PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, **July 21**, 2021, at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah.

We encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page at https://www.facebook.com/tooelecity. If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email cmpubliccomment@tooelecity.org anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.

1. **Pledge of Allegiance**

2. **Roll Call**

3. **Public Comment Period**

4. **Public Hearing & Motion on Ordinance 2021-24** An Ordinance of Tooele City Reassigning the Land Use Designation From Regional Commercial (CR) to Light Industrial (LI) for 6 Acres of Property Located at Approximately 2135 North 400 East
   Presented by Jim Bolser, Director of Community Development

5. **Public Hearing & Motion on Ordinance 2021-25** An Ordinance of Tooele City Reassigning the Land Use Designation From Medium Density Residential (MDR) to High Density Residential (HDR) for Approximately 23.6 Acres of Property Located at Approximately 2400 North 70 West
   Presented by Jim Bolser, Director of Community Development

6. **Public Hearing & Motion on Ordinance 2021-26** An Ordinance of Tooele City Council Reassigning the Zoning Classification to the LI Light Industrial Zoning District for Approximately 2.18 Acres of Property Located at Approximately 701 East 2400 North
   Presented by Jim Bolser, Director of Community Development

7. **Public Hearing & Motion on Ordinance 2021-27** An Ordinance of Tooele City Amending Section 7-13-1, Certain Provisions of Chapters 7-14 & 7-16, & Enacting Chapters 7-14b & 7-16a of the Tooele City Code Regarding (RSD) Residential Special Districts & (CSD) Commercial Special Districts
   Presented by Jim Bolser, Director of Community Development

8. **Ordinance 2021-23** An Ordinance of Tooele City Establishing an Information Technology Department, & Amending Tooele City Code Section 1-6-4 to Reference the Information Technology Department
   Presented by Roger Baker, Tooele City Attorney

9. **Resolution 2021-55** A Resolution of the Tooele City Council in Support of Renaming the Midvalley Highway (S.R. 179) to "Jordan M. Byrd Veterans Memorial Highway"
   Presented by Tony Graf, City Council Member

10. **Resolution 2021-75** A Resolution of the Tooele City Council Approving an Agreement with TECSERV, Inc. for Computer Network Maintenance Services
    Presented by Michelle Pitt, Tooele City Recorder

11. **Resolution 2021-76** A Resolution of the Tooele City Council Authorizing the Application for and Acceptance of Edward Byrne Justice Assistance Grant Funding for Police Department Equipment
    Presented by Adrian Day, Tooele City Police Chief

12. **Resolution 2021-77** A Resolution of the Tooele City Council Approving an Interlocal Agreement Between Tooele City and Tooele County for 2021 Byrne Justice Assistance Grant Funds
    Presented by Adrian Day, Tooele City Police Chief

13. **Resolution 2021-78** A Resolution of the Tooele City Council Consenting to Mayor Winn's Appointment of Jamie Grandpre to the Position of Director of the Public Works Department
    Presented by Debbie Winn, Mayor of Tooele City

14. **Subdivision Preliminary Plan Request by DR Horton, Inc.,** for the Western Acres Subdivision, Phase 1 Located at Approximately 1900 North Copper Canyon Drive in the MR-16 PUD Multi-Family Residential Zoning District on 12.5 Acres to Create 130 Townhome Lots
    Presented by Jim Bolser, Director of Community Development

15. **Minutes**

    - June 30th Business/RDA Meeting
    - July 7th Work and Business Meeting

16. **Invoices**

17. **Adjourn**

_____
Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2113 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

ORDINANCE 2021 - 24

AN ORDINANCE OF TOOELE CITY REASSIGNING THE LAND USE DESIGNATION FROM REGIONAL COMMERCIAL (CR) TO LIGHT INDUSTRIAL (LI) FOR 6 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2135 NORTH 400 EAST.

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a "comprehensive, long-range plan" (hereinafter the "General Plan") by each Utah city and town, which General Plan contemplates and provides direction for (a) "present and future needs of the community" and (b) "growth and development of all or any part of the land within the municipality"; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the "Land Use Plan") of the General Plan establishes Tooele City's general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of "land use [i.e., zoning] ordinances and a zoning map" that constitute a portion of the City's regulations (hereinafter "Zoning") for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City received an Amendment Petition for Land Use Plan amendments for property located at 2135 North 400 East on June 2, 2021, requesting that the Subject Property be re-designated from Regional Commercial (RC) to Light Industrial (LI) (see Amendment Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by DH Real Estate, LP, and are

currently designated as Commercial in the Land Use Element of the General Plan; and,

WHEREAS, the Regional Commercial land use designation includes the RD Research and Development and RC Regional Commercial zoning districts; and,

WHEREAS, the Light Industrial land use designation includes the LI Light Industrial and IS Industrial Service zoning districts and allows lighter manufacturing and industrial uses that generate little impact to surrounding properties by way of odors, glare, noise, etc.; and,

WHEREAS, on July 14, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on July 21, 2021, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

1. this Ordinance and the land use map amendment proposed therein is in the best interest of the City in that it will create additional opportunities for light industrial land uses that will generate jobs and economic activity within the City; and,
2. the Land Use Map is hereby amended for 6 acres of property located at 2135 North 400 East as requested and illustrated in Exhibit A, attached, from the Regional Commercial (RC) land use designation to the Light Industrial (LI) land use designation.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Land Use Map Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ1-580

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
06.02.2021	Regional Commercial	Light Industrial	02-143-0-0113

Project Name: U-Haul Moving & Storage of Tooele
Acres: 6.00

Project Address: 2400 N Main St., Parcel 13 (Please refer to the attached survey for more details.)

Proposed for Amendment: ☐ Ordinance ☑ General Plan ☐ Master Plan: Land-Use Map Amendment

Brief Project Summary:
Please refer to the attached Project Narrative.

Property Owner(s): Wintergreen Group LC			**Applicant(s):** Amerco Real Estate Company		
Address: 5939 FM 52			Address: 2727 N. Central Ave., Suite 500		
City: Perrin	State: TX	Zip: 76486	City: Phoenix	State: AZ	Zip: 85004
Phone: 801-558-8888			Phone: 602-263-6555		
Contact Person: Gurnoor Kaur			Address: 2727 N. Central Ave., Suite 500		
Phone: 602-263-6649			City: Phoenix	State: AZ	Zip: 85004
Cellular:	Fax:		Email: gurnoor_kaur@uhaul.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

221057

For Office Use Only

Received By:	Date Received:	Fees:	App #: Rec #
Jessi	6/7/21	1600.00	407722

AMERCO
REAL ESTATE COMPANY
2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6649 • Fax: 602.277.5824 • Email: Gurnoor_Kaur@uhaul.com

Project Narrative

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive Tooele City's participation and counseling for the proposed Land Use Map Amendment, for the property located at 2400 N Main St., Parcel 13, Tooele, UT.
AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed development seeks to transform the currently vacant and underutilized site into a U-Haul Moving and Storage Store. The facility will have the key U-Haul uses of self-storage, U-Haul truck and trailer sharing, covered RV spaces and related retail sales. This infill development will allow U-Haul to better serve the storage needs of the community around it.

The property is currently zoned GC (General Commercial) and for the U-Haul uses to be permitted at this location, a rezone to IS (Industrial Service) is required. Through our discussions with the Tooele City Planning staff, it is suggested that the IS zone would require an appropriate underlying land use of Light Industrial. As such, we are applying to first amend the land use from the current Regional Commercial to Light Industrial, and upon its approval apply for the Zoning Map Amendment that would request a rezone from GC to IS zone.

Custom site design for every U-Haul store assures that the facility complements the community it serves. Adherence to community objectives is key to ensuring that each U-Haul store is both a neighborhood asset and an economic success. U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in

their own automobiles, enter the showroom, and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.

- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.

- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape, and sustainable packing materials.

- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.

- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.

- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.

- It is against policy for a business to be operated from a U-Haul storage room.

- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so and are assessed an additional fee.

- Items that may not be stored include; chemicals, flammables, and paints.

- U-Haul stores are protected by video surveillance.

- U-Haul stores are non-smoking facilities.

- U-Haul will provide added services and assistance to our customers with disabilities.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model, and an environmentally-sound way to conduct business.

USE COMPARISON

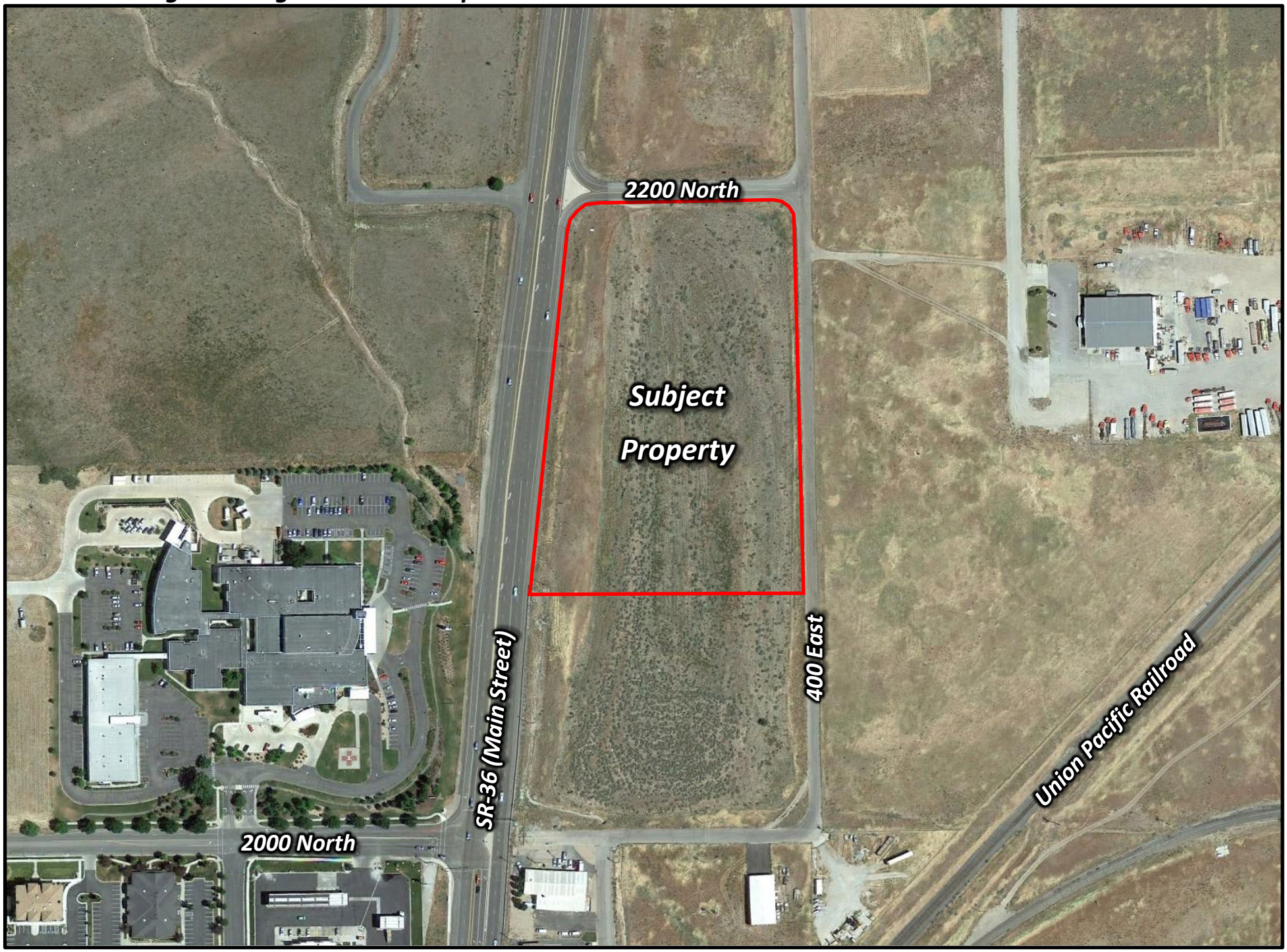
Use	Square Feet	Traffic Volume		Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

U-Haul looks forward to working with the City of Tooele, as you consider this Land Use Map Amendment application we are currently submitting.

Sincerely,

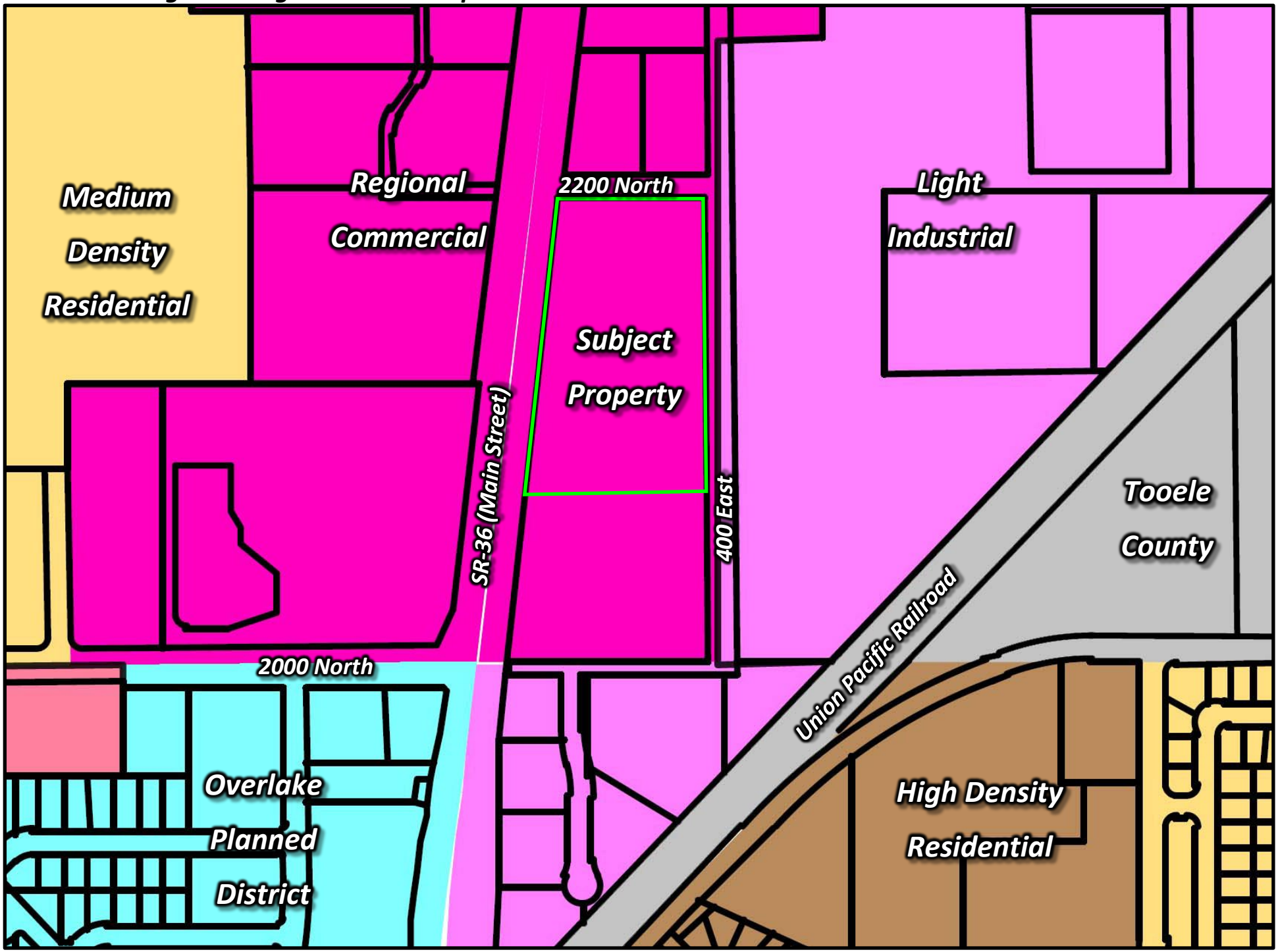
Gurnoor Kaur
AMERCO Real Estate - Planner

U-Haul Moving & Storage Land Use Map Amendment



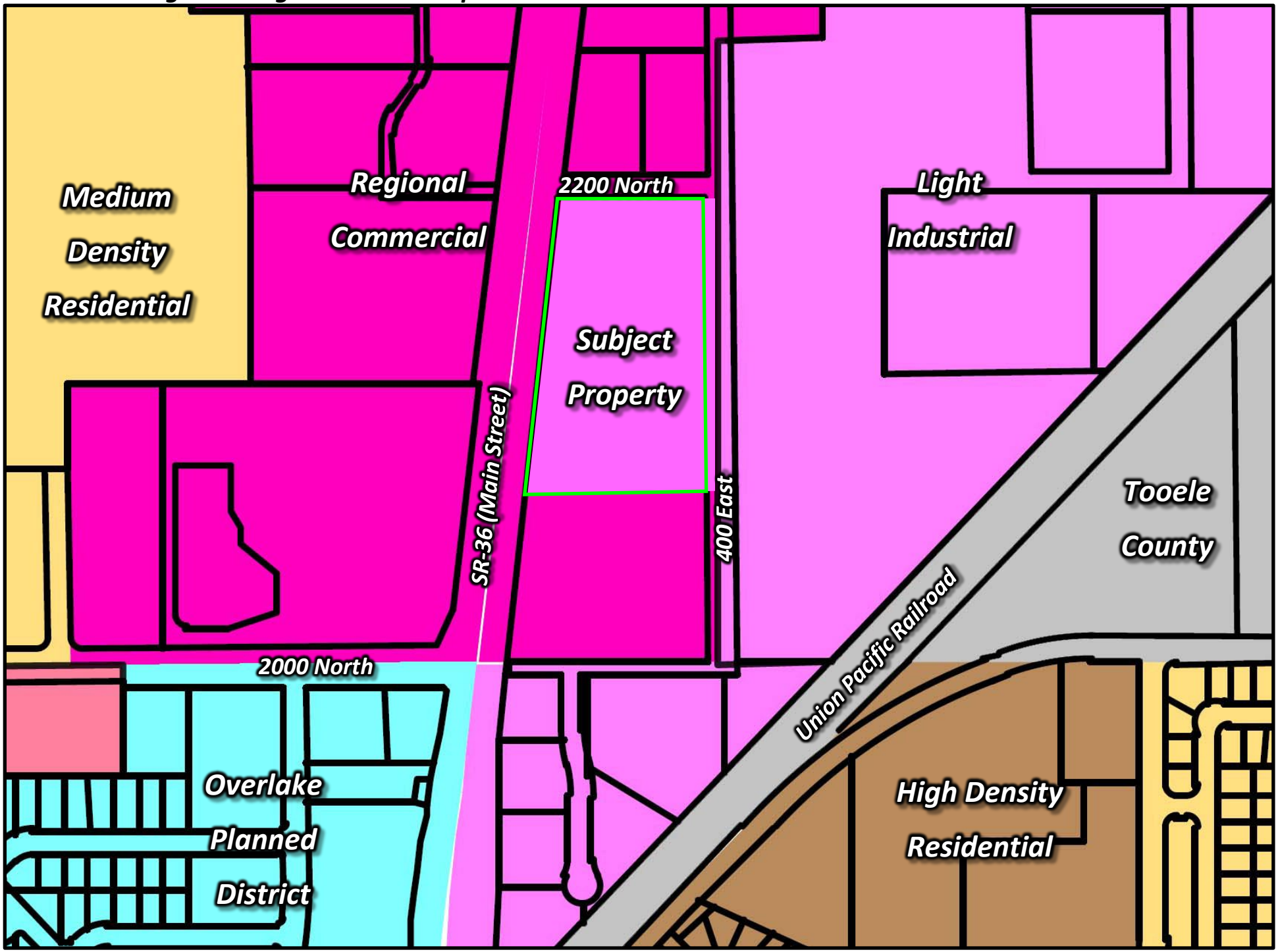
Aerial Map

U-Haul Moving & Storage Land Use Map Amendment



Current Land Use Map

U-Haul Moving & Storage Land Use Map Amendment



Proposed Land Use Map

Exhibit B

Staff Report

STAFF REPORT

July 8, 2021

To: Tooele City Planning Commission
Business Date: July 14, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **U-Haul Moving and Storage – Land Use Map Amendment Request**

Application No.:	P21-580
Applicant:	Gurnoor Kaur, representing Amerco Real Estate Company
Project Location:	Approximately 2135 North 400 East
Zoning:	GC General Commercial Zone
Acreage:	6.00 Acres (Approximately 261,360 ft^2)
Request:	Request for approval of a Land Use Map Amendment in the GC General Commercial that would amend the Land Use Map and re-assign the land use designation from Regional Commercial (RC) to Light Industrial (LI).

