



Planning and Zoning

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

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<http://www.co.tooele.ut.us/Building/planning.htm>

REZ 2019-01

Rezone Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: March 6, 2019

Parcel ID: 05-078-0-0007

Current Zone: A-20

Proposed Zone: RR-1

Property Address: 115 Vegas Street, Grantsville, UT 84029

Request: Rezone from A-20 (Agricultural, 20 Acre Minimum) to RR-1 (Rural Residential, 1 Acre Minimum)

Unincorporated: Grantsville

Planners: Jeff Miller

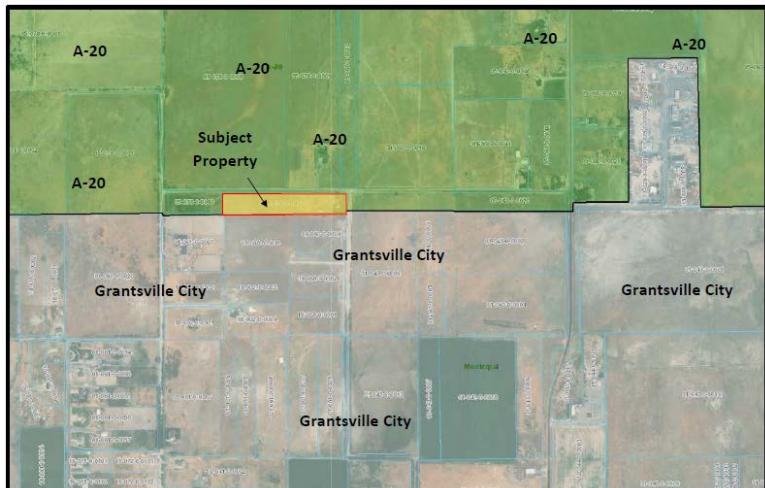
Planning Commission Recommendation: Tabled (January 16, 2019), not yet received for March 6, 2019

Applicant Name: Sam Clegg

PROJECT DESCRIPTION

Sam Clegg is requesting a rezone from A-20 (Agricultural, 20 Acre Minimum) to RR-1 (Rural Residential, 1 Acre Minimum) for a parcel 6.65 acres in size in unincorporated Grantsville (immediately north of Grantsville City). If rezoned to RR-1, the applicant intends to submit an application for a 6-lot subdivision (please see attached preliminary plat, which has been submitted as a concept for the anticipated subdivision).

SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located at the southwest corner of Vegas Street and Hale Street. Most of the property runs along Vegas Street. Burmester Road, which is a main thoroughfare road in this area, is located approximately 1/2 mile further east along Vegas Street. The general vicinity surrounding the subject property to the northwest, north, and northeast is a large area of A-20 parcels in the unincorporated area of Tooele County with a mixture of residential and light agricultural uses. In the general unincorporated area, there are a significant number of parcels that are below the

minimum lot size (20 acres) in the A-20 zone, which includes the subject property.

Grantsville City is located immediately southwest, south, and southeast of the subject property. Most of the properties in the immediate vicinity are comprised of parcels 5 acres and larger in size. In an effort to ensure compatibility with existing residential uses in the general vicinity of Grantsville City, Planning Staff has put together a map that outlines the approximate residential densities that are currently in existence in Grantsville

City. Using Cooley Street as an example of existing residential densities in Grantsville City from Vegas Street (north) to Main Street (south), there is a gradual transition from "5 Acre and Larger Lots" to an area of "5 Acre Lots" outlined in green (1/4 mile from Subject Property), an area of "2.5 Acre Lots" outlined in yellow (1/2 mile from Subject Property), an area of "1 Acre Lots" outlined in blue (1/2 to 1 mile from Subject Property) and a larger area of "1/3 Acre and Smaller Lots".

