted fire code, and the editions of NFPA 855 or successor standards incorporated into those codes. Where applicable to the technology and installation, the applicant shall provide evidence of UL 9540 listing and UL 9540A or equivalent fire-propagation testing. The system shall comply with the manufacturer's requirements for separation distances, monitoring, ventilation, fire-suppression, emergency response, and decommissioning. The Land Use Authority may impose an increased separation distance or additional monitoring only when supported by the site-specific fire and hazard analysis and reasonably related to proximity to occupied buildings, public rights-of-way, or sensitive receptors. Non-lithium-ion and long-duration technologies shall comply with the adopted codes and nationally recognized standards applicable to the specific technology.

(8) Vibration. A data center facility shall not produce vibration at or beyond the sending property line that exceeds an applicable County standard. If no County numerical standard applies, the applicant's vibration study shall identify a nationally or internationally recognized standard appropriate to the receptor and equipment, establish the compliance threshold before approval, and demonstrate compliance after construction. Construction vibration shall be addressed in the construction management plan.

(9) Odor, dust, and visible emissions. The facility shall not create persistent odor, dust, smoke, or visible emissions beyond the property line except as allowed by applicable permit and law. Construction dust shall be controlled in accordance with the approved construction management and dust control plans.

(10) Hazardous materials. Hazardous materials, fuel, batteries, coolants, fire-suppression agents, and similar materials shall be stored, handled, reported, and disposed of in accordance with applicable law, fire code, hazardous materials requirements, and conditions of approval.

(11) Operational changes. The operator shall notify the County before implementing any operational change that may materially affect approved water use, power demand, emissions, generator testing, noise, traffic, emergency response, hazardous materials, lighting, or other regulated impacts. A substantial modification requires review under Section 34-13.

(12) Demand response and grid resilience. For a large or hyperscale data center facility, or a facility that includes co-located generation or a microgrid, the Land Use Authority may require implementation of demand-response, load-shifting, curtailment, or grid-emergency commitments that the applicant offers, required or approved by the serving utility, or included in an applicable tariff or service agreement, when the condition is technically feasible and reasonably related to a documented land-use, infrastructure, or emergency-response impact. The County shall not establish utility rates, service classifications, capacity charges, interconnection terms, dispatch requirements, or other matters reserved to the Public Service Commission, the serving utility, or another agency with jurisdiction.

34-8. Co-Located Power Generation and Microgrids.

(1) Applicability. This Section applies to any electrical generation facility developed on or adjacent to a data center site primarily to serve the data center facility, whether generation is dedicated to the facility, supports the electrical grid, or serves both purposes, and to any microgrid serving a data center facility, whether or not the microgrid is interconnected to the regional electrical grid.

(2) Additional submittal requirements. An application that includes co-located power generation or a microgrid shall identify the generation technology, fuel type, fuel source, design capacity, operating

profile, water demand, emissions profile, noise profile, safety systems, site layout, transmission interconnection, fuel delivery method, waste stream, if any, emergency response needs, permits required from state and federal agencies, and the status of each permit.

(3) Nuclear generation supplement. For nuclear generation, the application shall identify the status of licensing by the United States Nuclear Regulatory Commission, the applicable public docket or licensing process, the general technology type, site layout, emergency planning coordination, non-radiological land use impacts, transportation and access needs, infrastructure needs, and the agencies with jurisdiction. The application shall additionally identify:

- (a) the reactor technology category (light-water small modular reactor, advanced non-light-water reactor including gas-cooled, liquid-metal-cooled, or molten-salt reactor, microreactor, or other), and the reactor vendor and design if known;

- (b) the fuel type and enrichment level, including whether the design uses low-enriched uranium at no more than 5 percent enrichment or high-assay low-enriched uranium (HALEU) at enrichment up to 20 percent;

- (c) the projected volume, classification, and physical form of spent nuclear fuel and other radioactive waste streams generated over the design operating life of the facility, and a comparison to the waste streams of traditional light-water reactors where applicable;