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 6.00 acres located at approximately 2135 North 400 East. The property is currently zoned GC General Commercial and assigned the Regional Commercial (RC) land use designation in the Land Use Map of Land Use Element of the Tooele City General Plan. The applicant is requesting that a Land Use Map Amendment to the Light Industrial (LI) land use designation.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The GC General Commercial zoning designation is not identified by the General Plan as a preferred zoning classification for the Regional Commercial land use designation. Properties to the north are zoned GC General Commercial. Properties to the east are zoned IS Industrial Service. Properties to the south are zoned IS Industrial Service and properties to the west, on the adjacent side of SR-36 are zoned GC General Commercial. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The property currently bears the Regional Commercial land use designation on the Land Use Map of the Tooele City General Plan. The RC land use designation incorporates two zones, the RC Regional Commercial zoning district and the RD Research and Development zoning district. Both of these zones are oriented towards larger regionally scaled commercial uses such as developed business parks, regional office and research parks and other similar commercial uses. Manufacturing and other industrial type uses are not permitted in either of these two zones.

The applicant is requesting the land use designation of the property be re-assigned the Light Industrial land use. The LI designation involves the LI Light Industrial and the IS Industrial Service zoning districts. Both of these zones are oriented towards light manufacturing and heavier commercial uses

along with some medical and research activities as well. The LI land use designation does not include the I Industrial zoning district.

The applicant has requested the amendment to the Land Use Map to facilitate the opportunity to change the zoning of the property from GC General Commercial to LI Light Industrial. The LI zoning district is the zoning needed to facilitate the applicant's intentions for the property. Although truck rental is permitted in the GC General Commercial zoning district the applicant is also wanting to construct storage units on the site in conjunction with the truck rental operations. Storage units are only permitted in the LI Light Industrial, IS Industrial Service and I Industrial zoning districts.

The property is encumbered by the North Tooele Gateway Overlay. This overlay has no bearing on land use or zoning but pertains to streetscape landscaping, building architecture, parking lot location and other aesthetics that serve to enhance the appearance of the development being that it is a gateway into Tooele City. This overlay takes effect when a proposed development enters the site plan design review phase of development review and approval.

It should be noted that a Land Use Map amendment does not change the Zoning Map. If the Land Use Map is amended the applicant would still need to request a Zoning Map amendment in order to change the zoning of the property.

Site Plan Layout. The applicant has provided a site plan that helps demonstrate their intentions for development on the site. There is proposed for the site a 3 story indoor storage building, some out door storage for recreational vehicles, a warehouse building and some smaller storage buildings along the perimeter of the site. This site plan is not being considered for approval with this application but is only provided for reference purposes only. Please try to focus on the use of the property as Light Industrial, including all of the other uses that can occur in the LI zoning district rather than getting caught up in the details of the conceptual site plan.

Subdivision Layout. A subdivision of the property will need to occur, however, that has little bearing on the Land Use Map amendment being discussed with this application.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

(1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
   (a) The effect of the proposed amendment on the character of the surrounding area;
   (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
   (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
   (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
   (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
   (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. The property is already zoned GC General Commercial and permits a wide range of commercial activities including truck and car rental and sales.
2. The North Tooele Gateway overlay encumbers the property but has no bearing on the land use or zoning of the property and pertains almost entirely to site plan design review.
3. A detailed site plan has been provided by the applicant showing indoor storage, outdoor RV storage and warehousing proposed for the site. These uses are only permitted in industrial zoning districts.

Engineering Review. The Tooele City Engineering Division did not issue any comments regarding the proposed Land Use Map Amendment.

Noticing. The applicant has expressed their desire to amend the Land Use Map for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the U-Haul Moving and Storage Land Use Map Amendment Request by Gurnoor Kaur, representing Amerco Real Estate Company to reassign the Land Use Map designation to LI Light Industrial for 6 acres located at approximately 2135 North 400 East, application number P21-580, based on the findings listed in the Staff Report dated July 8, 2021:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the U-Haul Moving and Storage Land Use Map Amendment Request by Gurnoor Kaur, representing Amerco Real Estate Company to reassign the Land Use Map designation to LI Light Industrial for 6 acres located at approximately 2135 North 400 East, application number P21-580, based on the following findings:"

1. List findings…

EXHIBIT A

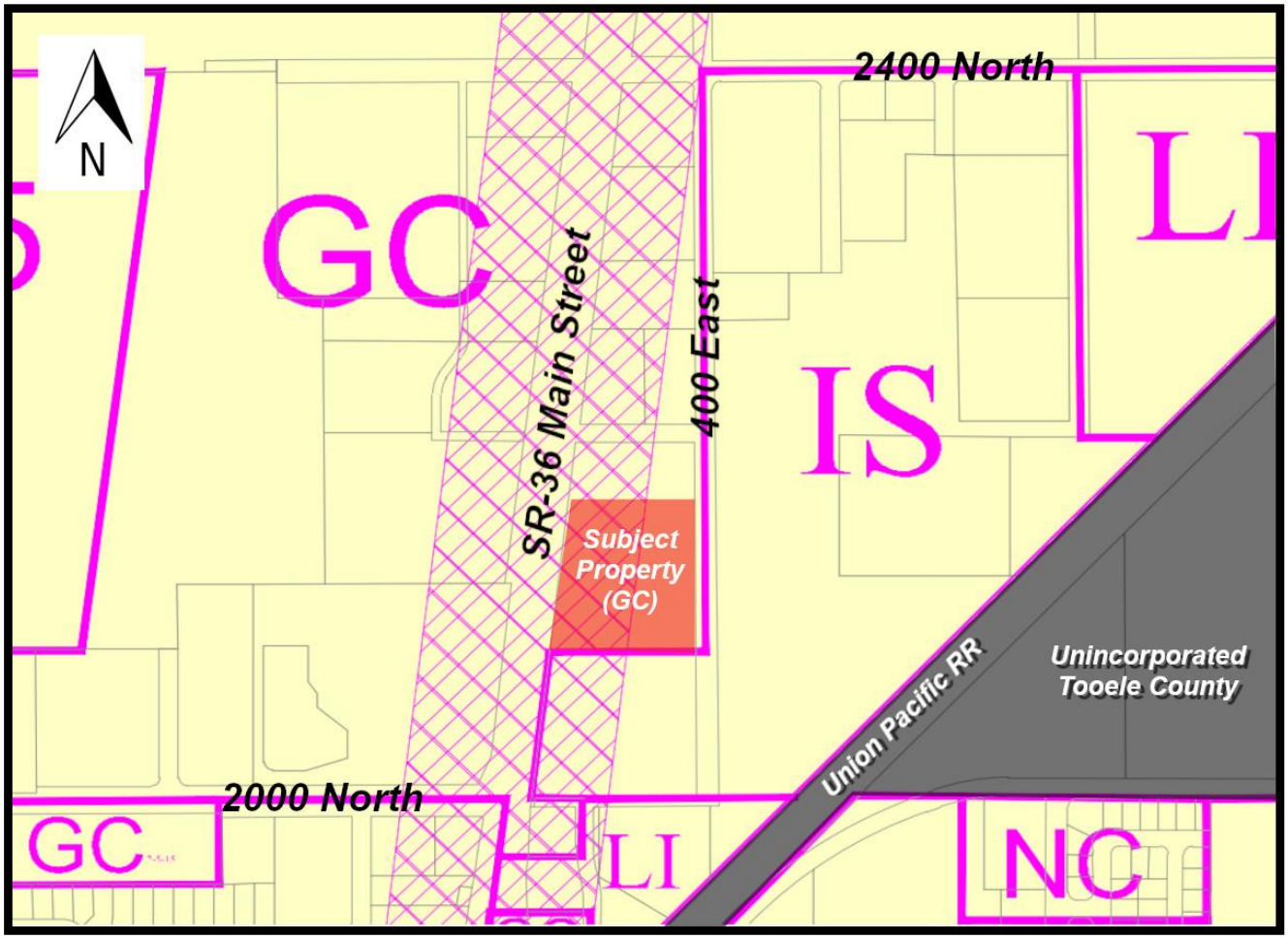
MAPPING PERTINENT TO THE U-HAUL MOVING AND STORAGE LAND USE MAP AMENDMENT

U-Haul Moving and Storage Land Use Map Amendment



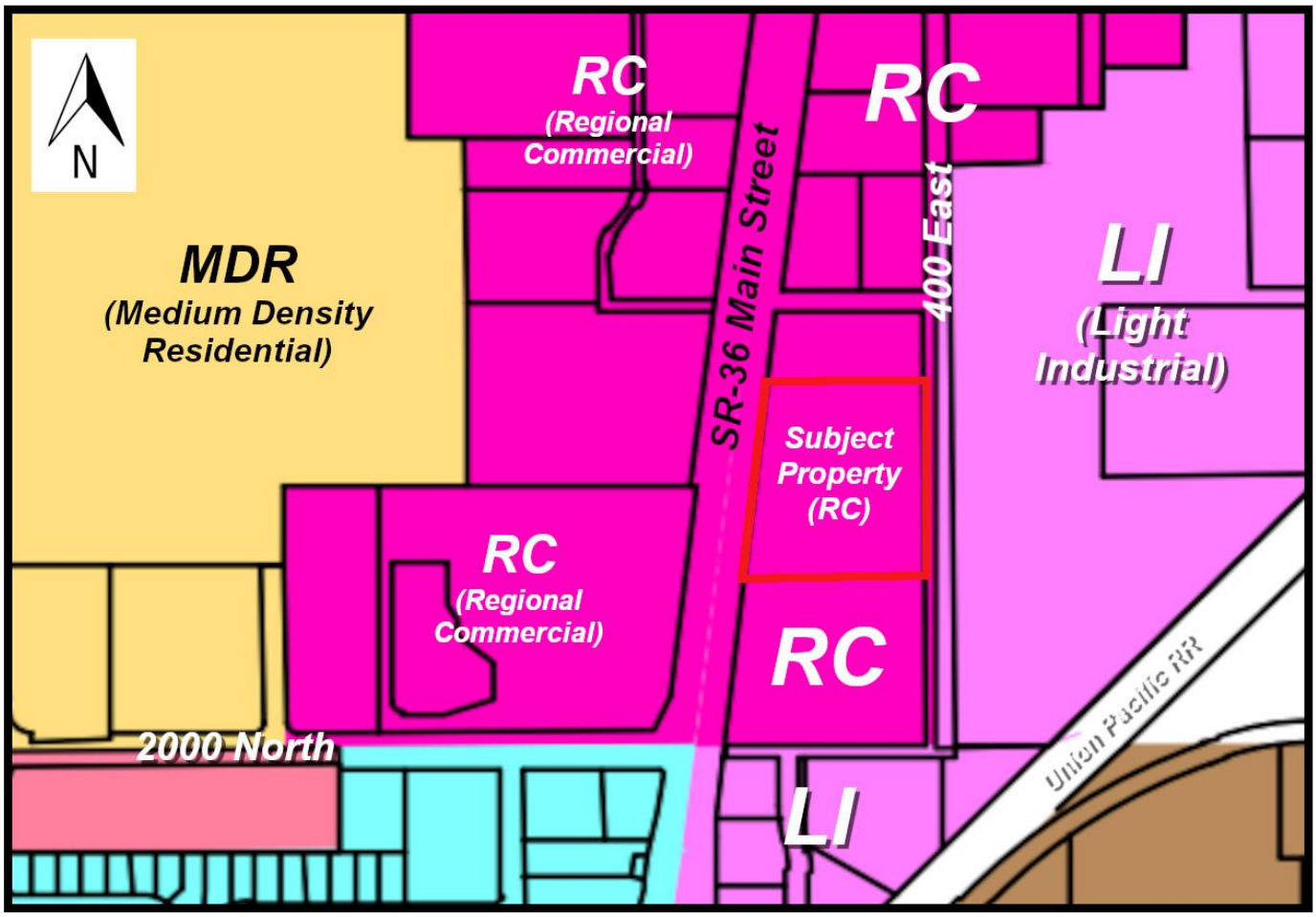
Aerial View

U-Haul Moving and Storage Land Use Map Amendment



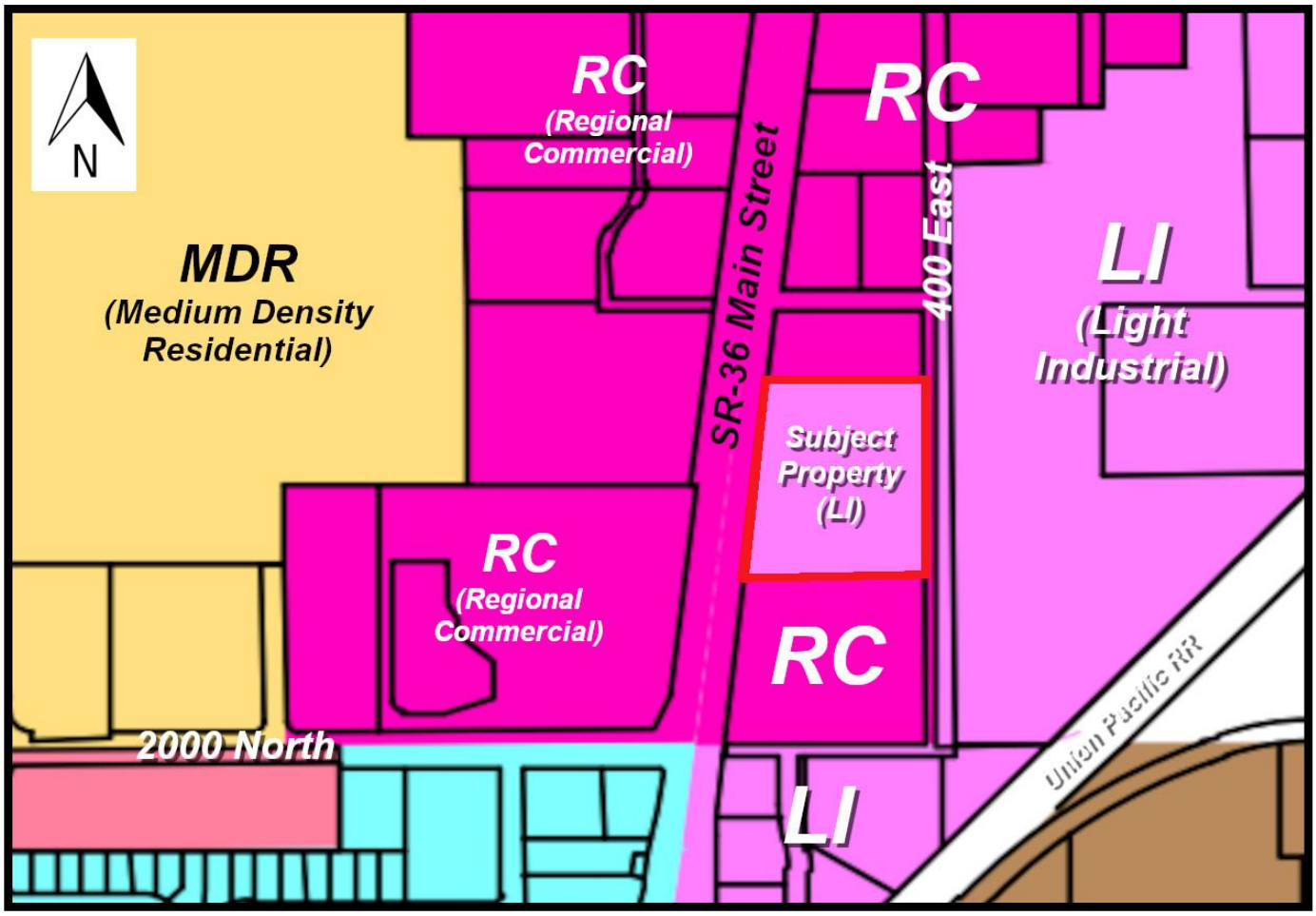
Current Zoning

U-Haul Moving and Storage Land Use Map Amendment



Current Land Use

U-Haul Moving and Storage Land Use Map Amendment



Proposed Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ1-580

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
06.02.2021	Regional Commercial	Light Industrial	02-143-0-0113

Project Name: U-Haul Moving & Storage of Tooele
Acres: 6.00

Project Address: 2400 N Main St., Parcel 13 (Please refer to the attached survey for more details.)

Proposed for Amendment: ☐ Ordinance ☑ General Plan ☐ Master Plan: Land-Use Map Amendment

Brief Project Summary:
Please refer to the attached Project Narrative.

Property Owner(s): Wintergreen Group LC			**Applicant(s):** Amerco Real Estate Company		
Address: 5939 FM 52			Address: 2727 N. Central Ave., Suite 500		
City: Perrin	State: TX	Zip: 76486	City: Phoenix	State: AZ	Zip: 85004
Phone: 801-558-8888			Phone: 602-263-6555		
Contact Person: Gurnoor Kaur			Address: 2727 N. Central Ave., Suite 500		
Phone: 602-263-6649			City: Phoenix	State: AZ	Zip: 85004
Cellular:	Fax:		Email: gurnoor_kaur@uhaul.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

221057

For Office Use Only

Received By:	Date Received:	Fees:	App #: Rec #
Jessi	6/7/21	1600.00	407722

AMERCO
REAL ESTATE COMPANY
2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6649 • Fax: 602.277.5824 • Email: Gurnoor_Kaur@uhaul.com

Project Narrative

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive Tooele City's participation and counseling for the proposed Land Use Map Amendment, for the property located at 2400 N Main St., Parcel 13, Tooele, UT.
AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed development seeks to transform the currently vacant and underutilized site into a U-Haul Moving and Storage Store. The facility will have the key U-Haul uses of self-storage, U-Haul truck and trailer sharing, covered RV spaces and related retail sales. This infill development will allow U-Haul to better serve the storage needs of the community around it.

The property is currently zoned GC (General Commercial) and for the U-Haul uses to be permitted at this location, a rezone to IS (Industrial Service) is required. Through our discussions with the Tooele City Planning staff, it is suggested that the IS zone would require an appropriate underlying land use of Light Industrial. As such, we are applying to first amend the land use from the current Regional Commercial to Light Industrial, and upon its approval apply for the Zoning Map Amendment that would request a rezone from GC to IS zone.

Custom site design for every U-Haul store assures that the facility complements the community it serves. Adherence to community objectives is key to ensuring that each U-Haul store is both a neighborhood asset and an economic success. U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in

their own automobiles, enter the showroom, and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.

- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.

- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape, and sustainable packing materials.

- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.

- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.

- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.

- It is against policy for a business to be operated from a U-Haul storage room.

- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so and are assessed an additional fee.

- Items that may not be stored include; chemicals, flammables, and paints.

- U-Haul stores are protected by video surveillance.

- U-Haul stores are non-smoking facilities.

- U-Haul will provide added services and assistance to our customers with disabilities.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model, and an environmentally-sound way to conduct business.

USE COMPARISON

Use	Square Feet	Traffic Volume		Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

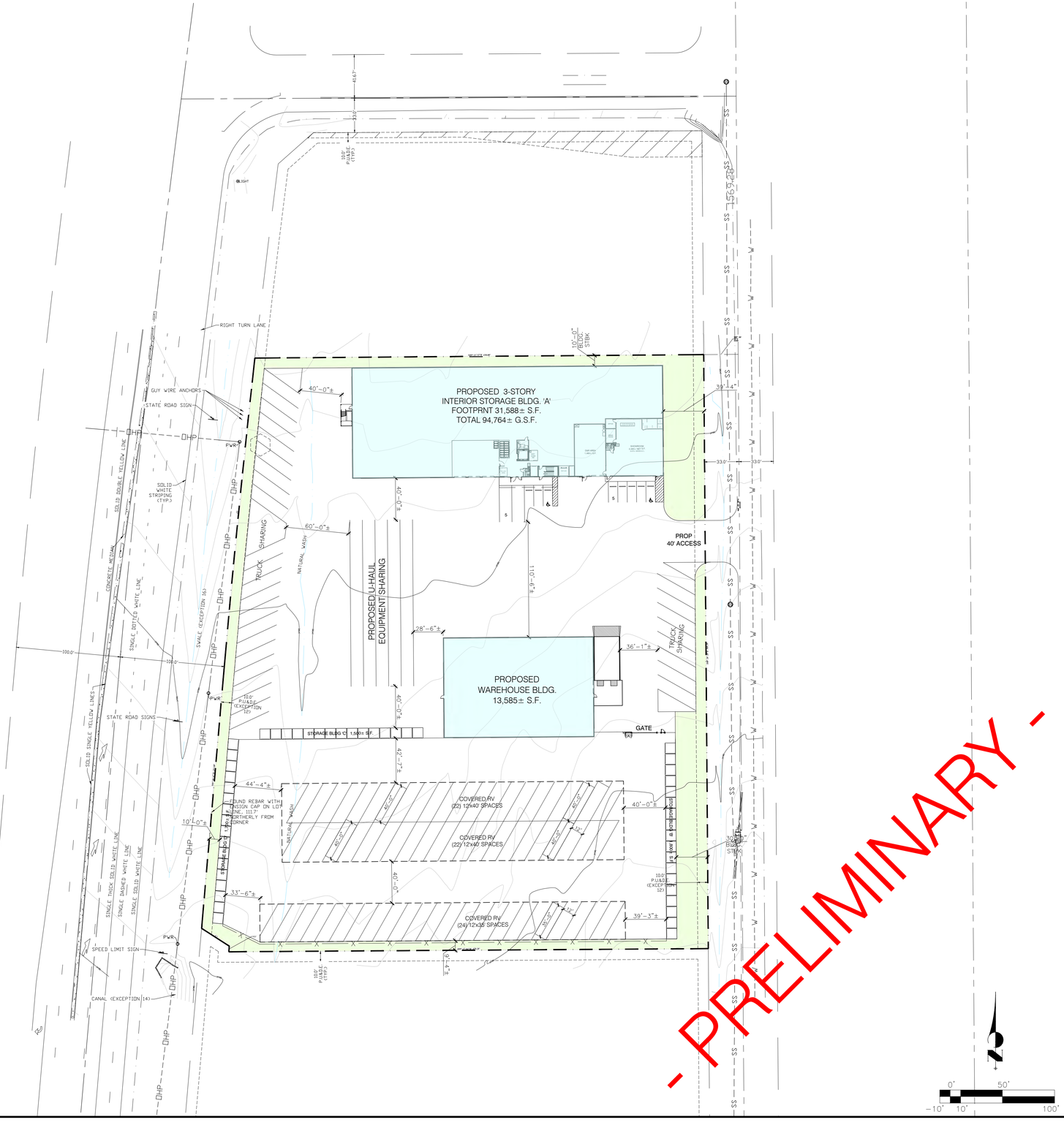
U-Haul looks forward to working with the City of Tooele, as you consider this Land Use Map Amendment application we are currently submitting.

Sincerely,

Gurnoor Kaur
AMERCO Real Estate - Planner

Exhibit C

Planning Commission Minutes



PRELIMINARY SITE PLAN

- PRELIMINARY -



SITE AERIAL — SCALE: N.T.S.

Zoning Information

Project Name: U-Haul Moving & Storage of Tooele

Municipality: City of Tooele, UT

Project Address: 2400 N. Main St., Tooele, UT 84074

APN /Acre / Area: 02-143-0-0113 / 6 acres

Zone: GC - General Commercial
PROPOSED Rezone: IS - INDUSTRIAL SERVICE

Overlay: North Gateway Overlay & Downtown Overlay

Adjacent Zoning:
N- GC - General Commercial
E- IS - Industrial Service
S- IS - Industrial Service
W- GC - General Commercial

Uses: Auto Rental, Personal Storage Facility (Mini-storage) (C), Retail

Bulk Requirements

Setbacks:
Front yard: 30-ft.
Side yard: Note A
Rear yard: Note A

Note A - As allowed by the International Building Code and any required or existing easements. Side yard setbacks measured from a street right-of-way for corner lots in the MU-B zoning district may be reduced to 0 feet upon approval of the Planning Commission as a part of design review in compliance with Title7 Chapter 11 of the Tooele City Code

Height Limit: 50-ft. or 4 stories max.

Parking: Retail = 1 sp./ 300 sf.; Required: 10 sp.; Provided: 10 sp.

Landscape:

Vegetation and Revegetation.
(a) Vegetation shall be removed only when absolutely necessary, i.e., for buildings, filled areas, roads, and firebreaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut-and-fill slopes. Vegetation sufficient to stabilize the soil shall be established on all disturbed areas, including lots which may be subject to future grading, as each stage of grading is completed. Areas not contained within lot boundaries shall be protected with adapted fire-resistant species of perennial vegetative cover after all construction is completed.
(b) All areas on development sites cleared of natural vegetation in the course of construction of public improvements shall be replanted with revegetation which has good erosion control characteristics.
(c) New planting shall be protected with mulch material and fertilized in conjunction with the planting and watering schedule.
(d) Installation of all required landscaping shall begin no later than one month after the date that the main structure on the property is ready for occupancy or by March 15, whichever is later.
(e) Vegetation shall be a mixture of plant materials; i.e., trees, shrubs, grass, and forbs. Native plant materials are preferred.
(f) Landscaping shall be substantially completed within nine months after the date the primary structure is ready for occupancy.
(g) Front yards and side yards shall be completely landscaped except for driveways, walkways and on-grade patios.
(h) All other areas disturbed during construction shall be either landscaped or revegetated to a natural state.
(i) Lawns or gardens are prohibited in the undevelopable areas.
(j) No vegetation shall be removed on a continuous hillside, crest (upslope or downslope) or a slope 30% or greater unless otherwise determined in writing by the Mayor upon recommendation of the City Engineer for public uses such as trails and open space improvements. Any revegetation of such a hillside shall have the approval of the City Engineer.
(k) Topsoil removed during construction shall be conserved for later use on areas requiring vegetation or landscaping; i.e., cut and fill slopes.
(l) All disturbed soil surfaces shall be stabilized or covered prior to the first day of November. If the planned impervious surfaces such as roads and driveways cannot be established prior to November 1st, a temporary treatment adequate to prevent erosion shall be installed on those surfaces.
(m) The property owner and/or developer shall be fully responsible for any destruction of native or applied vegetation identified as necessary for retention and shall be responsible for such destroyed vegetation. They shall carry the responsibility both for employees and subcontractors from the first day of construction until the final acceptance of improvements. The property owner and developer shall replace all destroyed vegetation.

PROPOSED MIX

LOCKER SIZE	STORAGE BLDG. 'A'									EXTERIOR STG & MINIS			TOTAL		
	1st Flr	SQ. FT.	%	2nd Flr	SQ. FT.	%	3rd Flr	SQ. FT.	%	QTY	SQ. FT.	%	QTY	SQ. FT.	%
5 x 5	38	950	5%	56	1,400	6%	56	1,400	6%	0	0	0%	150	3,750	6%
5 x 10	102	5,100	29%	106	5,300	24%	106	5,300	23%	0	0	0%	314	15,700	23%
7 x 10	2	140	1%	1	70	0%	2	140	1%	0	0	0%	5	350	0%
10 x 8	1	80	1%	3	240	1%	1	80	0%	0	0	0%	5	400	1%
10 x 10	86	8,600	49%	91	9,100	40%	93	9,300	41%	50	5,000	100%	320	32,000	47%
10 x 15	18	2,700	15%	43	6,450	29%	43	6,450	28%	0	0	0%	104	15,600	23%
TOTAL	247	17,570	100%	300	22,560	100%	301	22,670	100%	50	5,000	100%	898	67,800	100%

SITE DATA

SHEET NOTES:

REVISIONS:

NO	DATE	REMARKS	NOTES
1			
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS, NOT FOR CONSTRUCTION, FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO REAL ESTATE COMPANY
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:
U-HAUL OF TOOELE
2400 N. MAIN ST. (Parcel 13)
TOOELE, UT

SHEET CONTENTS:
PRELIMINARY
SITE PLAN

720075

DRAWN:	KMB	SP1
CHECKED:	NH	
DATE:	05/27/21	

720075A1A.dwg

© 2021 AMERCO REAL ESTATE COMPANY

U-HAUL

Self-Storage | Truck/Trailer Sharing | Retail Sales



Ground Ups Adaptive Reuse Historic Revitalization

A sharing business since 1945

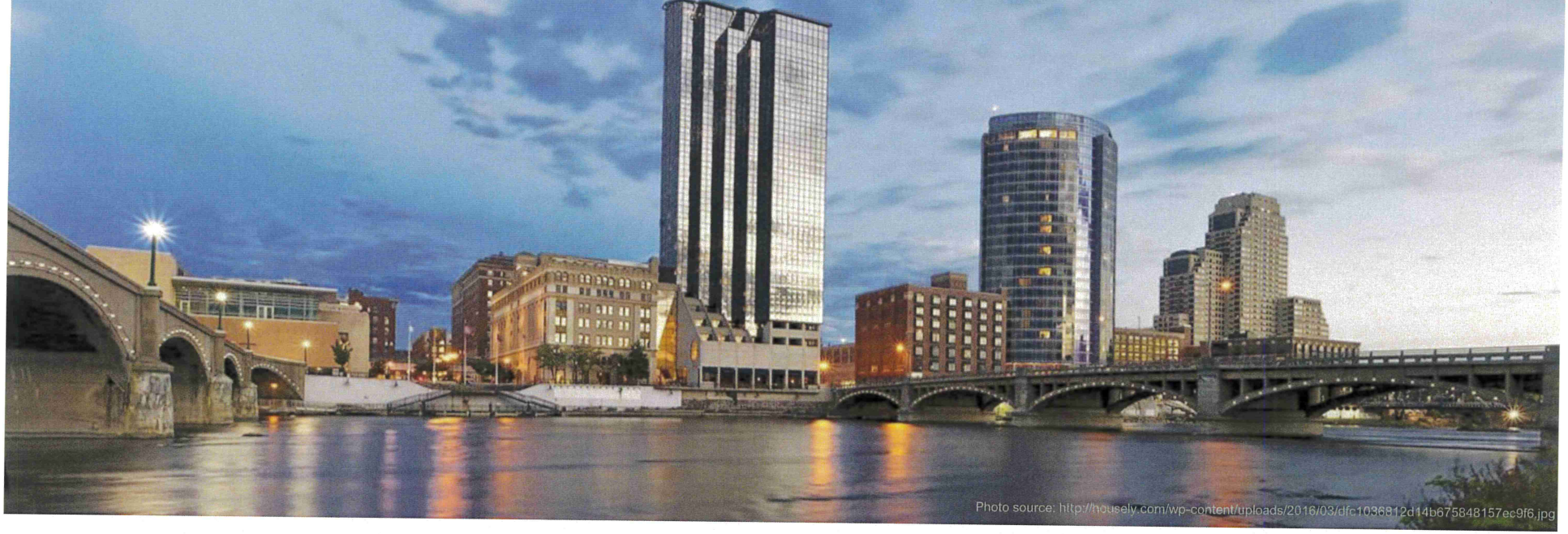
- Founded in 1945 out of need, by a Navy veteran and his wife, U-Haul has been serving the do-it-yourself movers and their households. The Company maintains the largest rental fleet which includes trucks, trailers and towing devices.
- U-Haul also offers self-storage throughout North America. The Company provides industry leading moving and storage boxes and an extended line of packing supplies to protect customer possessions.
- U-Haul is the consumer's number one choice as the largest installer of permanent trailer hitches in the automotive aftermarket. The Company supplies alternative-fuel for vehicles and backyard grills as one of the nation's largest retailers of propane.



A sharing business since 1945

- U-Haul has 75 years of experience and expertise utilizing a "sharing" business model.
- The Company was founded as WWII was ending and raw materials were in short-supply and veterans and their families were moving towards a new life.
- U-Haul maintains the same premise since inception that, the "division of use and specialization of ownership" are good for the public.
- Sharing our equipment with as many customers as possible allows U-Haul to keep the customer's costs low, while reducing the need for more privately owned large capacity vehicles in the community.





The city of Grand Rapids, MI

U-Haul Partners with Cities and Towns

U-Haul enhances local businesses and cities by:

- Attracting customers who might not otherwise visit the location.
- Bringing new business to a city; ensuring a viable, expanding local economy.
- Improving the quality of life for residents needing work to support themselves and/or their families.
- Representing a responsible business model which is thoughtful towards the communities in which they do business.

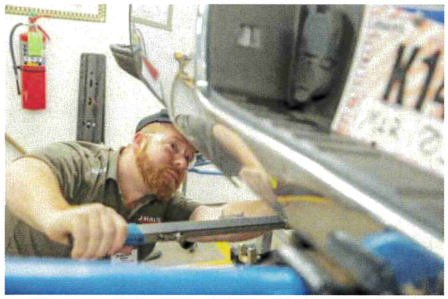


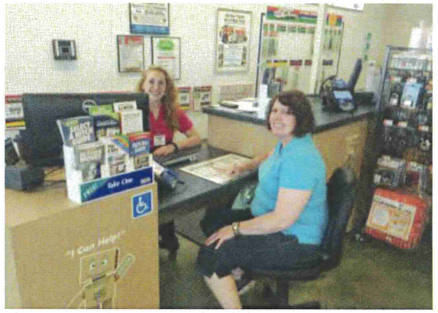
U-Haul Promotes Social and Economic Sustainability

- More than 18 million customers rented U-Haul trucks and trailers in 2016. **U-Haul provides positive economic support to a community** by attracting customers from different regions.
- This added customer base, increases awareness of other nearby merchants and fosters relationships that may **bring new business to the city, ensuring a viable, expanding local economy.**
- Increased business traffic may require hiring additional employees, improving the quality of life for residents needing work to support themselves and/or their families.











U-HAUL



U-Haul by the numbers

150,000
Trucks

112,000
Trailers

40,000
Towing Devices

1,800
Company Owned/
Operated Stores

20,000
Independent
Dealers

28,000
Team Members

51.4 Million
Rentable Sq. Ft. of Storage

1,100 Locations
Offering Alternative Fuel

Largest

Retail Network of Propane
in the Country

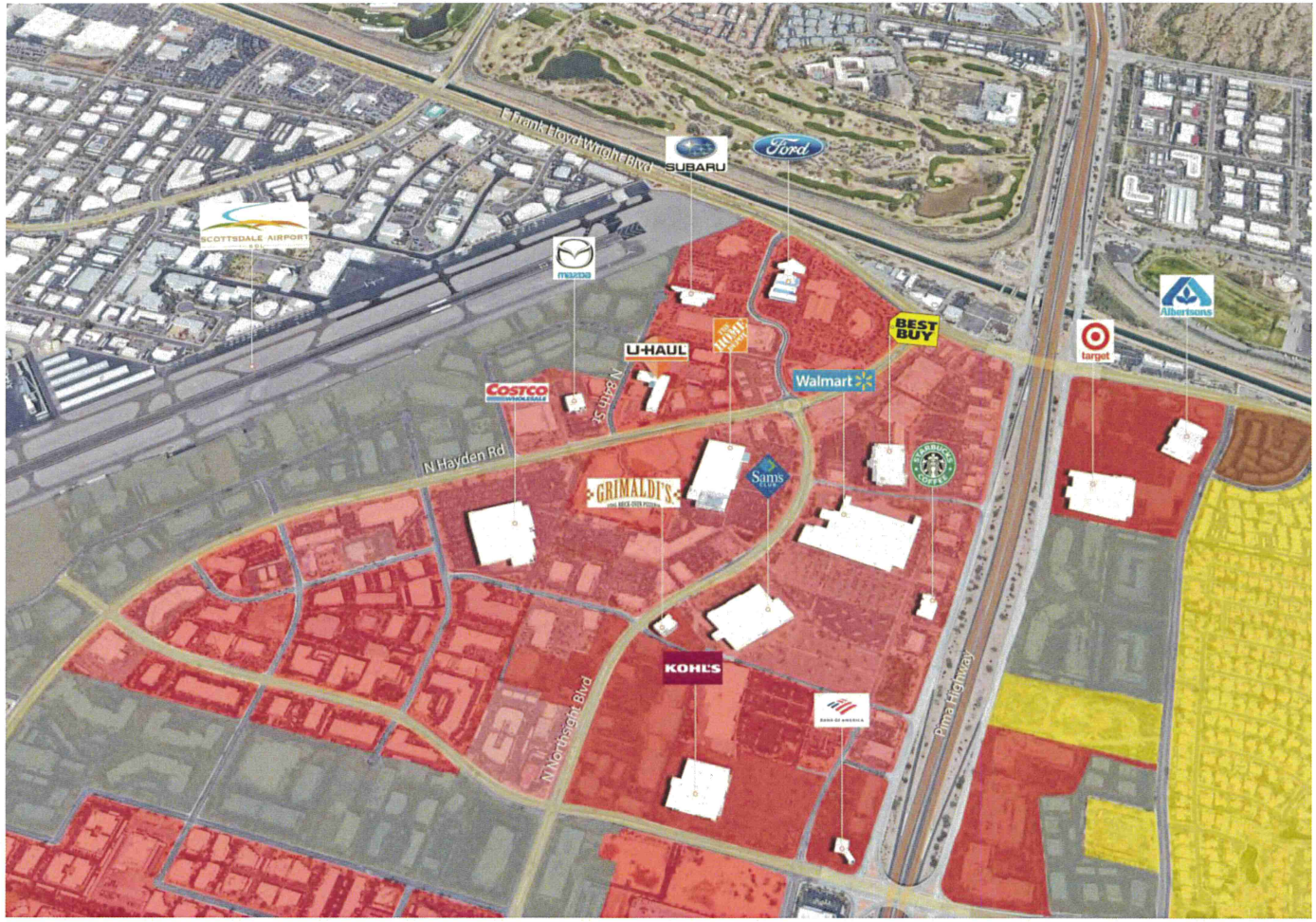
1,300 of 1,800
U-Haul
buildings are adaptive reuse projects

Over time, every U-Haul vehicle placed in a community serves as a potential substitute for 19 personally owned large-capacity vehicles. Trailer sharing reduces environmental impact because trailers do not emit greenhouse gases. Our aerodynamic design optimizes fuel efficiency of the tow vehicle.