ZONE CONSIDERATIONS

Requirement	Existing Zone (A-20)	Proposed Zone (RR-1)
Height	35 Feet	35 Feet
Front Yard Setback	30 Feet	30 Feet
Side Yard Setback	30 Feet (both Main and Accessory Buildings)	Main Building: 15 Feet Accessory Buildings: From the front setback to a distance ten feet behind the main dwelling – 15 Feet From a distance ten feet behind the dwelling to the rear of the lot – 10 Feet
Rear Yard Setback	Main Building: 60 Feet Accessory Buildings: 10 Feet	Main Building: 30 Feet Accessory Buildings: 10 Feet
Lot Width	330 Feet	125 Feet
Lot Area	20 Acre Minimum	1 Acre Minimum
Maximum Building Coverage	5 Percent	20%
Required Improvements	N/A	Street Grading, Street Base, On-Site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal and Street Monuments
Compatibility with existing buildings/lots in terms of size, scale and height.		Somewhat
Compliance with the General Plan.		Not Well Defined

GENERAL PLAN CONSIDERATIONS

According to the future land use map of the Tooele County General Plan Update 2016, the subject property is located in a large geographical area of "water bodies, sensitive shoreland, soils, etc." The anticipated future use of this area has not been well defined at this time.

ISSUES OF CONCERN/PROPOSED MITIGATION

The subject property is located in a large geographical area with inconsistencies regarding land use and current zoning. In the general vicinity, there are non-complying commercial uses and lots below the minimum lot size for the zone. At some point in the future, the County should consider further evaluation of the properties that are inconsistent regarding land uses and zoning requirements, and potentially initiate a rezone of these properties

(potential rezones to commercial, or from A-20 to A-10 or A-5, etc.). Additionally, when the general plan is updated, it would be beneficial to re-evaluate the future land use of this area.

NEIGHBORHOOD RESPONSE

Planning Staff has received a couple of phone calls, and three e-mails from residents in the surrounding area. These residents are concerned about the potential increase in density for this area, as well as potential impacts to water availability. All of the comments from the residents have requested a minimum of 5 acre lots in this particular area. ***Please see the attached e-mails.**

PLANNING COMMISSION RESPONSE

This item was heard by the Tooele County Planning Commission on Wednesday, January 16, 2019. They tabled the proposed rezone request, so that the applicant could provide additional documentation of the feasibility of either connecting to existing utilities (water and sewer), or the developer providing these utilities on site, prior to this item going before the Tooele County Commission for potential adoption.

***Please see the attached documentation from the Tooele County Health Department.**

PLANNING STAFF ANALYSIS

Section 15-3-1 of the Tooele County Land Use Ordinance States that the purpose of the RR-1 (Rural Residential, 1 Acre Minimum) zoning district, is as follows:

"The purposes of rural residential districts are to promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public services. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses."