- (d) the on-site spent-fuel and radioactive-waste storage plan, including the storage method (wet or dry cask), the footprint and location of the storage area on the site plan, the proposed duration of on-site storage, and the contingency plan if no federal repository or interim consolidated storage facility becomes available during the operating life of the facility;

- (e) the transportation plan for fresh fuel deliveries and any spent-fuel shipments, including expected routes, frequency, vehicle types, and coordination with the Utah Department of Transportation, the Utah Highway Patrol, and Tooele County Roads and Emergency Services;

- (f) documentation of coordination with the United States Nuclear Regulatory Commission, the Federal Emergency Management Agency, the Utah Division of Radiation Control or successor agency, and any local agencies designated in the facility's radiological emergency response plan; and

- (g) identification of any host community benefit agreement, payment-in-lieu-of-taxes arrangement, or other lawful agreement proposed between the applicant and the County, the State, or any local taxing entity.

Nothing in this Subsection authorizes the County to regulate radiological safety, nuclear licensing, fuel enrichment, spent-fuel handling, or any matter reserved to the United States Nuclear Regulatory Commission or another federal or state agency with exclusive jurisdiction. The disclosures required by this Subsection are required to support the County's land use review, including site compatibility, local infrastructure, transportation, emergency response coordination, and host community impact.

(4) Application of standards. Co-located power generation and microgrid components are subject to all applicable development and operational standards of this Chapter, including setbacks, noise, lighting, traffic, emergency response, air emissions, hazardous materials, construction management, annual reporting, decommissioning, and financial assurance.

(5) Emergency planning. The applicant shall coordinate emergency planning for the generation facility or microgrid with the fire agency having jurisdiction, Tooele County Emergency Services, law enforcement, public works, the County Health Department where applicable, and any state or federal agency with jurisdiction. For nuclear generation, emergency planning coordination shall include agencies having jurisdiction over radiological emergency planning, while recognizing federal preemption and agency authority.

(6) Utility and public cost impacts. The application shall identify whether generation, transmission, substations, fuel delivery, emergency-response capacity, water supply, wastewater disposal, road improvements, or other infrastructure will require public participation, utility-customer funding, County or special-district service expansion, or intergovernmental coordination. The analysis shall distinguish matters governed by utility regulation from land-use impacts within County authority and shall identify how costs attributable to the facility will be addressed under applicable law.

(7) Microgrid review. Where the application includes a microgrid, each component of the microgrid — including each baseload generation source, each backup generation source, each energy storage system, each substation or switchyard, each fuel storage and delivery facility, and each emissions control system — shall be identified, located on the site plan, and individually evaluated against the applicable development standards of Section 34-6, operational performance standards of Section 34-7, submittal requirements of Section 34-5, and decommissioning requirements of Section 34-11. The combined and cumulative impacts of all microgrid components shall be evaluated together. A microgrid component shall not be reviewed as an accessory use exempt from this Chapter and shall not be segmented from the application.

(8) Islanded operation disclosure. The application shall identify whether the microgrid is designed to operate, or is capable of operating, in islanded mode; the conditions under which islanded operation is anticipated; and the duration the microgrid can sustain operation without grid interconnection. The Land Use Authority may impose conditions reasonably necessary to ensure that islanded operation does not increase noise, emissions, fuel storage, water use, or emergency response impacts beyond the limits approved under this Chapter.

(9) Separate utility and tax jurisdiction. Review under this Section does not authorize the County to regulate utility rates, electrical dispatch, interconnection terms, tax liability, delivered value, or matters reserved to the Public Service Commission, the Utah State Tax Commission, the Nuclear Regulatory Commission, or another agency with exclusive jurisdiction. The County may require information and impose conditions only to the extent reasonably related to land use, local infrastructure, access, non-radiological impacts, emergency coordination, and compliance with adopted County standards.

34-9. Notice, Public Hearing, Public Information, and Decision.