Partners for a Dynamic Community

U-Haul has a successful and reliable track record of stability and reliability and, is a devoted neighbor in over 1,000 communities in North America



U-Haul Moving and Storage at Hayden Road, 15455 N 84th Street, Scottsdale, Arizona 85260

U-Haul Ground-Ups



Ground Ups

Historic Revitalization

Adaptive Reuse

An Established Reputation Serving Your Community

Ground Ups



U-Haul strives to raise standards and provide a desired and essential product to the communities in which it serves.

For over 50 years, U-Haul has been recognized as a symbol of quality and reliability throughout the United States and Canada.

Houston, TX

Ground Ups


ATAS ARCHITECTURAL PANELING 1.25" PROJECTION, PROVIDES ARTICULATION, DEPTH AND TEXTURE TO THE BUILDING
ATAS ISOLEREN IM, STUCCO EMBOSSED 3" THICK, PROVIDES SUPERIOR R22.45 INSULATION
CLIMATE CONTROLLED
U-HAUL STORAGE
24/7 SELF-STORAGE
ARCHITECTURAL FENESTRATION TO ENHANCE RETAIL UNIFORMITY IN THE AREA
U-HAUL CENTER
CUSTOM HITCHES
U-HAUL CENTER
MOVING SUPPLIES
BEST PANEL COMPANY REVOLUTION TUMBLED BRICK ENHANCES AREA UNIFORMITY
WOODTONE CEMENT BOARD PLANKS, PROVIDES WARMTH, BEAUTY AND DURABILITY

An Asset To Your Community

Ground Ups



With your input, U-Haul ensures that it builds and operates retail centers that are aesthetically pleasing.

Elk Grove, CA

Ground Ups



Ground Ups



Ground Ups



Lake Wylie, SC

Ground Ups



Laveen, AZ

U-Haul Security Features

- "State-of-the-Art" Burglar/Max Alarm System, includes 24-hour monitoring and interior motion detectors on all storage floors, stairwells and main showroom.
- Hands Free Intercom System, able to communicate to all Max Stations throughout all floors of storage; specifically designed for customers use.
- 24 Digital, HD Video surveillance, with remote & web base viewing.
- Individually Alarmed Rooms, armed & disarmed by a Keypad/Card swipe.
- Programmable, automatic security gates which only allow paying customers to access exterior storage.
- 16+ Color/HD, Day and Night Cameras, will display facilities interior, exterior and elevator.
- The Exclusive U-Haul patented latch contact, used in all storage units.



U-Haul Sustainability Program

Safe **Thriving** **Sustainable**

Working with you to support **Communities**



U-Haul Sustainability Programs

- Box Exchange Program
- Facilitating Multiple Reuses
- Fuel Economy Gages
- U-Car Share
- 100% Biodegradable Packing Peanuts made of starch mixture, replacing Styrofoam and reducing landfill waste
- Moving Blankets Manufactured from Denim and cotton/polyester Re-use Centers at Storage Locations
- Telecommute Program
- The Conservation Fund - Go Zero
- Placing U-Haul Dealerships and equipment in neighborhoods, reducing customer fuel consumption and CO2 generation when obtaining and returning rental equipment.



U-Haul Sustainability Programs

Our centers are constructed with methods and products that reduce energy consumption:

- Using Butler MR-24 Metal Roof System has a life cycle of 35+ years. It is Energy Star compliant and is recyclable.
- Mobile storage rooms made from 95% reused material.
- Motion Sensor Lighting in Storage Centers.
- Permeable ground cover for rental equipment parking and self-storage drives.
- Reducing development footprint, recharging the ground water, and lowering impact on municipal water management systems.
- Partnership with Arizona State University on incorporating sustainable architecture into U-Haul Centers.
- Locating U-Haul Centers near public transportation lines to reduce customer fuel consumption and CO2 emissions.



Re-Use Centers

To reduce the amount of used goods being dumped, we provide centers in which our customers can leave their unwanted but reusable belongings, such as furniture, for others to take.

U-Haul has implemented more than 450 Storage Re-use Centers across the United States and Canada.

Annually, the existing re-use centers facilitate local residents reusing more than 135,000 household goods, which equates to avoiding:

- 4.6 million pounds of materials being dumped in landfills
- 720,000 pounds of GHG/CO_2 emissions from municipal waste trucks which would have been used to transport the materials to landfills.



Take a Box, Leave a Box

We designate a place at our center for our customers where they can leave their used moving boxes for future customers to reuse. Our idea is that while recycling is great, reuse should occur first to ensure more efficient use of our resources





Box Exchange & Take A Box Leave A Box- 2007

- Both programs encourage reuse of U-Haul boxes, which are built to be reused again and again.
- Nearly 1 million boxes are reused every year.

Biodegradable Packing Peanuts

U-Haul uses packing peanuts made of starch mixture, replacing Styrofoam and reducing landfill waste.

Biodegradable Packing Peanuts - Since 1993

Made primarily of corn and potato starch, the peanuts dissolve/degrade in water as an eco-friendly alternative to Styrofoam. Annual diversion of more than 407,000 cubic feet of materials formerly destined for landfills.

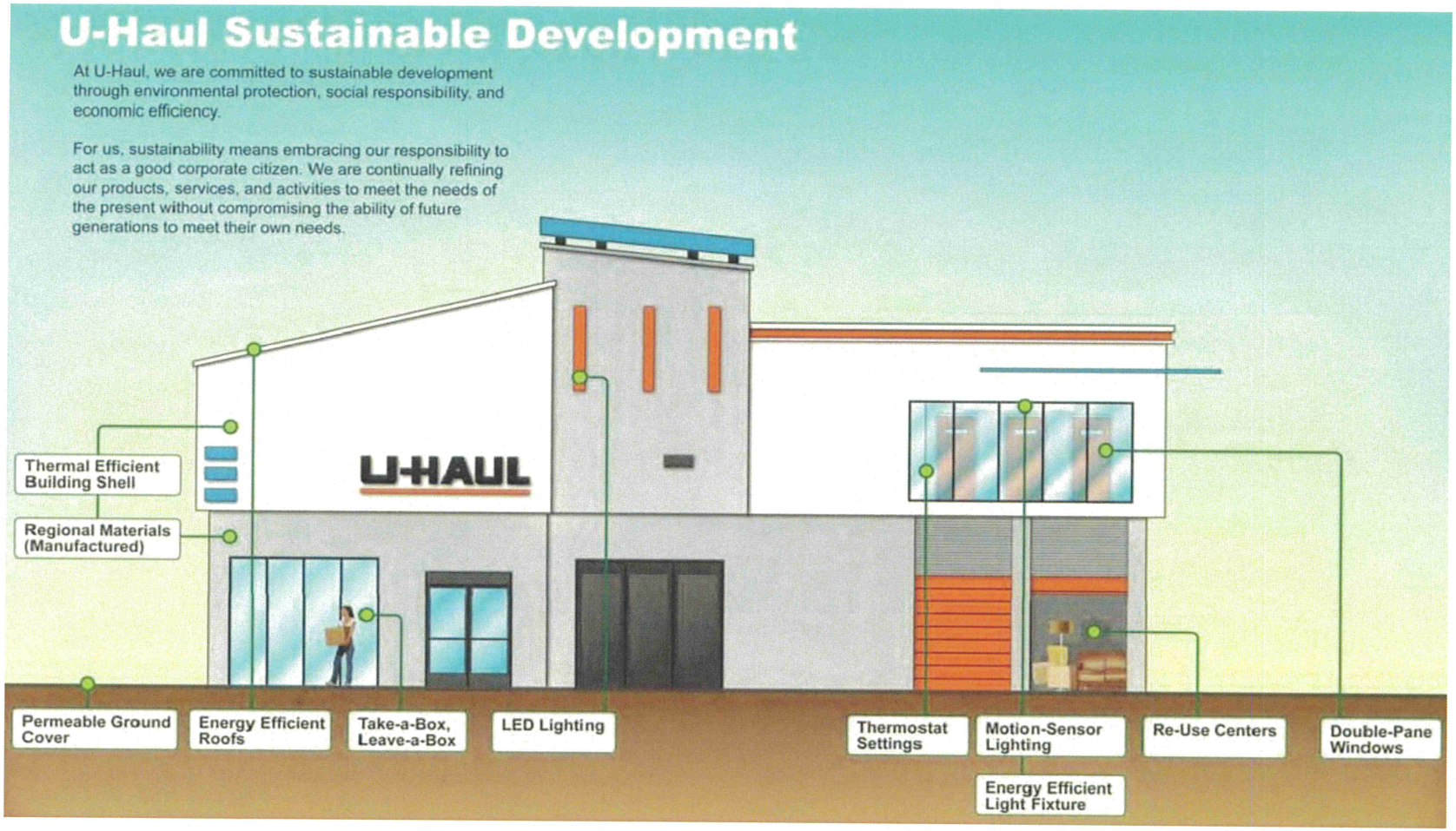








Green Building



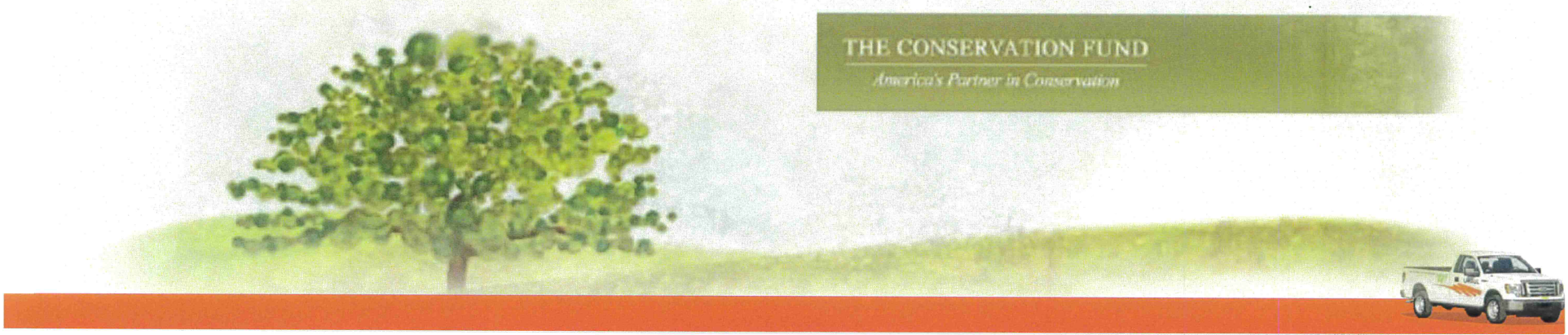
Go Zero

Our centers are constructed with methods and products that reduce energy consumption:

To help protect and restore America's special places, U-Haul has partnered with **The Conservation Fund's Go Zero(SM)** program to plant trees to help "zero out" carbon footprint. We ask customers to donate to the fund, in which The Conservation Fund receives 100% of the donation.

Since 2007, U-Haul and more than 840,000 customers have chosen to offset moving emissions with a donation to The Conservation Fund's Go Zero program.

We've passed along 100% of those contributions, which have planted nearly 300,000 native trees. As they grow, these new forests restore habitat for wildlife, preserve natural ecosystems and clean the air we breathe.



Awards

2009 U-Haul AAMVA's Environmental Leadership Award for Climate Change and Energy & Resource Conservation

2009 U-Haul earned Valley Forwards Environmental Stewardship Award for Merit

2010 U-Haul earned The Conservation Funds Heroes of Go Zero® Award for addressing climate change and restoring America's forest legacy

2010 U-Haul earned The Alliance to save Energy's Galaxy Star of Energy Efficiency Award

2011 U-Haul earned Valley Forwards Crescordia Award for Energy Efficiency Program of the Year

2011 U-Haul named finalist of International Platts *Global Energy Awards* for Energy Efficiency Program of the Year: Commercial End-User award

2012 U-Haul earned Valley Forwards Crescordia Award for Contributions to Environmental Education and Awareness

2012 U-Haul named one of seven finalists for the world-class Platts *Global Energy Awards*, nominated for prestigious Energy Efficiency Program of the Year: Commercial End-User award

2012 U-Haul named one of the twelve finalists for the world-class Platts 2014 *Global Energy Awards*, nominated for the prestigious Corporate Social Responsibility award

2014 U-Haul was named a finalist for the Platts 2014 Global Energy Awards "Efficiency Initiative - Commercial End-User".

2015 U-Haul earned Arizona forward's Award of Merit as a "Healthy Community, Sustainability Workplace."



Traffic Studies & Commercial Uses

Our truck and self-storage uses generate less traffic than most other commercial uses.

Use Comparison					
Use	Square Feet	Traffic Volume		Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours – 24 hours	7
Gas Station w/ Convenience Store	2,200 sq. ft.	1,200 trips	2,200 trips	18 hours – 24 hours	7
Hotel	50,000 sq. ft.	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq. ft.	1,075 trips	1,258 trips	11 am – 11 pm 12 hours	7
U-Haul Center	80,000 sq. ft.	31 trips	53 trips	7 am – 7 pm 12 hours	7



Benefits to your city

- Promotes growth in your community.
- Promotes sustainability by reducing customer trip-length to obtain a shared truck – HUGE CO_2 savings. Shows leadership via us, public/private cooperation.
- The proposed U-Haul would add to the property value and increase the tax base, which strengthens the economic base of the community.
- Promotes reuse programs and reduces tree harvesting, pulp manufacturing and shows leadership via public/private.
- Promotes sustainability and generates less traffic than other retail or commercial uses, thus reducing congestion and pollution.
- The planned U-Haul expansion would adhere to City Code and standards, creating a new use for an existing site.



U-HAUL®



Thank you for your time and attention

U-Haul® Sustainability

TOOELE CITY CORPORATION

ORDINANCE 2021 - 25

AN ORDINANCE OF TOOELE CITY REASSIGNING THE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO HIGH DENSITY RESIDENTIAL (HDR) FOR APPROXIMATELY 23.6 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2400 NORTH 70 WEST.

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a "comprehensive, long-range plan" (hereinafter the "General Plan") by each Utah city and town, which General Plan contemplates and provides direction for (a) "present and future needs of the community" and (b) "growth and development of all or any part of the land within the municipality"; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the "Land Use Plan") of the General Plan establishes Tooele City's general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of "land use [i.e., zoning] ordinances and a zoning map" that constitute a portion of the City's regulations (hereinafter "Zoning") for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City received an Amendment Petition for Land Use Plan amendments for property located at approximately 2400 North 70 West on June 29, 2021, requesting that the Subject Property be re-designated from Medium Density Residential (MDR) to High Density Residential (HDR) (see Amendment Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by Don Parker and are currently designated as Medium Density Residential in the Land Use Element of the General Plan; and,

WHEREAS, the Regional Commercial land use designation includes the R1-7, R1-8 and R1-10 Residential zoning districts and is specific to single-family residential and duplex residential land uses; and,

WHEREAS, the High Density Residential land use designation includes the MR-8, MR-16 and MR-25 Multi-Family Residential zoning districts and is specific to multi-family residential land uses such as town homes, condominiums and apartments; and,

WHEREAS, on July 14, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on July 21, 2021, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

1. this Ordinance and the land use map amendment proposed therein is in the best interest of the City in that it will create additional housing stock and additional housing choices for future residents and citizens of the City; and,
2. the Land Use Map is hereby amended for approximately 23.6 acres of property located at approximately 2400 North 70 West as requested and illustrated in Exhibit A, attached, from the Medium Density Residential land use designation to the High Density Residential land use designation.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Land Use Map Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ1-581

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
Revised submittal 6/29/21	MEDIUM DENSITY RES.	HIGH DENSITY RES.	02-143-0-0043

Project Name: CRESTVIEW — Acres: ~~80~~ 23.6

Project Address: 2400 N 400 W TOOELE

Proposed for Amendment: ☐ Ordinance ☒ General Plan ☐ Master Plan: _____

Brief Project Summary: THE PROPOSED CRESTVIEW DEVELOPMENT IS PLANNED TO BE BUILT ON 80 ACRES OF UNDEVELOPED LAND MADE UP OF 2 EXISTING 40 ACRE PARCELS IN THE NORTH AREA OF TOOELE. THROUGH THIS DEVELOPMENT, WE HOPE TO PROVIDE A VARIETY OF LOW, MED., & HIGH-DENSITY SINGLE-FAMILY LOTS, WITH R1-14 LOTS (63), R1-10 LOTS (143) & MR-16 TOWNHOME UNITS (202). THE DEVELOPMENT IS ALSO PLANNED TO INCLUDE A 3.8 ACRE CHURCH SITE & 2.11-ACRE OPEN SPACE/DRAINAGE BASIN.