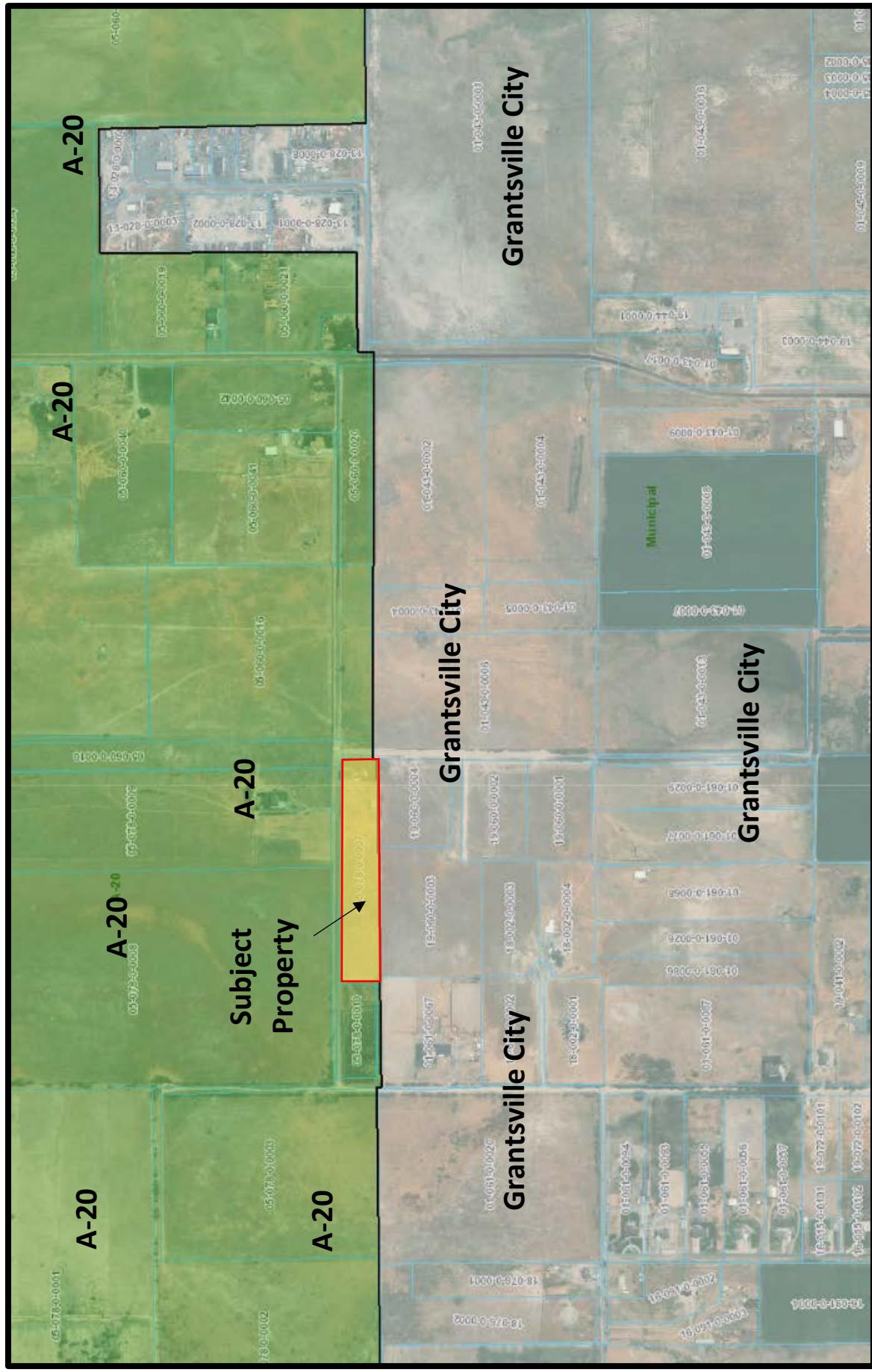
The Planning Commission should take all information presented in this report into consideration when determining whether or not the proposed rezone request (A-20 to RR-1) is cohesive with the surrounding zoning districts and uses (both within the unincorporated areas of Tooele County and Grantsville City) or would require additional modification in order to be cohesive. The subject property is located in area that would be appropriate for rural residential uses and will most likely transition towards accommodating additional residential uses in the future.