(1) Notice of complete application. After an application is determined to be complete, the County shall provide notice as required for a conditional use permit and as further required by this Chapter.

(2) Enhanced mailed notice. For a standard data center facility, mailed notice shall be given to property owners within 1,000 feet. For a large data center facility, mailed notice shall be given to property owners within 2,500 feet of the site. For a hyperscale data center facility that includes co-located power generation or a microgrid, mailed notice shall be given to property owners within .05 mile of the site. The Community Development Director may extend the notice area only when a submitted technical study identifies a reasonably anticipated off-site impact that extends beyond the standard radius, and the written notice decision shall identify the study and impact that support the extension.

(3) Additional notice methods. For a large or hyperscale data center facility, any facility with co-located power generation, or any facility with a microgrid, the County shall also provide notice by posting on the County website, posting on the Utah Public Notice Website when required by law, posting on or near the subject property where practicable, and notice to affected municipalities, school districts, special districts, water providers, sewer providers, fire authorities, transportation agencies, utility providers, and other reviewing agencies identified by the County.

(4) Public information materials. For a large or hyperscale data center facility, any facility with co-located power generation, or any facility with a microgrid, the County shall make available a public information summary, staff report, hearing materials, application materials not classified as protected, written comments, and the written decision, subject to GRAMA and County records policies.

(5) Applicant public information meeting. Before the public hearing on a large or hyperscale data center facility, a facility with co-located power generation, or a facility with a microgrid, the applicant shall hold at least one public information meeting. The meeting is informational and does not replace a public hearing required by this Chapter or other law. The applicant shall provide notice and a written meeting summary in the manner specified by the Community Development Department.

(6) Public hearing. At least one public hearing shall be held before final action on a large or hyperscale data center facility, any data center facility that includes co-located power generation, or any data center facility that includes a microgrid. Members of the public may speak and submit written comments. Public comments shall be included in the record, but the Land Use Authority shall base its decision on adopted standards and substantial evidence.

(7) Response to public comments. For a large or hyperscale data center facility, a facility with co-located power generation, or a facility with a microgrid, the Community Development Department shall prepare a written summary of the substantive public comments received and the County's response to each category of comment. The summary shall be included in the record and published with the staff report before the Land Use Authority takes final action. This requirement is informational and does not alter the standard of decision, which remains based on adopted standards and substantial evidence.

(8) Written staff report. The Community Development Department shall prepare a written staff report addressing application completeness, applicable standards, reviewing agency comments, public comments, technical review, recommended findings, recommended conditions, and any unresolved issues.

(9) Public information and protected records. Applications, public summaries, staff reports, hearing materials, written decisions, and information material to the County's land use decision are public records unless classified otherwise under the Utah Government Records Access and Management Act. The County shall not enter into any agreement that conceals the existence of an application, the identity of the applicant or property owner, the general nature of the proposed use, or information necessary for the Land Use Authority to make required findings. An applicant may submit a written GRAMA confidentiality claim for specific records or portions of records the applicant believes are protected by law. The applicant shall also provide a public, non-confidential summary sufficient to allow meaningful public review of the application and its impacts.

(10) Findings for approval. The Land Use Authority shall approve or approve with conditions a data center facility if it finds, based on substantial evidence in the record, that the application satisfies the findings in Subsection 11 of this Section.

(11) Required findings. The Land Use Authority shall make written findings addressing each of the following:

(a) the application is complete, and the proposed use is allowed in the applicable zoning district under this Chapter;

(b) the proposed facility complies with the development standards, operational performance standards, and submittal requirements of this Chapter, or compliance can be assured through reasonable conditions of approval;

(c) the applicant has demonstrated an adequate and legally available water supply, wastewater method, electrical service plan, road access, fire protection, and emergency response plan for the facility, or has agreed to conditions requiring such facilities before construction or operation;