Property Owner(s): DON PARKER			**Applicant(s):** SHAWN HOLSTE		
Address: 2885 S. MAIN ST			Address: 10716 PROGRESS WAY		
City: SLC	State: UT	Zip:	City: TOOELE	State: UT	Zip: 84074
Phone:			Phone: (801)301-8591		
Contact Person: SETH VANCE			Address: 6949 S. HIGH TECH DR. SUITE 200		
Phone: (801)352-0075			City: MIDVALE	State: UT	Zip: 84047
Cellular:	Fax:		Email: SVANCE@FOCUSUTAH.COM		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2210578

For Office Use Only

Received By:	Date Received:	Fees: $3,400.00	~~App.~~ #:

LDR (RR5) **to HDR** (MR-16)

General Plan Map

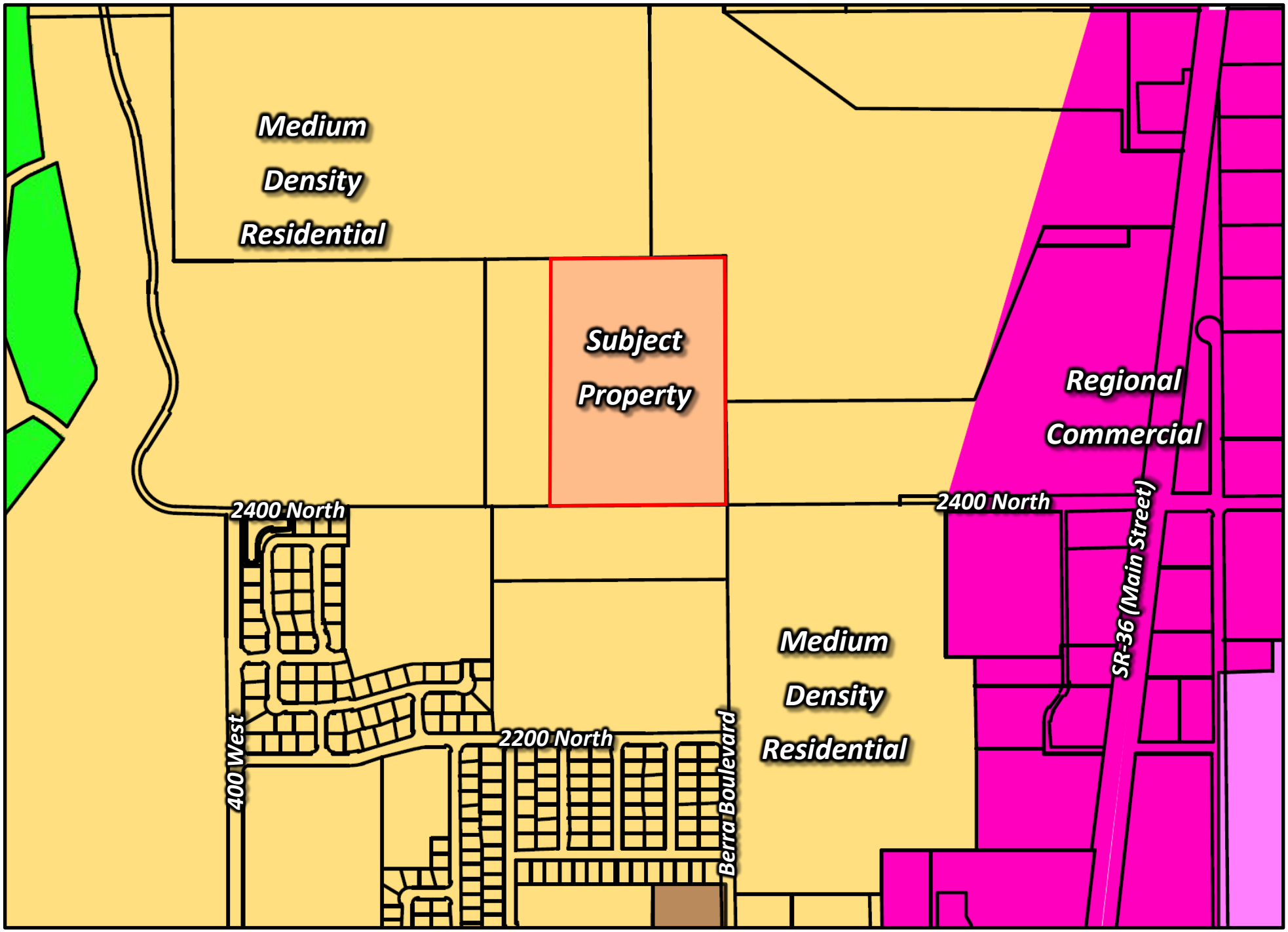
1. The present land use designation of the subject property is low density residential (LDR).
2. The proposed land use designation, High-Density Residential (HDR), is similar or compatible with the other land use designations in the surrounding area because they are all residential areas.
3. The land will be used for the construction of townhouses.
4. The proposed land use designation would affect properties by allowing them to accommodate a wider range of residents and appeal to various buyers (able to zone for MR-16 instead of RR5). Surrounding properties would benefit through the transition that townhouses provide, moving from General Commercial to areas ranging from high to low-density residential. This higher density area provides an ideal buffer in comparison to the existing RR5 designation adjacent to the General Commercial area.
5. The proposed land use designation promotes the goals and objectives of Tooele City by **(1)** encouraging transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or man-made buffers are not available, allowing for a gradual and complete transition from GC to HDR, MDR, LDR, in that order (Tooele City General Plan, General Land Use Goals and Objectives, Goal #6), **(2)** providing a variety of housing types and innovative development patterns and building methods that will result in greater housing affordability (Goal #1), **(3)** providing a wide range of housing opportunities while protecting property values and promoting quality development (Goal #1), and **(4)** allowing for a diversity of residential uses and supporting services that provide for the needs of the community (Goal #4).

Crestview Subdivision Land Use Map Amendment



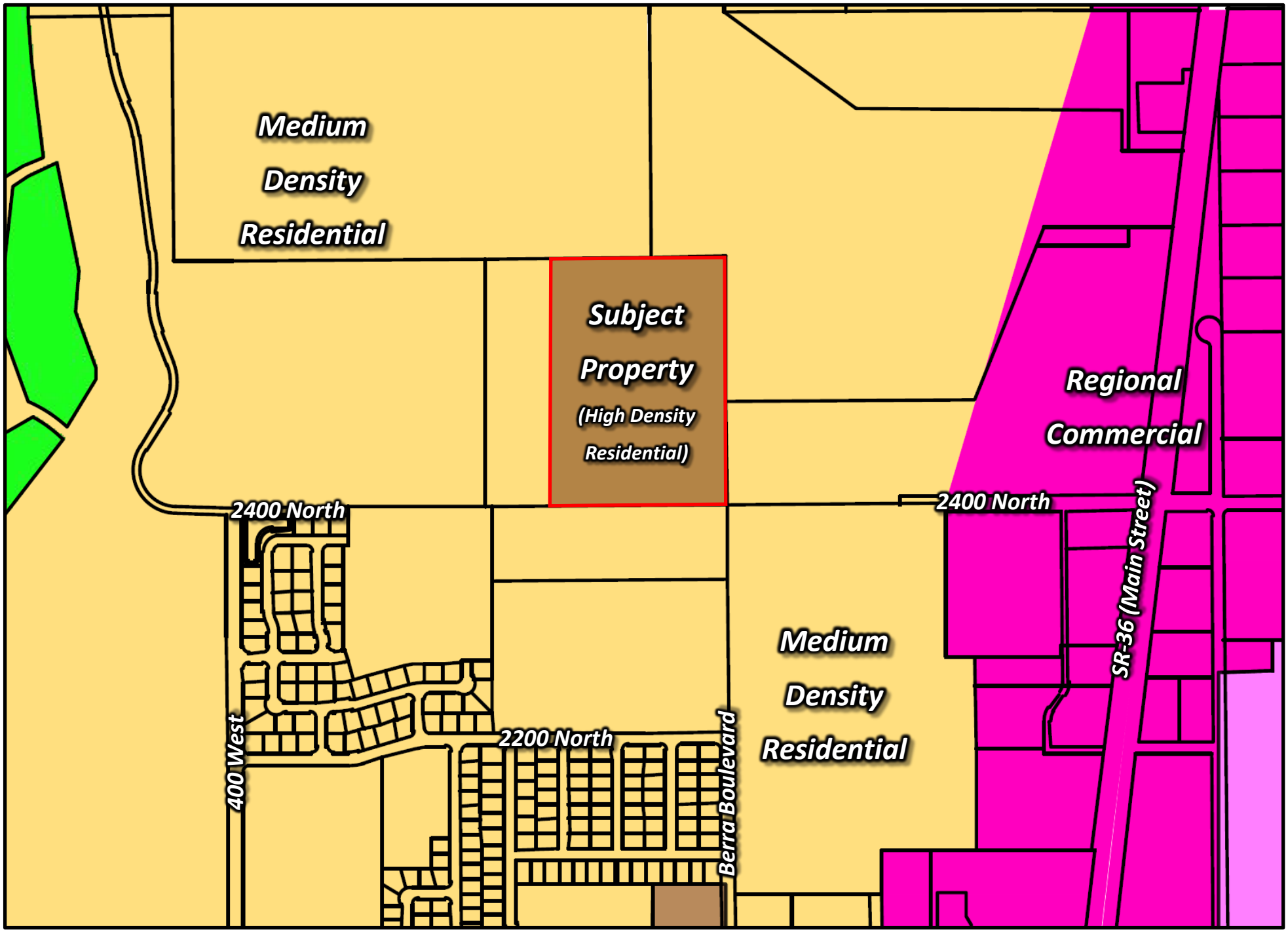
Aerial Map

Crestview Subdivision Land Use Map Amendment



Current Land Use Map

Crestview Subdivision Land Use Map Amendment



Proposed Land Use Map

Exhibit B

Staff Report

STAFF REPORT

July 8, 2021

To: Tooele City Planning Commission
Business Date: July 14, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **Crestview – Land Use Map Amendment Request**

Application No.:	P21-581
Applicant:	Shawn Holste
Project Location:	Approximately 2400 North 70 West
Zoning:	RR-5 Residential Zone
Acreage:	23.6 Acres (Approximately 1,028,016 ft^2)
Request:	Request for approval of a Land Use Map Amendment in the RR-5 Residential zone that would re-assign the land use designation from Medium Density Residential to High Density Residential.

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 23.6 acres located at approximately 2400 North 70 West. The property is currently zoned RR-5 Residential and designated as Medium Density Residential (MDR) in the Land Use Map and element of the Tooele City General Plan. The applicant is requesting that the Land Use Map designation for the 23.6 acre parcel be re-assigned to the High Density Residential (HDR) designation in order to facilitate rezoning of the property to a high density multi-family residential zoning district.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the RR-5 Residential zoning classification, supporting approximately one dwelling unit per 5 acre lots. The purpose of the RR-5 zone is to "provide for single family residential areas and single family dwelling units on larger individual lots. Additionally these districts are intended to allow and make available Rural Residential opportunities and agricultural uses protected from the encroachment of incompatible uses." The RR-5 Residential zoning designation is not identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. Properties to the north and south are zoned RR-5 Residential and are undeveloped land. Property to the east is zoned RR-5 and GC General Commercial and are also undeveloped. Properties to the North are zoned R1-10 and RR-5 and are undeveloped. Property to the west is zoned R1-10 and is undeveloped. All properties immediately adjacent to the subject property are currently designated as Medium Density Residential (MDR). Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The entire area of the subject property as well as the surrounding properties are currently designated as MDR. The MDR land use designation identifies the R1-7, R1-8 and R1-10 residential zones as preferred zoning districts and densities for this area. The MDR land use designation requires the construction of single-family residential and duplex type of residential land uses. Multi-family residential uses are not

permitted in these zoning districts.

The applicant wishes to have the eastern 23.6 acres re-assigned to the HDR land use designation. The zoning districts that are preferred for the HDR designation are the MR-8, MR-16 and MR-25 Multi-Family Residential zoning districts. These zones are specific to multi-family residential type of uses such as apartments, condominiums and town houses. Single-family detached homes are not a permitted use in these zoning districts.

It should be emphasized that an amendment to the Tooele City Land Use Map does not guarantee or grant any entitlement to a particular zoning district on the properties. The applicant will still need to submit a zoning map amendment request and during that application the Planning Commission and City Council will determine if the MR zoning district is appropriate at that time and what MR density is in the best interest of Tooele City. The Land Use Map amendment just clears the way for consideration of HDR zoning districts on the property.

Site Plan Layout. The applicant has submitted a conceptual subdivision development plan that demonstrates their intentions for development on the property. The current plan shows a town house development. Keep in mind that for this Land Use Map amendment the application is considering only the portion of the 80 acre property that contains the town homes, that being the 23.6 acres to the east. This concept plan is not being reviewed for approval as part of the Land Use Map amendment. If the HDR land use designation is approved the applicant will still need to conduct Zoning Map Amendment, subdivision platting and site plan design review applications. This Land Use Map amendment is only the beginning.

Subdivision Layout. The single-family portion of the concept plan is not part of this Land Use Map amendment even though it is a part of the Crestview development. Subdivision layout may change during subdivision platting processes with the City.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

(1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
   (a) The effect of the proposed amendment on the character of the surrounding area;
   (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
   (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
   (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
   (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
   (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. The Land Use Map amendment involves only the 23.6 acres proposed for multi-family residential development such as town homes and apartments.
2. The single-family residential portion of the Crestview development is not impacted by this Land Use Map amendment.

Engineering Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding the proposed Land Use Map Amendment.

Noticing. The applicant has expressed their desire to amend the Land Use Map for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Crestview Land Use Map Amendment Request by Shawn Holste re-assigning the Land Use Map desigation for 23.6 acres located at approximately 2400 North 70 West from Medium Density Residential to High Density Residential, application number P21-581, based on the findings listed in the Staff Report dated July 8, 2021:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Crestview Land Use Map Amendment Request by Shawn Holste re-assigning the Land Use Map desigation for 23.6 acres located at approximately 2400 North 70 West from Medium Density Residential to High Density Residential, application number P21-581, based on the following findings:"