PLANNING STAFF RECOMMENDATION

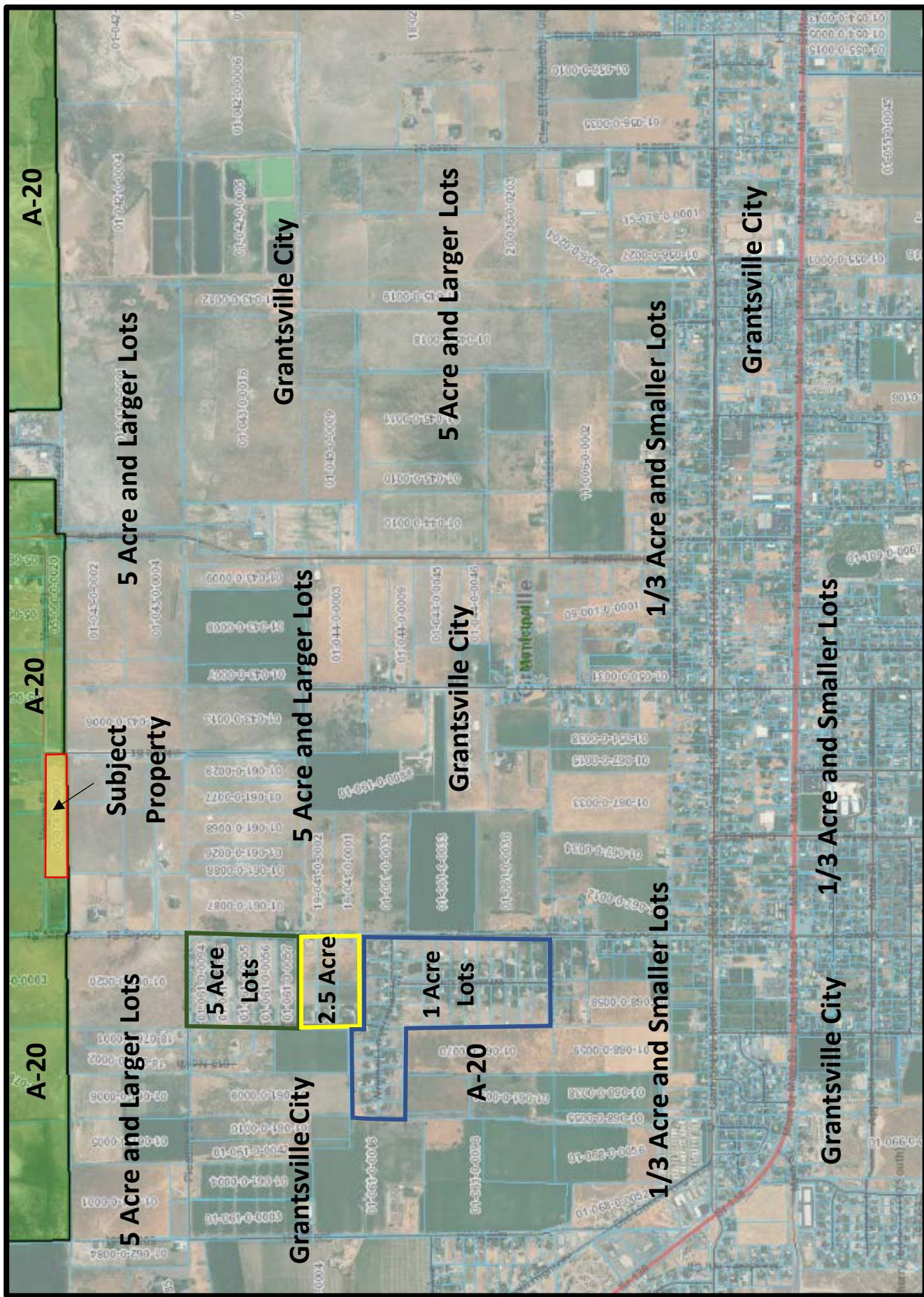
Planning Staff recommends that the Tooele County Planning Commission analyzes the information provided in this Staff Report and the updated documentation from the applicant to ensure that the proposed rezone request would be compatible with existing residential uses in the surrounding area prior to making a recommendation to the Tooele County Commission.

REZ 2019-01: Proposed rezone from A-20 (Agricultural, 20 Acre Min) to RR-1 (Rural Residential, 1 Acre Min)

Address: 115 Vegas Street, Grantsville, UT 84029 (Parcel ID: 05-078-0-0007)



Approximate Residential Densities in Grantsville City



Agent for the Property Owner(s) Information

Name(s): Samuel T Clegg

Address per tax rolls: 444 Pioneer Ave

City/County: Tooele State: Utah Zip: 84074

Office/home phone: _____ Fax: _____

Mobile phone: 435-496-9096 Message phone: _____

Email address: Sam@CleggContracting.com

A copy of the deed, offer or tax notice MUST be included to demonstrate ownership

APPLICATION IS HEREBY MADE TO THE PLANNING COMMISSION REQUESTING:

The zoning for this parcel to be changed from A-20 to RR-1 to match nearby parcels

Current zoning designation: A-20

An application to amend the zoning map shall address:

- (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 and the proposed zoning district;

- (d) existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, easements and parking;
- (e) existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities;
- (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 500 feet of the area proposed to be rezoned;
- (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;