(d) reasonably anticipated detrimental effects relating to noise, light, traffic, air emissions, vibration, visual impacts, water demand, wastewater, emergency services, public infrastructure, hazardous materials, and construction impacts can be substantially mitigated through compliance with this Chapter and reasonable conditions of approval;

(e) required infrastructure improvements, service impacts, inspection requirements, monitoring obligations, and public costs attributable to the facility have been identified and

addressed through conditions of approval, an improvement agreement, development agreement, reimbursement agreement, impact fee, service agreement, participation agreement, or other lawful mechanism;

(f) the application includes sufficient public information to allow the County and the public to understand the facility's location, scale, reasonably anticipated impacts, mitigation measures, and requested approvals;

(g) the facility complies with applicable County land use regulations, site development standards, road standards, fire code requirements, public works standards, and other adopted standards within the County's jurisdiction; and

(h) all conditions of approval are reasonably related to mitigating reasonably anticipated detrimental effects of the proposed use or ensuring compliance with adopted standards; and

(i) where the facility is within the RSDZ Overlay, and an RSDZ has been approved, the facility is consistent with the approved RSDZ proposal, committee-established terms, and applicable RSDZ implementing documents, or consistency can be assured through lawful conditions or separate agreements; and

(j) fiscal and tax disclosures have been reviewed for infrastructure and service planning, but the land use decision does not determine tax classification, exemption eligibility, delivered value, RSDZ approval, or entitlement to an incentive; and

(k) to the extent within the County's authority to require disclosure, the costs of new generation, transmission, distribution, substation, and related infrastructure attributable to the facility have been identified and allocated so as not to shift those costs to existing utility customers, recognizing that utility rates, tariffs, and cost recovery are matters reserved to the Public Service Commission and the serving utility.

(12) Approval with conditions. The Land Use Authority may impose reasonable conditions that are necessary to ensure compliance with this Chapter, mitigate reasonably anticipated detrimental effects, require infrastructure or service commitments, require monitoring and reporting, protect public health and safety, or ensure compliance with other applicable County standards.

(13) Denial. If the Land Use Authority cannot make the required findings and determines that reasonably anticipated detrimental effects cannot be substantially mitigated by reasonable conditions, it shall deny the application and state the reasons for denial in writing.

(14) Continuance. The Land Use Authority may continue an application to allow the applicant to address deficiencies, provide additional information, complete the technical review, revise mitigation measures, negotiate lawful agreements, or respond to the reviewing agency's comments.

34-10. Conditions of Approval, Monitoring, Reporting, and Enforcement.

(1) Conditions of approval. Conditions may include limits on approved power demand, water use, cooling method, generator testing, operating procedures, construction hours, access routes, traffic management, lighting, noise, screening, emergency response, hazardous materials, infrastructure improvements, phasing, financial assurance, annual reporting, complaint response, independent monitoring, inspection, implementation of applicant or utility demand-response commitments, microgrid operating protocols, islanded-operation limits, or other matters reasonably related to adopted standards or mitigation of reasonably anticipated detrimental effects. A land use condition may not establish a tax, approve an incentive, commit RSDZ revenue, set a utility rate or tariff, or require a matter reserved to another agency.

(2) Conditions precedent. The Land Use Authority may require specified conditions to be satisfied before grading, issuance of a building permit, issuance of a certificate of occupancy, commencement of operations, expansion, or later phases.

(3) Post-construction noise verification. Within 90 days after the facility or approved phase commences operations, the operator shall submit a post-construction noise study prepared by a qualified acoustical professional demonstrating compliance with Section 34-7. If the study identifies an exceedance or distinctive noise component requiring mitigation, the operator shall implement corrective measures and submit a follow-up study within the timeframe specified by the County. For a facility that includes a baseload generation source or microgrid, the post-construction study shall verify compliance under continuous operating conditions.