1. List findings…

EXHIBIT A

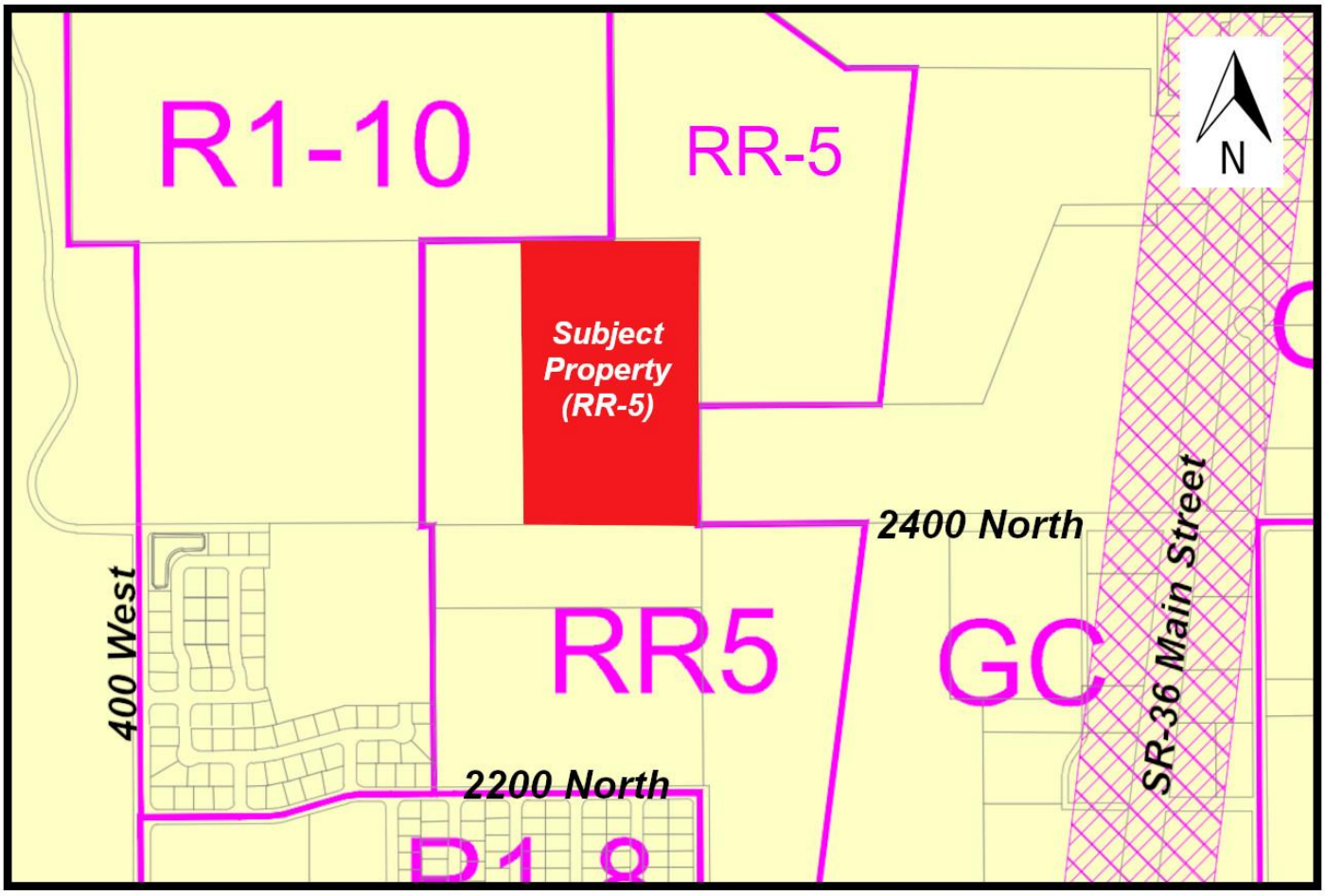
MAPPING PERTINENT TO THE CRESTVIEW LAND USE MAP AMENDMENT

Crestview Land Use Map Amendment



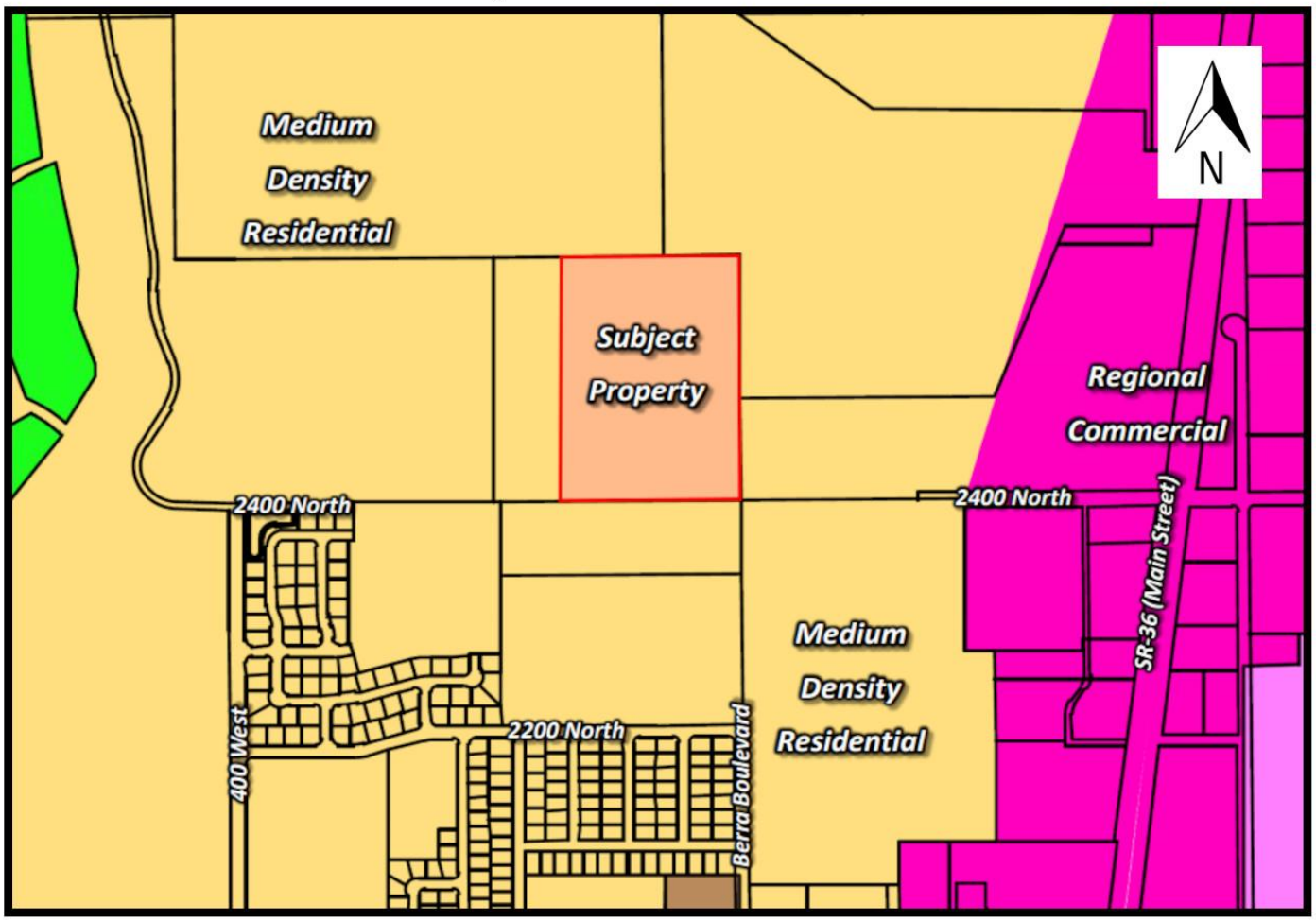
Aerial View

Crestview Land Use Map Amendment



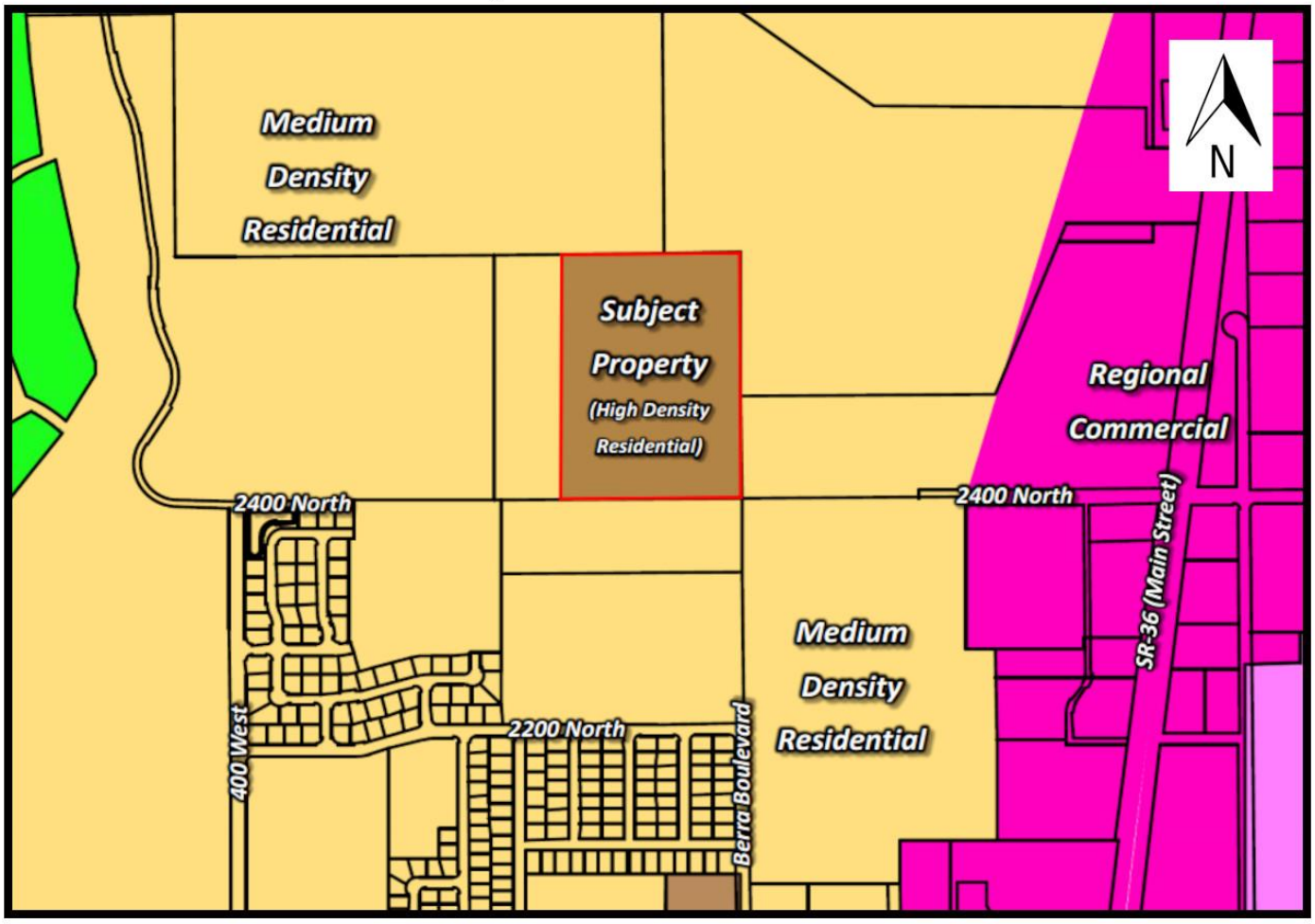
Current Zoning

Crestview Land Use Map Amendment



Current Land Use

Crestview Land Use Map Amendment



Proposed Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ1-581

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
Revised submittal 6/29/21	MEDIUM DENSITY RES.	HIGH DENSITY RES.	02-143-0-0043

Project Name: CRESTVIEW — Acres: ~~80~~ 23.6

Project Address: 2400 N 400 W TOOELE

Proposed for Amendment: ☐ Ordinance ☒ General Plan ☐ Master Plan: _____

Brief Project Summary: THE PROPOSED CRESTVIEW DEVELOPMENT IS PLANNED TO BE BUILT ON 80 ACRES OF UNDEVELOPED LAND MADE UP OF 2 EXISTING 40 ACRE PARCELS IN THE NORTH AREA OF TOOELE. THROUGH THIS DEVELOPMENT, WE HOPE TO PROVIDE A VARIETY OF LOW, MED., & HIGH-DENSITY SINGLE-FAMILY LOTS, WITH R1-14 LOTS (63), R1-10 LOTS (143) & MR-16 TOWNHOME UNITS (202). THE DEVELOPMENT IS ALSO PLANNED TO INCLUDE A 3.8 ACRE CHURCH SITE & 2.11-ACRE OPEN SPACE/DRAINAGE BASIN.

Property Owner(s): DON PARKER			**Applicant(s):** SHAWN HOLSTE		
Address: 2885 S. MAIN ST			Address: 10716 PROGRESS WAY		
City: SLC	State: UT	Zip:	City: TOOELE	State: UT	Zip: 84074
Phone:			Phone: (801)301-8591		
Contact Person: SETH VANCE			Address: 6949 S. HIGH TECH DR. SUITE 200		
Phone: (801)352-0075			City: MIDVALE	State: UT	Zip: 84047
Cellular:	Fax:		Email: SVANCE@FOCUSUTAH.COM		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2210578

For Office Use Only

Received By:	Date Received:	Fees: $3,400.00	~~App.~~ #:

LDR (RR5) **to HDR** (MR-16)

General Plan Map

1. The present land use designation of the subject property is low density residential (LDR).
2. The proposed land use designation, High-Density Residential (HDR), is similar or compatible with the other land use designations in the surrounding area because they are all residential areas.
3. The land will be used for the construction of townhouses.
4. The proposed land use designation would affect properties by allowing them to accommodate a wider range of residents and appeal to various buyers (able to zone for MR-16 instead of RR5). Surrounding properties would benefit through the transition that townhouses provide, moving from General Commercial to areas ranging from high to low-density residential. This higher density area provides an ideal buffer in comparison to the existing RR5 designation adjacent to the General Commercial area.
5. The proposed land use designation promotes the goals and objectives of Tooele City by **(1)** encouraging transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or man-made buffers are not available, allowing for a gradual and complete transition from GC to HDR, MDR, LDR, in that order (Tooele City General Plan, General Land Use Goals and Objectives, Goal #6), **(2)** providing a variety of housing types and innovative development patterns and building methods that will result in greater housing affordability (Goal #1), **(3)** providing a wide range of housing opportunities while protecting property values and promoting quality development (Goal #1), and **(4)** allowing for a diversity of residential uses and supporting services that provide for the needs of the community (Goal #4).

Exhibit C

Planning Commission Minutes

N

S

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100ft.

CONCEPT TABULATIONS

TOTAL ACREAGE	±80.12 ACRES
SINGLE FAMILY LOTS	117
TOWNHOME UNITS	202
TOTAL UNITS	319
TOTAL DENSITY	3.98 UNITS/ACRE
OPEN SPACE & BASIN	2.11 ACRES

CUL-DE-SAC RADIUS:	59'
ROW WIDTH:	60'
PRIVATE ROAD WIDTH:	26'

14,000 SQFT LOTS

10,000 SQFT LOTS

MULTI-FAMILY TABULATIONS

TOWNHOME UNITS	202
PRIVATE PARKING	808 (4 STALLS PER UNIT)
GUEST PARKING	97
TOTAL PARKING	905
PARKING RATIO	4.48

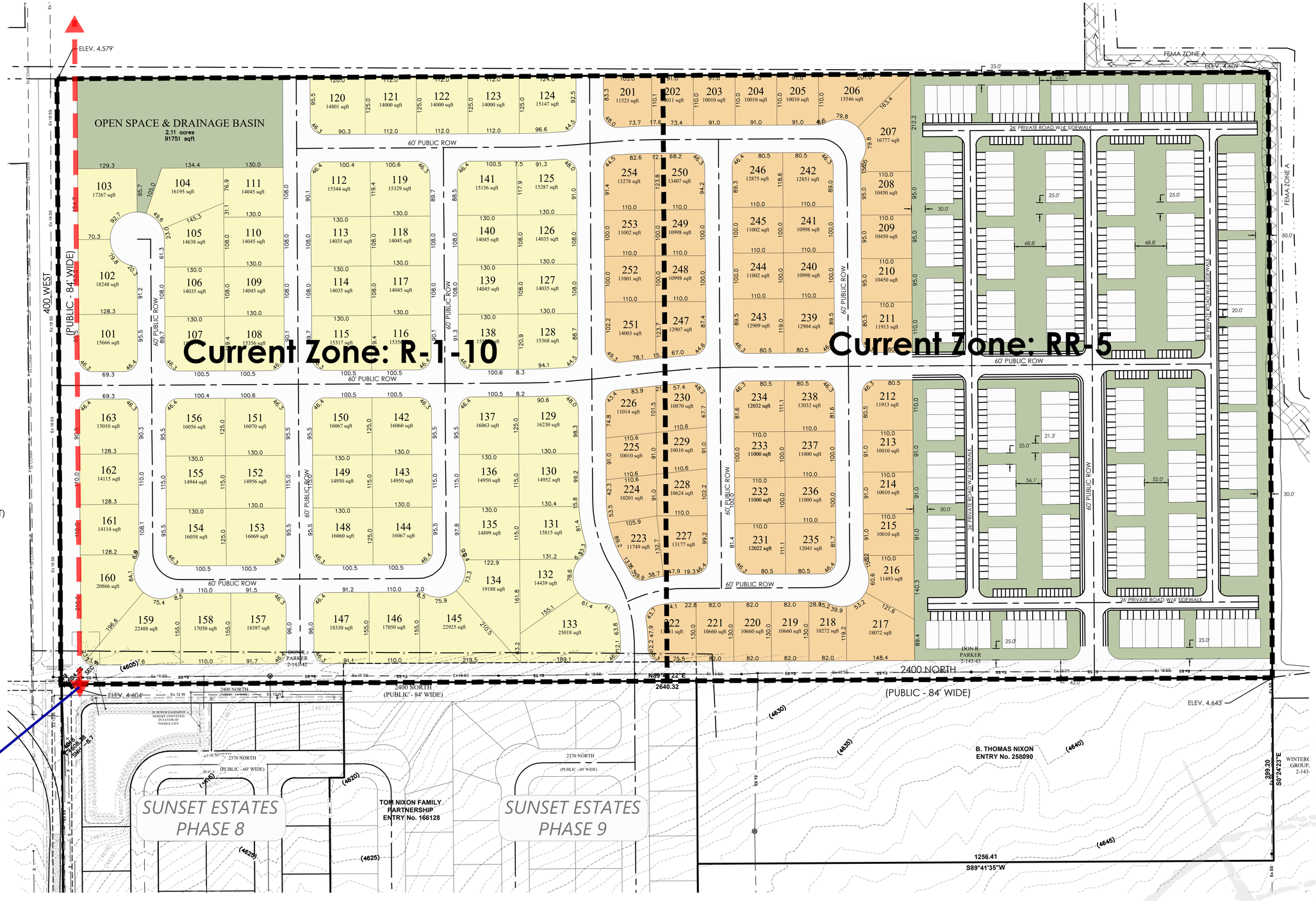
CURRENT ZONING

WESTERN 40 ACRES	R1-10
EASTERN 40 ACRES	RR-5

PROPOSED ZONING

ZONE:	R1-10
ZONE:	MR-16
MAX DENSITY	16 UNITS/ACRE

ASPHALT TRAIL WITHIN 400 WEST RIGHT OF WAY PER TOOELE CITY MASTER TRAIL PLAN



CRESTVIEW concept plan D

TOOELE CITY, TOOELE COUNTY
7/8/2021
20-0492

FOCUS ENGINEERING AND SURVEYING, LLC

TOOELE CITY CORPORATION

ORDINANCE 2021-26

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE LI LIGHT INDUSTRIAL ZONING DISTRICT FOR APPROXIMATELY 2.18 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 701 EAST 2400 NORTH.

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a "comprehensive, long-range plan" (hereinafter the "General Plan") by each Utah city and town, which General Plan contemplates and provides direction for (a) "present and future needs of the community" and (b) "growth and development of all or any part of the land within the municipality"; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the "Land Use Plan") of the General Plan establishes Tooele City's general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of "land use [i.e., zoning] ordinances and a zoning map" that constitute a portion of the City's regulations (hereinafter "Zoning") for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City received an application for Zoning amendments for property located at 701 East 2400 North on June 17, 2021, requesting that the Subject Property be reassigned to the LI Light Industrial zoning district. (see Rezone Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Land Use Map designation for the subject property is Light Industrial; and,

WHEREAS, the Subject Properties are owned by Mark A and Marie Jensen and are currently assigned the GC General Commercial zoning district; and,

WHEREAS, on July 14, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit C**); and,

WHEREAS, on June 21, 2021, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

1. this Ordinance and the zoning amendment proposed therein is in the best interest of Tooele City and its residents because it will facilitate the construction of a new manufacturing facility and retail business that will generate jobs for city residents and increase the city's sales tax base; and,
2. the Zoning Map is hereby amended for the 2.18 acres of property located at 701 East 2400 North as requested in **Exhibit A**, attached.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Zoning Map Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ-1624

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
6/17/2021	GC General Comm.	LI Light Industrial	02-097-0-0001

Project Name: Off Road Innovations, Inc Oristruts Minor Subdivision Amended — Acres: 2.18 Lot 5

Project Address: 701 East 2400 North, Tooele

Proposed for Amendment: ☑ Ordinance ☐ General Plan ☐ Master Plan: Zoning GC to LI

Brief Project Summary: Owner is currently obtaining City Council approval to amend the Lot 1 of the existing Oristruts Minor Subdivision plat to create 5 lots with lots 1 thru 4 being zoned GC and the east most Lot 5 is desired to be rezoned to Light Industrial. The owner desires to build a 25,000 sq. ft facility to manufacture nitrogen struts and accessories for off road vehicles. It will hire up to 30 employees with pay range of $12 to $40/hr.

Property Owner(s): Mark A and Marie Jensen			**Applicant(s):** Mark A. and Marie Jensen		
Address: 341 S. Corner View Dr.			Address: 341 S. Corner View Dr.		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 678-416-6390			Phone: 678-416-6390		
Contact Person: Steven Tobias			Address: 4020 W Daybreak Pkwy		
Phone: KW South Valley Keller Williams			City: South Jordan	State: UT	Zip:
Cellular: 801 381-9103	Fax:		Email: steve tobias@KWcommercial.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

220619

For Office Use Only

Received By:	Date Received:	Fees:	App #: Rec #:
JL	6-17-21	1,300.00	00410205

Off Road Innovations, Inc
Oristruts Minor Subdivision Amended
Lot 5 of 2.18 Acres
Rezone from GC to LI

Zoning Map

1. What is the present zoning of the property? General Commercial

2. Explain how the proposed zoning is consistent with the current land use designation? In a Land Use Amendment Application done earlier this year, this portion of the proposed five lot " Oristruts Minor Subdivision Amended", the portion of the property to become Lot 5 was approved and amended to Light Industrial use.

3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area? The proposed Light Industrial zone for Lot 5 is consistent with the Light Industrial zoning of several properties immediately to the south of the subject property.

4. Explain how the proposed zoning is suitable for the existing uses of the subject property? The proposed zoning to Light Industrial will allow for the use and development of Off Road Innovations new 25,000 SF facility to manufacture, sell, and distribute nitrogen struts and accessories for off-road vehicles.

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City? With the development of the facility, it is anticipated that Off Road Innovations will employee up to 30 people with a pay range of $12 - $40 /hr.

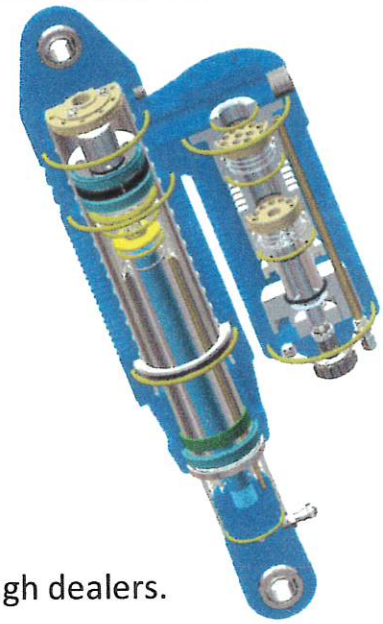
Off-Road Innovations, Inc.

ORI STRUTS®

Current Composition



- Business: Manufacture nitrogen struts & accessories for off-road vehicles
- Incorporated October 2002
- Location: Bowdon, Georgia
- Building: 10,000 ft-sq
- Zoning: Light Industrial
- Dealers: 120 Dealers—Global
- Employees: 10-15
- Pay Range/Hr.: $12 to $40

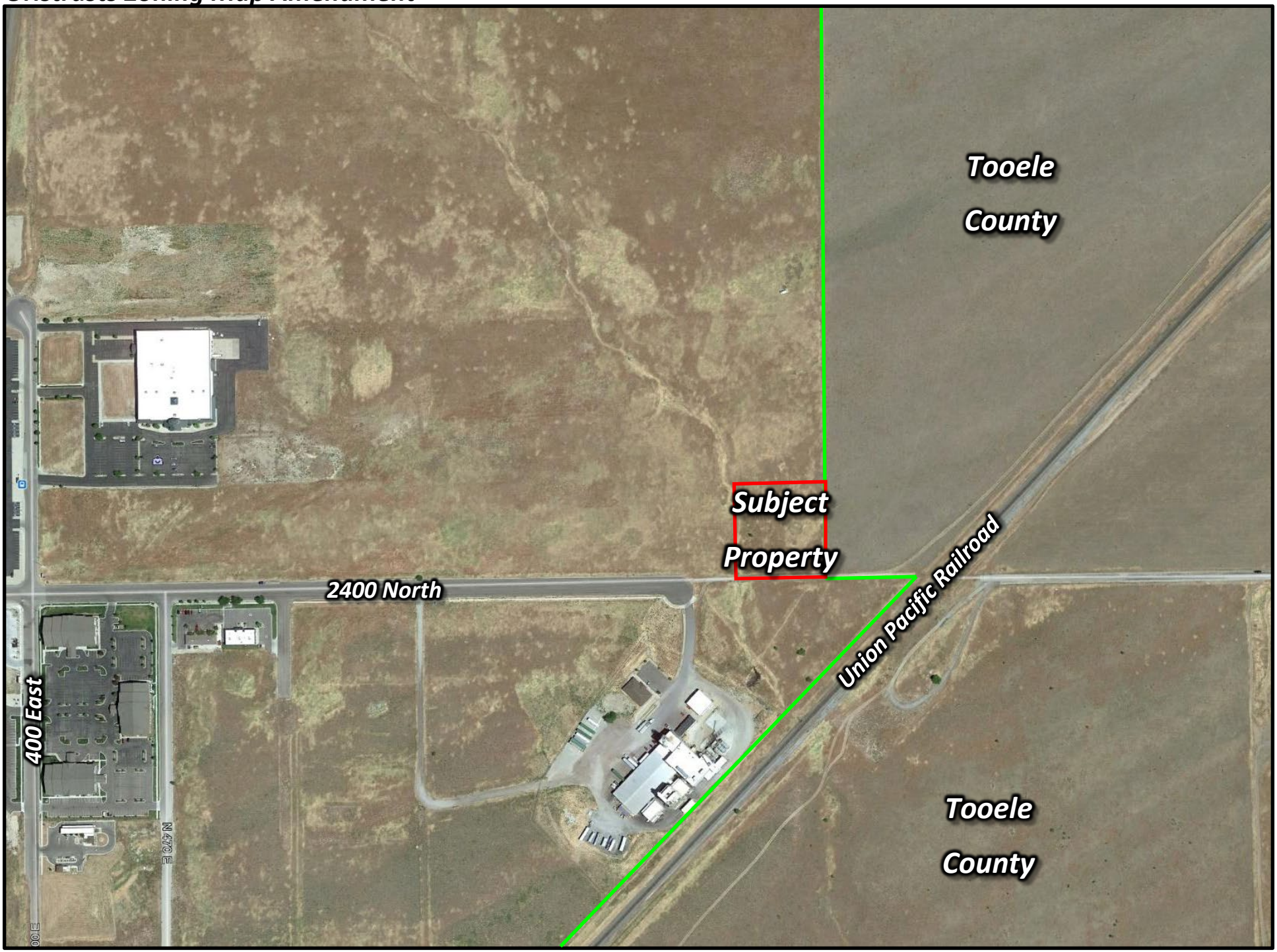


Proposed Growth

- Location: Tooele 2400 N Lot #5
- Building: 25,000 ft-sq
- Dual-Zoning: Light Industrial/Commercial
- Employees: 10-30 *with* Pay Range $12 to $40
- Retail Sales—Service—Admin—Shipping & Receiving—Assembly—Finishing—Engineering R&D—Machining
- Traffic: Daily UPS & FedEx delivery & pickup, 2 to 3 times/week semi-truck material deliveries, minimal retail customer traffic—most direct sales through dealers.