From Applicant

- a) Property currently has one single family dwelling inhabited by Roger and Deborah Danielson (property owner) and 2 auxiliary structures, the majority of the property is unused and comprises native vegetation.
- b) COM AT SE COR SEC 24, T2S, R6W, SLB&M, W 20 CHS, N 3.5 CHS, SELY ALG S LI VEGAS ST 20.03 CHS TO E LI SEC 24, S 3.24 CH TO BEG. 6.65 AC 01/04/2001 01/04/2001
- c) Currently, the land is not in compliance with its zoning description.
- d) Vegas street is a paved road and has very little through traffic, it services as primary access to the directly adjacent "pheasant hollow" subdivision. As well as people who live on north Cooley street that use the Burmester road to access Interstate 80.
- e) Current property use is addressed in section (a). Future use will propose a total of 6 domestic units (1 existing and 5 new)
- f) Main sewer (Grantsville) is in Vegas street, Overhead powerlines come from Burmester Rd west to Hale street. We intend to extend power service underground west to service the balance of Vegas street.
- g) The general area of the area north of Grantsville city isn't extensively addressed in the general plan. We propose that that RR-1 zoning will complement the areas agricultural feel and allow for future growth in the area in a sustainable manner. Furthermore, it will allow for those who have a nominal number of large animals to reside in areas outside of densely populated areas.
- h) See attached
- i) 115 Vegas street. 6.65 acres
- j) See attached
- k) See attached
- l) NA
- m) NA
- n) If the rezone results in a subdivision, the maximum domestic units would be 6. the additional load on community services will be negligible. Culinary water is not nearby and is not a viable source, a well would need to be drilled to service domestic and agricultural use.
- o) No roads will be constructed as a result of this rezone, the amount of impervious surface would be limited to the (potential) homes substantially surrounded by native landscape. With the working proposed use of the property we do not anticipate needing storm drain or detention ponds.
- p) If the rezone results in a subdivision it should be complete in 2019
- q) NA
- r) NA
- s) NA
- t) NA

From: [Jeffrey C. Miller](#)
To: Jeffrey C. Miller
Subject: Vegas Street development
Date: Friday, November 30, 2018 1:24:06 PM

Dear Mr. Miller:

My name is _____, and I reside on north Cooley Street. I grew up in Grantsville, and moved back about seven years ago to escape the crowding and traffic in Salt Lake Valley. I desperately do not want to see explosive growth in Grantsville and Tooele Valley to the point that we are equally crowded here.

When we moved to Grantsville, we were told unequivocally that the rural nature and environment in our area are important to the nearby residents, and to the city. We were informed that no lot smaller than 2 1/2 acres would even be considered, with a strong preference for 5 acre lots. The proposal to develop 1.3 acre lots on Vegas Street would do great damage to the rural character of our immediate community, a character which we greatly value. Many of us preserve our lands in Greenbelt in order to maintain that openness.

Mr. Miller, aside from the problems with crowding and traffic, water is the limiting factor in development in our valley. You know this. The field by my home used to have 2 beautiful artesian wells. Due to development, one well is completely dry, the other trickles a little some years in the spring. We are on Grantsville City water, but the pressure down here is hardly impressive. Once again, water is the limiting factor. Climate change coupled with rampant development, if allowed to continue, may one day leave us in dire straits indeed.

Please do what you can to help us preserve the open, country feeling of our area. Of course, the developer wishes to pack in as many as possible, thereby maximizing profits, but those of us who live here would like to preserve our quality of life. Please require lots no smaller than 5 acres, in accordance with the lot size in the immediate neighborhood. Thank you for your consideration.

From: [Jeffrey C. Miller](#)
To: Grantsville 1 Acre Lots
Subject: Grantsville 1 Acre Lots
Date: Wednesday, November 7, 2018 1:42:08 PM

Hello,

I spoke with you yesterday regarding the proposed 1.3 acre lots on Vegas street in Grantsville. I would appreciate the commission taking a hard look at this area and keeping in mind that most lots in the area are at least 5 acres. I understand that growth is inevitable in our county but in that area I think an effort should be taken to keep that area rural if at all possible and only authorize larger lots on that land.

My father in law has a pasture with an artesian well just south of there and when a 20 acre lot was divided into 4 separate 5 acre lots they drilled a well for all 4 homes to share. Since then 3 homes have been built, only one being occupied so far, and his well has stopped free flowing. Adding more homes in the area will only add more "straws into the cup" and continue to deplete the water supply.