(4) Annual compliance report. The operator of a large or hyperscale data center facility, a facility with co-located power generation, or a facility with a microgrid shall submit an annual compliance report. The report shall include actual water use by source; wastewater generation and disposal; peak and average electrical demand; changes in energy-delivery meter or point-of-delivery configuration; generator testing hours; generator emergency runtime; baseload generation operating hours and fuel use; air-permit compliance status; noise, lighting, and traffic complaints and resolution; hazardous-materials inventory updates; emergency incidents; fire-system inspection status; current employment; ownership or operator changes; status of mitigation measures and financial assurance; status of applicant or utility demand-response commitments; and confirmation of compliance with conditions of approval. Information claimed as protected shall be submitted with a public summary under Section 34-5-15. The operator shall also submit a public, plain-language annual summary, suitable for posting on the County website, that reports actual water use compared to the approved water-use limits and identified by source type; actual peak and average electrical demand; backup-generator operating hours; the number and resolution of noise, lighting, and traffic complaints; and actual operations employment compared to the employment projected in the approved application. The County shall post the public annual summary on the County website. The County may provide non-protected portions of the annual compliance report to entities administering the Tooele County Energy Excise Tax Ordinance, to the serving utility where reasonably necessary for infrastructure coordination, or to an agency administering an approved RSDZ, subject to GRAMA and other applicable confidentiality requirements.

(5) Small facility reporting. The Land Use Authority may require annual or periodic compliance reporting for a small data center facility where necessary to verify compliance or mitigate site-specific impacts.

(6) Designated contact and complaint process. The operator shall designate a responsible contact person and maintain a publicly available process for receiving and resolving complaints regarding noise, light, traffic, dust, vibration, air emissions, water use, construction impacts, emergency incidents, or other effects of the facility. Complaints and their resolution shall be summarized in the annual compliance report.

(7) Additional monitoring. The County may require additional monitoring, testing, reporting, or independent verification if the County receives credible complaints, identifies a potential violation, determines that operations have materially changed, or determines that additional information is reasonably necessary to verify compliance with this Chapter or conditions of approval.

(8) Inspection. The County may inspect the facility for compliance with this Chapter and the conditions of approval at reasonable times and in accordance with applicable law. The County may coordinate inspections with the fire agency having jurisdiction, public works, emergency services, the health department, building officials, code enforcement, or other agencies with jurisdiction.

(9) Notice of violation and correction. If the County determines that the facility is not in compliance, the County may issue a written notice of violation requiring corrective action within a specified time. The County may require interim measures, as necessary, to protect public health, safety, infrastructure, or adjacent uses.

(10) Modification, suspension, or revocation. Following notice and an opportunity to be heard, the County may modify, suspend, or revoke a conditional use permit for continuing failure to comply with this

Chapter, conditions of approval, required reporting, financial assurance requirements, or an approved mitigation plan. Modification, suspension, or revocation shall be processed consistent with applicable County enforcement and appeal procedures.

(11) Tax, utility, and incentive administration. Compliance monitoring under this Chapter does not include imposition, administration, collection, or enforcement of the county energy excise tax, a utility tariff, an RSDZ revenue commitment, or an incentive agreement, except to the extent a separate agreement expressly incorporates a land use condition or reporting obligation. The legally authorized entity shall administer those matters in accordance with applicable law. Land use conditions may require submission of information reasonably necessary to implement a separately adopted tax, utility, or RSDZ agreement, but this Chapter does not itself impose, administer, or enforce such agreements.

(12) Remedies cumulative. The remedies in this Chapter are cumulative and do not limit any other remedy available under County ordinance, state law, a development agreement, improvement agreement, financial assurance instrument, permit condition, or court order.

34-11. Decommissioning and Financial Assurance.

(1) Decommissioning plan required. Each application shall include a decommissioning and site-restoration plan addressing cessation of operations; removal of equipment and structures; removal of foundations to a depth of at least 36 inches below grade unless the County approves retention for a documented reuse; removal of microgrid components, generation equipment, energy storage systems, and fuel-storage and delivery facilities; proper disposal or recycling; grading, drainage stabilization, erosion control, revegetation where appropriate, utility disconnection, hazardous-materials removal, and restoration to a safe and stable condition.