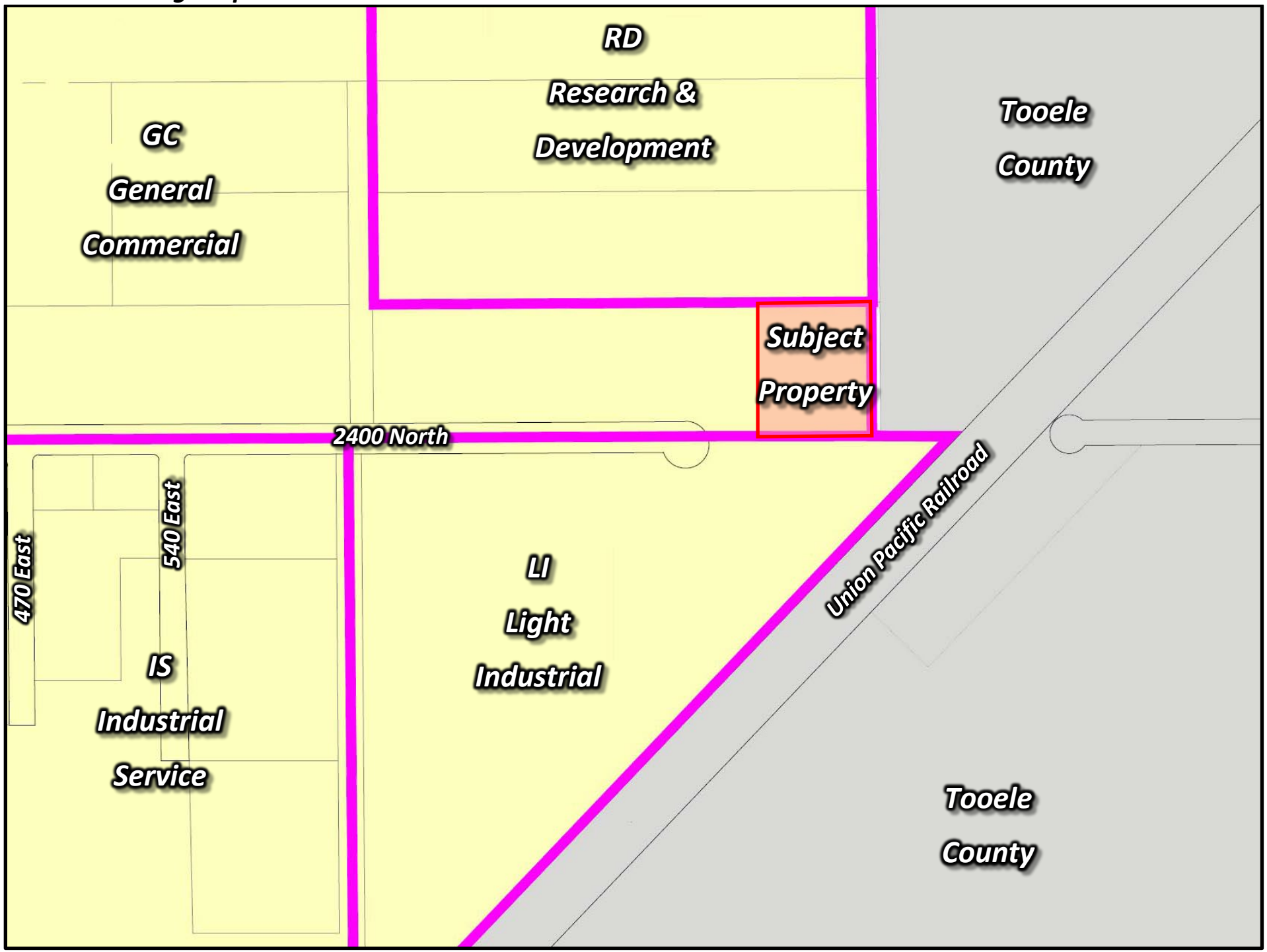


Oristrusts Zoning Map Amendment



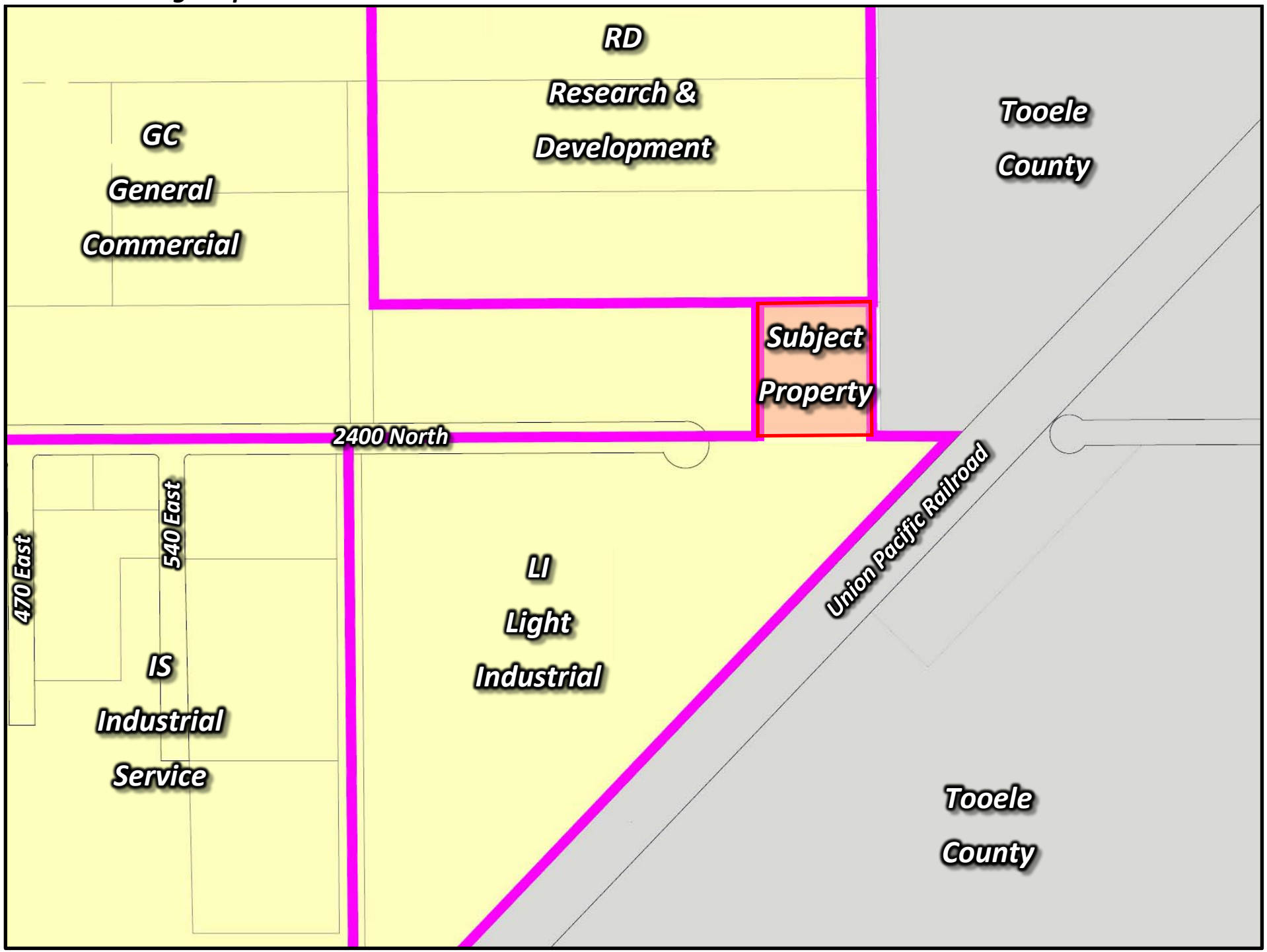
Aerial Map

Oristruts Zoning Map Amendment



Current Zoning Map

Oristruts Zoning Map Amendment



Proposed Zoning Map

Exhibit B

Staff Report

STAFF REPORT

July 7, 2021

To: Tooele City Planning Commission
Business Date: July 14, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **Off-Road Innovations – Zoning Map Amendment Request**

Application No.:	P21-624
Applicant:	Mark and Marie Jensen, representing Off-Road Innovations, Inc.
Project Location:	701 East 2400 North
Zoning:	GC General Commercial Zone
Acreage:	2.18 Acres (Approximately 94,960 ft^2)
Request:	Request for approval of a Zoning Map Amendment in the GC General Commercial zone requesting re-assignment of the zoning to the LI Light Industrial zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 2.18 acres located at 701 East 2400 North. The property is currently zoned GC General Commercial. The applicant is requesting that a Zoning Map Amendment be approved to re-assign the zoning to the LI Light Industrial zoning district.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. Property to the north is undeveloped but currently bears the RD Research and Development zoning. Property to the west is zoned GC General Commercial and is undeveloped. Property to the south is zoned LI Light Industrial and is currently utilized as a fish food manufacturing plant. Property to the east is located within unincorporated Tooele County. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The current general plan designation for the 2.1 acre parcel is Light Industrial (LI). The Light Industrial land use designation incorporates the Light Industrial and Industrial Service zoning districts. This land use designation was requested by the applicant in March of 2021 and approved by the City Council in April.

The General Commercial (GC) District is intended and provided to encourage the establishment of a wide variety of retail commercial uses, service commercial activities, entertainment and other services and activities meeting the needs of the residents of the City. The General Commercial District (GC) allows and encourages that retail and service businesses and related uses be grouped together into commercial centers. The uses and activities allowed in this District should enhance employment opportunities, provide for commercial activities and services required by residents of the city and surrounding areas, encourage the efficient use of land, enhance property values and add to the overall strength of the city's

tax base.

The purpose of the Light Industrial (LI) District is to provide locations for light industrial assembly and manufacturing uses that produce no appreciable negative impact to adjacent properties. This District encourages clean, light industrial and manufacturing uses which provide employment opportunities for city residents, strengthen the city's tax base and diversify the local economy.

It is the applicant's intention to locate their business, Off-Road Innovations, to the 2.1 acre parcel and construct a manufacturing plan that specializes in the manufacturing and fabrication of nitrogen struts and accessories for off-road vehicles. Additional information regarding the proposed business has been included in this packet for the Commission's reference. The zoning change is necessary as the GC General Commercial zoning district does not permit manufacturing. In order for the business to manufacture at this location the LI Light Industrial zoning district is required.

Site Plan Layout. The applicant has provided a site plan that demonstrate their intentions for development on the property. Please keep in mind that this is not a site plan design review application and the site plan as shown on the attached plan is not being considered for approval. The applicant will need to submit a site plan design review application that will be reviewed administratively for ordinance compliance.

Subdivision Layout. The 2.1 acre parcel is part of the larger 8 acre Oristruts Minor Subdivision that is currently in the process of finalizing the subdivision. The subdivision plat has already received approvals from the Planning Commission and City Council and the City is currently awaiting the applicant for final recordation of the plat. This zoning map amendment pertains only to the eastern most 2.1 acre parcel. The rest of the Oristruts Subdivision will remain in the GC General Commercial zoning district.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

(1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
   - (a) The effect of the proposed amendment on the character of the surrounding area.
   - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
   - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
   - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
   - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
   - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Zoning

Map Amendment submission and has issued the following comments:

1. The request to re-assign the zoning to the LI Light Industrial zone is in compliance with the Light Industrial land use designation of the Land Use Map of the Tooele City General Plan.
2. The applicant wishes to develop the 2.1 acre lot with a business that manufactures struts and accessories for off-road vehicles.
3. The property is in the process of having the subdivision finalized.
4. Manufacturing is not a permitted use in the GC General Commercial zoning district. The LI Light Industrial zone is necessary in order for Off-Road Innovations to conduct operations at the site.
5. The application will still need site plan design review approval.

Engineering Review. The Tooele City Engineering Division did not issue any comments regarding the proposed Zoning Map Amendment.

Noticing. The applicant has expressed their desire to rezone the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Off-Road Innovations Zoning Map Amendment Request by Mark and Marie Jensen, representing Off-Road Innovations, Inc. for the purpose of re-assigning the zoning for the 2.1 acre lot located at 701 East 2400 North from GC General Commercial to LI Light Industrial, application number P21-624, based on the findings listed in the Staff Report dated July 7, 2021:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Off-Road Innovations Zoning Map Amendment Request by Mark and Marie Jensen, representing Off-Road Innovations, Inc. for the purpose of re-assigning the zoning for the 2.1 acre lot located at 701 East 2400 North from GC General Commercial to LI Light Industrial, application number P21-624, based on the following findings:"

1. List any additional findings…

EXHIBIT A

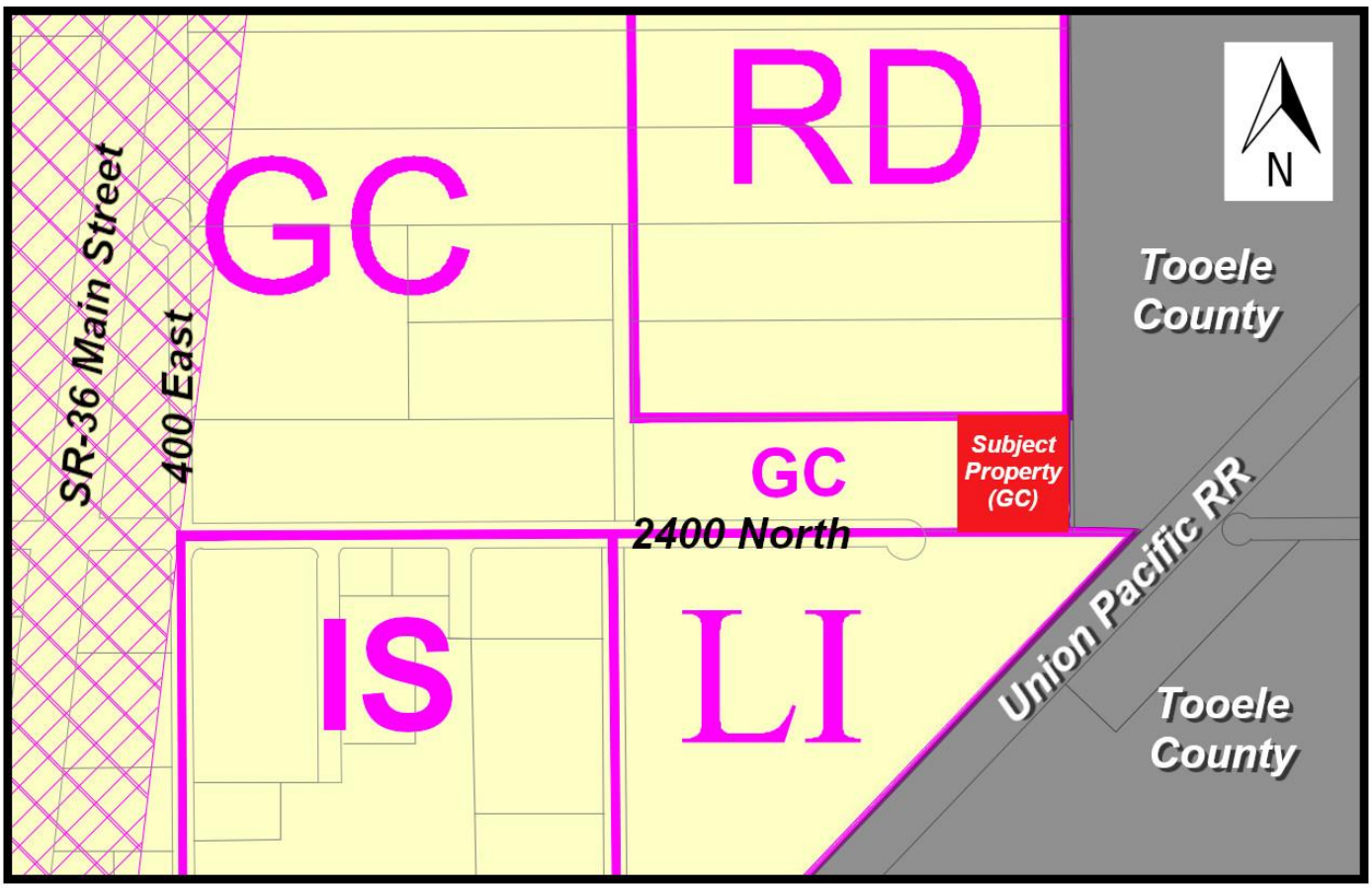
MAPPING PERTINENT TO THE OFF-ROAD INNOVATIONS ZONING MAP AMENDMENT

Off-Road Innovations Zoning Map Amendment



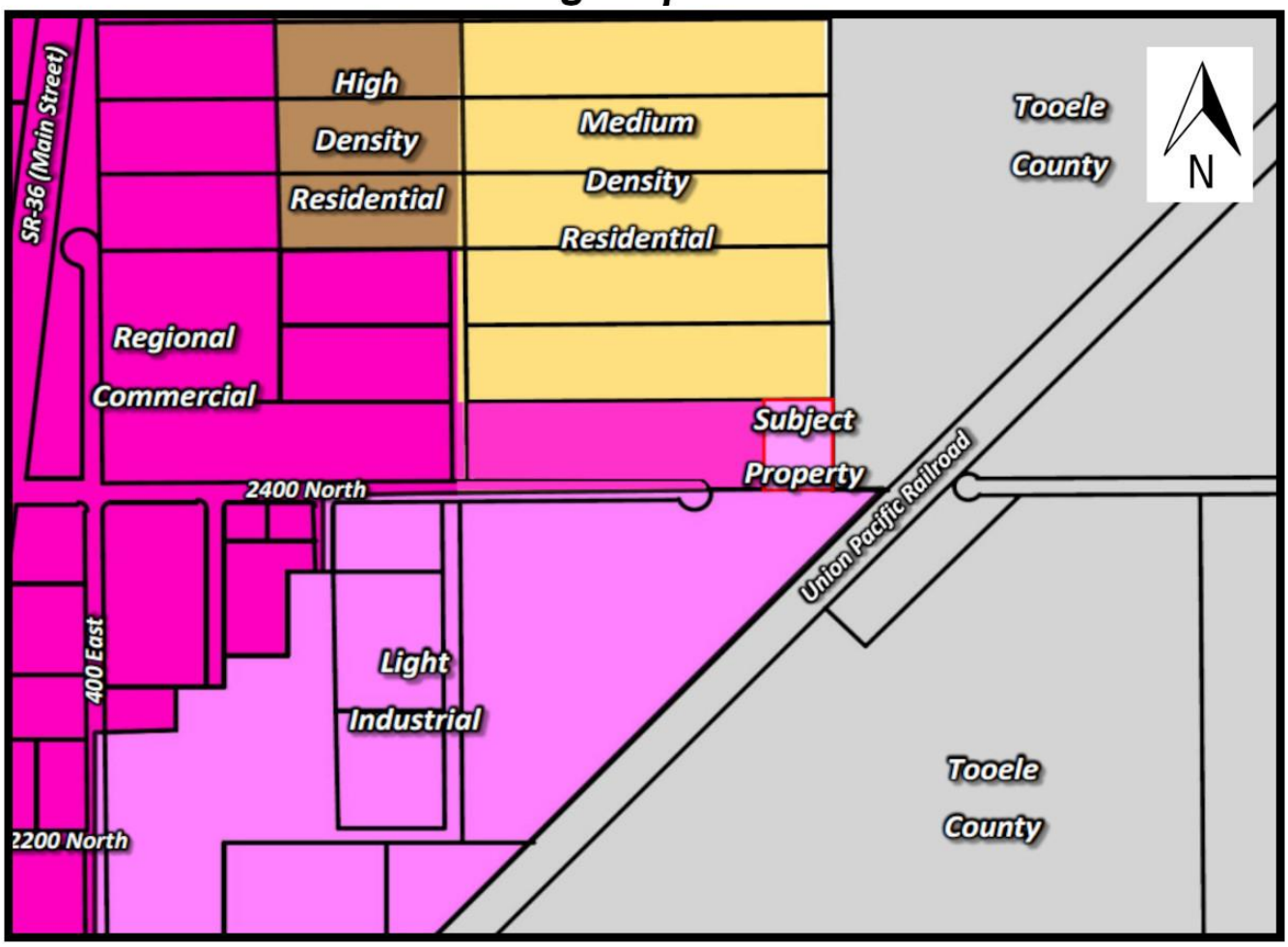
Aerial View

Off-Road Innovations Zoning Map Amendment



Current Zoning

Off-Road Innovations Zoning Map Amendment



Current Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information

PZ-1624

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
6/17/2021	GC General Comm.	LI Light Industrial	02-097-0-0001