As stated before, I know more homes are going to pop up, but we moved to this area of town because it wasn't subdivided and developed. We built there for open spaces and to continue our way of life with our horses and cows. If one parcel gets approved for smaller 1 acre lots, the rest of the land to the west of it will take off and before you know it a subdivision like South Willow will be on the north end of town as well. If you can please take some of these reasons into consideration I would greatly appreciate it. And if time allows, please go visit the proposed site and determine what you think the impact would be to the surrounding area.

Thanks for your time.

Sincerely,

From: [Jeffrey C. Miller](#)
To: Jeffrey C. Miller
Subject: 1 acre lots
Date: Thursday, November 15, 2018 12:45:30 PM

Jeff,

Would like to express my concern with one acre lots on the north side of Grantsville Utah. I know the county can set its own size requirements, but why would we want to have 5 acre minimums in the city but even further north of town allow 1 acre minimums. Let's leave the north side of the valley to more open country that people can enjoy. If people need or want smaller lots lets continue to allow these to grow on the South side of Grantsville.
I would hate to see a more open lifestyle, with free space to be crowded out with small lots/subdivisions. Once one piece of ground is allowed to get broken up then others will want the same on their properties. Please, Please reconsider the lot sizes on Vegas street.

Thanks,



February 21, 2019

Sam Clegg
444 Pioneer Ave.
Tooele, UT 84074

RE: Vegas Meadows Subdivision located in Grantsville, Utah
Statement of Wastewater Disposal and Water Supply Feasibility

Dear Mr. Clegg:

We have received plans and supportive information to establish feasibility for the Vegas Meadows Subdivision in Grantsville, Utah. The following comments reflect the results of our review regarding feasibility.

WASTEWATER DISPOSAL

Onsite wastewater disposal systems are the proposed method of wastewater disposal for the six lots located in the Vegas Meadows Subdivision. Based on the review of the submitted plans and supportive information, onsite wastewater disposal systems by means of septic tanks and subsurface absorption systems and other department approved systems appears **feasible**. **However, because these lots are outside of the Grantsville City limits and are less than five acres in size, only alternative systems (i.e. packed-bed media systems) will be allowed.** Acceptability of onsite wastewater disposal for each lot will be dependent on strict compliance with the following:

1. The design for each onsite wastewater disposal system must be based on the results of soil exploration and percolation tests conducted on each lot. The results of these tests and detailed plans for each disposal system must be submitted to the Tooele County Health Department for review and evaluation prior to construction and installation. If soil and related tests disclose unfavorable conditions for onsite wastewater and subsurface disposal on certain lots, septic tanks and subsurface absorption systems will not be permitted on these lots.
2. Each wastewater disposal system must be installed in compliance with the Utah Department of Environmental Quality, Onsite Wastewater Systems Rule (R317-4, UAC).
3. Approval of onsite wastewater disposal systems may be granted only after an onsite inspection of each system, by an authorized representative of our department, following construction and installation but prior to backfilling.

DRINKING WATER SUPPLY

Individual wells are proposed to serve the six lots. The developer provided evidence of sufficient water rights and demonstrated satisfactory bacteriological and chemical quality analysis, as specified in Section 6.1(a)(b) of the Tooele County Health Department Rules. Based on the review of the submitted information water supply by means of individual wells appears **feasible**. This statement of feasibility is not intended to imply that individual wells will be possible on every lot within the proposed development. The acceptability of individual wells will be dependent on strict compliance with the following:

1. Each lot proposing to use individual wells for a water supply will need to obtain a permit from Tooele County Health Department in addition to any other appropriate permits from other local or state agencies. Detailed plans for each well must be submitted to the Tooele County Health Department for review and evaluation, and a culinary water well construction permit issued, prior to construction and installation.
2. Each individual well must be installed in compliance with Tooele County Health Department's Standards and Regulations for Individual Water Systems.

If the area of this proposed subdivision is annexed into Grantsville City, the preferred methods of wastewater disposal and drinking water service will be to connect to the Grantsville City sewer and drinking water systems.

If you have any questions regarding the foregoing information, please call me at (435) 277-2440.

Sincerely,



Bryan T. Slade, L.E.H.S.
Tooele County Health Department