(2) Cost estimate. The decommissioning cost estimate shall be prepared by a qualified professional acceptable to the County and shall include removal, hauling, disposal, recycling, grading, stabilization, revegetation, professional fees, administrative costs, and a contingency of not less than 15 percent. The County may disallow or limit salvage value in calculating the required financial assurance.

(3) Financial assurance. Before a certificate of occupancy is issued, the applicant shall provide financial assurance in the form of a bond, irrevocable letter of credit, escrow, or other instrument acceptable to the County in an amount equal to the approved decommissioning cost estimate. The financial assurance shall name the County as beneficiary or obligee and shall be in a form approved by the County Attorney.

(4) Updates. The decommissioning cost estimate and financial assurance shall be reviewed and updated at least every three years, upon substantial modification, upon transfer of ownership or operation, or upon request by the County if costs materially change.

(5) Abandonment. Cessation of facility operations for 12 consecutive months constitutes abandonment and triggers the obligation to decommission, unless the County grants an extension for good cause, based on a written plan to resume operations, maintain the site, and protect public health and safety.

(6) Continuing obligations. The obligation to decommission and restore the site is binding on the owner, operator, successors, and assigns. Before a certificate of occupancy is issued, the owner shall execute and record a notice or covenant, in a form approved by the County Attorney, identifying the decommissioning obligation and the financial assurance. The financial assurance shall remain in effect until the County confirms in writing that decommissioning and restoration are complete.

(7) County remedies. If the owner or operator fails to decommission the facility as required, the County may use the financial assurance to complete decommissioning and may pursue any other remedy available at law or equity. Use of financial assurance does not limit the County's ability to recover additional costs if the assurance is insufficient.

(8) Partial decommissioning. The Land Use Authority may require partial decommissioning of a phase, building, generation facility, energy storage system, microgrid component, or support facility that has been abandoned or permanently removed from service, even if other portions of the data center facility remain in operation.

34-12. Appeals.

(1) Written decision. The Land Use Authority shall issue a written decision approving, approving with conditions, or denying an application under this Chapter. The decision shall include findings of fact, conclusions, conditions of approval if applicable, and notice of appeal rights.

(2) Appeal Authority. An appeal of a decision under this Chapter shall be heard by the County's designated Appeal Authority, unless otherwise provided by County ordinance or applicable law.

(3) Time to appeal. A land use applicant or adversely affected party may appeal a written decision under this Chapter by filing a written appeal within the time established by County ordinance, which shall not be less than 10 calendar days after issuance of the written decision.

(4) Record on appeal. The record on appeal shall include the application, studies, peer reviews, staff reports, reviewing agency comments, public comments, hearing record, exhibits, written findings, conditions of approval, and any other materials relied upon by the Land Use Authority.

(5) Standard and scope of review. The Appeal Authority shall review appeals in accordance with the standard and scope of review established by County ordinance and applicable Utah law. The Appeal Authority may not substitute policy preferences for the adopted standards governing the application.

(6) Final decision and judicial review. A decision of the Appeal Authority is final when issued in writing or as otherwise provided by County ordinance and may be reviewed by a court only as provided by applicable Utah law.

34-13. Expiration, Amendments, Transfer, and Operational Changes.

(1) Expiration. A conditional use permit approved under this Chapter expires if substantial construction has not commenced within two years after final approval, unless a different period is stated in the conditions of approval or the Land Use Authority grants an extension for good cause before expiration.

(2) Extension. The Land Use Authority may grant an extension if the applicant demonstrates good cause, continued compliance with applicable standards, and no material change in circumstances that would affect the required findings. The Land Use Authority may require updated studies or conditions as part of an extension.

(3) Minor amendments. The Community Development Director may approve a minor amendment only if the change, considered cumulatively with all minor amendments since the original approval or most recent substantial modification, does not change the facility tier; add co-located generation or a microgrid; change the cooling-system type; trigger any numerical threshold in the definition of substantial modification; or materially increase water use, power demand, traffic, noise, emissions, lighting, visual impact, hazardous materials, or emergency-response impacts. The Director shall issue a written determination stating the applicable baseline and findings.

(4) Major amendments and substantial modifications. A substantial modification requires review and approval under the process required for the original approval, unless applicable law requires a different process. Thresholds are measured cumulatively from the original approval or the most recent approval processed as a substantial modification. The Land Use Authority may require updated studies, public notice, a hearing, conditions, financial assurance, and lawful agreements to the extent they relate to the proposed modification.

(5) Transfer. A permit may be transferred to a new owner or operator only after written notice to the County and written acknowledgment by the new owner or operator that it accepts all conditions of

approval, reporting obligations, decommissioning obligations, financial assurance requirements, complaint response obligations, demand response and curtailment commitments, if any, and other requirements of this Chapter.

(6) Ownership and operator changes. The operator shall notify the County within 30 days after any change in owner, operator, facility contact, emergency contact, or responsible party.

(7) No vested right to unapproved expansion. Approval of a data center facility or phase does not create approval for a later phase, expansion, generation facility, microgrid component, increased power demand, increased water use, changed cooling method, or other substantial modification unless expressly approved under this Chapter.

34-14. Applicant Cost Reimbursement; Agreements; Infrastructure and Service Mitigation.

(1) Reimbursement required. Under an adopted fee schedule or a written reimbursement agreement, the applicant shall reimburse the County for the actual, reasonable cost of independent technical, legal, engineering, fiscal, or other specialized review; enhanced notice; public-meeting facilitation; and records preparation that is reasonably necessary to process the application or verify compliance. The applicant may not be charged for general ordinance development, policy development, or costs unrelated to the application.

(2) Deposit or escrow. The County may require an application review deposit, escrow, or reimbursement agreement before accepting or continuing the review of an application that requires independent review or extraordinary staff review. Unused funds shall be returned in accordance with County policy or the reimbursement agreement.

(3) Infrastructure and service mitigation. Where a facility creates a need for public infrastructure, public services, inspection capacity, emergency response capacity, road improvements, utility improvements, or ongoing County costs, the County may require lawful mitigation through conditions of approval, development agreements, improvement agreements, reimbursement agreements, participation agreements, impact fees, service contracts, special district arrangements, or other mechanisms authorized by law.

(4) No unlawful exaction. Any required dedication, improvement, payment, reimbursement, or service obligation shall comply with applicable law governing exactions and shall be roughly proportionate and reasonably related to the impacts attributable to the proposed facility, unless voluntarily agreed to through a lawful agreement supported by adequate consideration.

34-15. Interpretation, Conflicts, and Severability.

(1) More specific standard controls. Where this Chapter conflicts with another County land use, fire, building, engineering, public works, health, nuisance, or development standard, the more specific standard applies. If equally specific standards conflict, the standard that provides greater protection from the identified impact applies unless prohibited by law.

(2) RSDZ coordination. An approved RSDZ proposal, committee-established terms, and RSDZ implementing documents govern RSDZ financing, revenue participation, and contractual commitments. This Chapter and other duly adopted land use regulations govern land use review unless a later ordinance or a valid development or entitlement agreement lawfully provides otherwise. Creation of an RSDZ does not, by itself, amend this Chapter or approve a land use application.

(3) Consistency with law. This Chapter shall be interpreted consistently with applicable federal and state law. If a provision is determined to be preempted, invalid, or unenforceable, the remaining provisions shall continue in effect to the maximum extent allowed by law.

(4) Severability. If any section, subsection, sentence, clause, phrase, or application of this Chapter is held invalid by a court of competent jurisdiction, that decision does not affect the validity of the remaining portions.

(5) Transition. An application submitted before the effective date of this Chapter shall be processed under applicable vested-rights law and County ordinance. An applicant may request review under this Chapter if allowed by law and approved by the County.