Project Name: Off Road Innovations, Inc Oristruts Minor Subdivision Amended — Acres: 2.18 Lot 5

Project Address: 701 East 2400 North, Tooele

Proposed for Amendment: ☑ Ordinance ☐ General Plan ☐ Master Plan: Zoning GC to LI

Brief Project Summary: Owner is currently obtaining City Council approval to amend the Lot 1 of the existing Oristruts Minor Subdivision plat to create 5 lots with lots 1 thru 4 being zoned GC and the east most Lot 5 is desired to be rezoned to Light Industrial. The owner desires to build a 25,000 sq. ft facility to manufacture nitrogen struts and accessories for off road vehicles. It will hire up to 30 employees with pay range of $12 to $40/hr.

Property Owner(s): Mark A and Marie Jensen			**Applicant(s):** Mark A. and Marie Jensen		
Address: 341 S. Corner View Dr.			Address: 341 S. Corner View Dr.		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 678-416-6390			Phone: 678-416-6390		
Contact Person: Steven Tobias			Address: 4020 W Daybreak Pkwy		
Phone: KW South Valley Keller Williams			City: South Jordan	State: UT	Zip:
Cellular: 801 381-9103	Fax:		Email: steve tobias@KWcommercial.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

220619

For Office Use Only

Received By:	Date Received:	Fees:	App #: Rec #:
JL	6-17-21	1,300.00	00410205

Off Road Innovations, Inc
Oristruts Minor Subdivision Amended
Lot 5 of 2.18 Acres
Rezone from GC to LI

Zoning Map

1. What is the present zoning of the property? General Commercial

2. Explain how the proposed zoning is consistent with the current land use designation? In a Land Use Amendment Application done earlier this year, this portion of the proposed five lot " Oristruts Minor Subdivision Amended", the portion of the property to become Lot 5 was approved and amended to Light Industrial use.

3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area? The proposed Light Industrial zone for Lot 5 is consistent with the Light Industrial zoning of several properties immediately to the south of the subject property.

4. Explain how the proposed zoning is suitable for the existing uses of the subject property? The proposed zoning to Light Industrial will allow for the use and development of Off Road Innovations new 25,000 SF facility to manufacture, sell, and distribute nitrogen struts and accessories for off-road vehicles.

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City? With the development of the facility, it is anticipated that Off Road Innovations will employee up to 30 people with a pay range of $12 - $40 /hr.

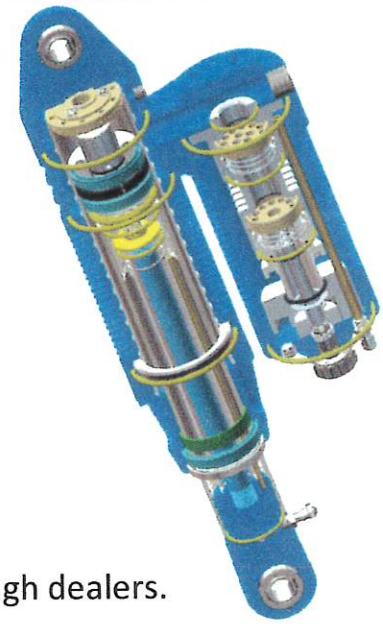
Off-Road Innovations, Inc.

ORI STRUTS®

Current Composition



- Business: Manufacture nitrogen struts & accessories for off-road vehicles
- Incorporated October 2002
- Location: Bowdon, Georgia
- Building: 10,000 ft-sq
- Zoning: Light Industrial
- Dealers: 120 Dealers—Global
- Employees: 10-15
- Pay Range/Hr.: $12 to $40



Proposed Growth

- Location: Tooele 2400 N Lot #5
- Building: 25,000 ft-sq
- Dual-Zoning: Light Industrial/Commercial
- Employees: 10-30 *with* Pay Range $12 to $40
- Retail Sales—Service—Admin—Shipping & Receiving—Assembly—Finishing—Engineering R&D—Machining
- Traffic: Daily UPS & FedEx delivery & pickup, 2 to 3 times/week semi-truck material deliveries, minimal retail customer traffic—most direct sales through dealers.



Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

ORDINANCE 2021-27

AN ORDINANCE OF TOOELE CITY AMENDING SECTION 7-13-1, CERTAIN PROVISIONS OF CHAPTERS 7-14 AND 7-16, AND ENACTING CHAPTERS 7-14b AND 7-16a OF THE TOOELE CITY CODE REGARDING (RSD) RESIDENTIAL SPECIAL DISTRICTS AND (CSD) COMMERCIAL SPECIAL DISTRICTS.

WHEREAS, Utah Code §10-8-84 and §10-9a-102 authorize cities to enact ordinances, resolution, and rules and to enter other forms of land use controls they consider necessary or appropriate for the use and development of land within the municipality to provide for the health, safety, welfare, prosperity, peace, and good order, comfort, convenience, and aesthetics of the municipality; and,

WHEREAS, the various zoning districts of Tooele City are established within Chapter 7-13 of the Tooele City Code; and,

WHEREAS, residential land uses in Tooele City, particularly the uses allowed in the various residential zones, allowable densities, and property standards are regulated by Tooele City Code Chapter 7-14; and,

WHEREAS, non-residential land uses in Tooele City, particularly the uses allowed in the various non-residential zones and property standards are regulated by Tooele City Code Chapter 7-16; and,

WHEREAS, the practice of zoning is a widely accepted and defensible tool for establishing standards for development of differing land uses and areas; and,

WHEREAS, the establishment of zoning within the City Code provides for an even and fair framework for all applications for development and ensures the fundamental fairness in the utilization and enforcement of its provisions; and,

WHEREAS, the terms of municipal codes are intended to contain a certain amount of fluidity whereby those terms can be amended to address new and changing conditions that present themselves and are deemed appropriate; and,

WHEREAS, the process for amending provisions within a municipal code is necessarily somewhat cumbersome and lengthy in order to maintain the transparency in process and fairness to all; and,

WHEREAS, the lengthy and cumbersome process for amending terms of a municipal code makes efforts difficult to effectively adapt and accommodate trends and changing market conditions that can happen more rapidly; and,

WHEREAS, it is proper and appropriate to routinely review the ordinances and provisions of the Tooele City Code for clarity, predictability, relevance, applicability, and appropriateness; and,

WHEREAS, it is proper and appropriate to revise provisions of the City Code found to be antiquated, to have diminished in applicability and appropriateness, to be unclear or to have diminished relevance, to lead to difficulties in the predictability of the land use application approval process, or to modernize provisions to adapt to changing conditions and federal and state laws; and,

WHEREAS, the purposes of the proposed amendments and enactments include the creation of more flexible, more effective more timely, and less cumbersome regulatory program to adapt to and accommodate changes in trends and market conditions in development that present opportunities for more integrated and cohesive developments that support a broader range of land use types including the potential for the creation of a greater supply of attainable housing including low and moderate income housing as defined by state; and,

WHEREAS, on July 14, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit F); and,

WHEREAS, on July 21, 2021, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Tooele City Code:

- Section 7-13-1 is hereby amended as shown in **Exhibit A**;
- Chapter 7-14 is hereby amended as shown in **Exhibit B**;
- Chapter 7-14b is hereby enacted as shown in **Exhibit C**;
- Chapter 7-16 is hereby amended as shown in **Exhibit D**; and
- Chapter 7-16a is here by enacted as shown in **Exhibit E**.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, and welfare of Tooele City and its residents and businesses and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this _____ day of _____, 20___.

TOOELE CITY COUNCIL

(For) (Against)

_____	_____
Justin Brady	Justin Brady
_____	_____
Melodi Gochis	Melodi Gochis
_____	_____
Tony Graf	Tony Graf
_____	_____
Ed Hansen	Ed Hansen
_____	_____
Maresa Manzione	Maresa Manzione

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____	_____
Debra E. Winn	Debra E. Winn

(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. City Charter Section 2-05. UCA 10-3-704(11).)

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

PROPOSED TEXT AMENDMENT TO SECTION 7-13-1

TITLE 7. UNIFORM ZONING TITLE OF TOOELE CITY

Chapter 1. General Provisions.
Chapter 2. Supplementary and Qualifying Regulations.
Chapter 3. Nonconforming Uses.
Chapter 4. Off-Street Parking Requirements.
Chapter 5. Conditional Use.
Chapter 6. Planned Unit Development Overlay District (PUD).
Chapter 7. Repealed (Ord. 97-21, 06-04-97).
Chapter 8. Mobile Home Parks.
Chapter 9. Recreational Vehicles and Recreational Vehicle Parks.
Chapter 10. Performance Standards for Industrial and Other Uses.
Chapter 11. Design Review.
Chapter 11a. Design Standards: Multi-Family Residential.
Chapter 11b. Design Standards: Single-Family Residential.
Chapter 12. Sensitive Area Overlay Zoning Regulations.
Chapter 13. Zoning Districts.
Chapter 13a. OS Open Space Zone.
Chapter 14. Residential Zoning Districts.
Chapter 14a. Accessory Dwelling Units.
Chapter 14b. RSD Residential Special Districts.
Chapter 15. Residential Facilities For Persons with a Disability.
Chapter 15a. Residential Facilities for Elderly Persons.
Chapter 16. Zoning District Purpose and Intent. Mixed Use, Commercial, Industrial and Special Purpose Districts.
Chapter 16a. CSD Commercial Special Districts.
Chapter 17. Repealed (Ord. 98-40, 12-16-98).
Chapter 18. Repealed (Ord. 2003-10, 03-19-03 and Sec 7-18-8).
Chapter 19. Subdivisions.
Chapter 20. Condominium Approval Procedure.
Chapter 21. Repealed (Ord. 2012-17, 09-10-12).
Chapter 22. Certificates of Occupancy.
Chapter 23. Official City Maps and Major Street Master Plan.
Chapter 24. Annexed Areas.
Chapter 25. Signs.
Chapter 26. Water Rights.
Chapter 27. Personal Wireless Telecommunications Facilities.
Chapter 28. Constitutional Taking Issues.
Chapter 29. Temporary Vehicle Sales Lots.

CHAPTER 13. Zoning Districts

7-13-1. Establishment of Zoning Districts.
7-13-2. Rules for Locating Boundaries.

7-13-1. Establishment of Zoning Districts.

(1) In order to accomplish the purposes of this Title, Tooele City is hereby divided into the following zoning districts:
- (a) Multi-Family Residential (MR-25)
- (b) Multi-Family Residential (MR-16);
- (c) Multi-Family Residential (MR-8);
- (d) Medium Density Residential (R1-7);
- (e) Medium Density Residential (R1-8);
- (f) Medium Density Residential (R1-10);
- (g) Low Density Residential (R1-12);

(h) Low Density Residential (R1-14);
(i) Low Density Residential (R1-30);
(j) Low Density Residential (RR-1);
(k) Low Density Residential (RR-5);
(l) Low Density Residential (RR-20);
(m) Multiple Use (MU-160);
(n) Mixed Use - General (MU-G);
(o) Mixed Use - Broadway (MU-B);
(p) Neighborhood Commercial (NC);
(q) General Commercial (GC);
(r) Regional Commercial (RC);
(s) Light Industrial (LI);
(t) Industrial (I); ~~and,~~
(u) Research and Development (RD)*;*
(v) Residential Special District (RSD); and,
(w) Commercial Special District (CSD).

EXHIBIT B

PROPOSED TEXT AMENDMENT TO CHAPTER 7-14

CHAPTER 14. Residential Zoning Districts

7-14-1. Residential Zoning Districts.
7-14-1.1. In-Fill Overlay District.
7-14-1.2. In-Fill Overlay District Streets.
7-14-2. Residential Zoning Districts Purpose.
7-14-3. Uses Allowed within the Residential Zoning Districts.
7-14-4. Table of Allowed Density and Table of Site Planning and Development Standards.
7-14-5. Table of Minimum Dwelling Unit Size.
7-14-6. Accessory Structure Requirements.
7-14-7. Porches.
7-14-8. Requirements.
7-14-9. Keeping of Animals and Household Pets.
7-14-10. Apiaries

7-14-1. Residential Zoning Districts.

In accordance with the requirement of the Utah Code that zoning within municipalities be by districts, Tooele City has established and identified on the Tooele City Zoning District Map the following residential zoning districts which govern the use, intensity, area and other requirements for the use of residential land as required by this Ordinance. The map accompanying this Ordinance, and incorporated herein by reference, identifies the location and extent of each residential zoning district within the City. All development, use, activity, and authorized permits and licenses shall adhere to all the provisions, standards, and requirements of the applicable zoning district.

To meet the purposes of this Ordinance, Tooele City is divided into the following residential and special purpose zoning districts:

Multi-Family Residential (MR-25)
Multi-Family Residential (MR-16)
Multi-Family Residential (MR-8)
Medium Density Residential (R1-7)
Medium Density Residential (R1-8)
Medium Density Residential (R1-10)
Low Density Residential (R1-12)
Low Density Residential (R1-14)
Low Density Residential (R1-30)
Low Density Residential (RR-1)
Low Density Residential (RR-5)
Low Density Residential (RR-20)
Multiple Use (MU-160)
In-Fill Overlay (IFO)
Residential Special District (RSD)

7-14-2. Residential Zoning Districts Purpose.

The residential zoning districts of Tooele City, and as presented in Table 1 and Table 2 are formulated and provided and achieve the following purposes:

(5) The purpose of the Residential Special District (RSD) is to provide a master planned, architecturally designed residential development where customized zoning requirements are developed and implemented to apply to a specific geographic area in order to permit flexibility and initiative to produce a unique, cohesive development to achieve the following:

(a) Protecting and enhancing the value of properties by encouraging the use of good design principles and concepts through development planning with full recognition of the significance and effect they can have on the proper planning and development of subject properties as well as adjacent and nearby properties;

(b) *Provide a mechanism whereby reasonable and unique developments may be approved that provide a benefit to the development, the residents within the proposed development, and the community as a whole that may not be specifically possible under the base tenets of this Title.*

(c) *Encouraging and maintaining the orderly and harmonious appearance, attractiveness, and aesthetic development of structures and grounds;*

(d) *Providing a method whereby specific development plans, based upon City criteria and policy may, at the discretion of the City, be required for the systematic and orderly development of the city;*

(e) *Encouraging excellence of property development, compatible with plans and policies of the City, with due regard for the public and private interests involved; and*

(f) *Ensuring that the public benefits derived from the beautification of developments and uses shall be protected by exercise of reasonable controls over the character and design of private buildings, structures and open spaces.*

EXHIBIT C

PROPOSED TEXT AMENDMENT TO CREATE CHAPTER 7-14b

CHAPTER 14b. RSD Residential Special Districts

7-14b-1. Residential Special Districts and Suffix.
7-14b-2. Adoption and Implementation.
7-14b-3. Residential Special Districts Eligibility and Size.
7-14b-4. Development Standards.
7-14b-5. Standard of Review.
7-14b-6. Processes and Procedures.
7-14b-7. Exemptions.

7-14b-1. Residential Special Districts and Suffix. *The establishment of a Residential Special District (RSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the RSD. Each approved RSD shall act independently from other approved RSDs. Each RSD shall be titled appropriate to the development planned within the RSD and include the suffix "-RSD" (i.e. Name-RSD) to identify the zoning of the subject properties as an RSD. Each RSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the RSD, and identified on the official Zoning Map according to the approved name of the RSD.*

7-14b-2. Adoption and Implementation. *The approval and adoption of an application for an RSD shall require both an amendment to the text of this Title, to establish the RSD and its terms, and an amendment to the official Zoning Map. The approval and adoption of an RSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of an RSD, the terms adopted within the RSD shall act as the development standards for properties assigned the RSD designation.*

7-14b-3. Residential Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Residential Special District shall first be identified on the Land Use Map of the General Plan and assigned to a residential land use designation. Mixed-use and special use land uses shall not be considered a residential land use for the purpose of considering eligibility for an RSD.

(2) Size. The minimum size for any application for a Residential Special District shall be 20 acres. All acreage identified for inclusion in an RSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an RSD but shall not be included in the calculation of minimum acreage for RSD eligibility:

(a) slopes prohibiting development;
(b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;
(c) preservation designations, such as conservation easements;
(d) publicly owned lands; or
(e) properties previously approved for development under a land use application or building permit.

(3) Eligibility. Any application for a Residential Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an RSD and denied.

7-14b-4. Development Standards. *Each application for an RSD shall establish a complete set of development standards for implementation on properties assigned the RSD zoning designation. Development standards for an RSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for an RSD shall address and establish provisions for at least the following:*

(1) The name proposed for the RSD;
(2) The geographic boundaries of the RSD;
(3) The purpose and intent of the RSD including a written description of the RSD proposal with the expected outcome and benefit the RSD will provide to the community;
(4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;
(5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:

(a) Maximum density allowances for:

(i) the overall RSD; and
(ii) each different use type and area within the RSD;
(b) Minimum and/or Maximum Lot Sizes;
(c) Minimum and/or Maximum Unit Sizes;
(d) Minimum Lot Frontage;
(e) Minimum Lot Width, Interior & Corner Lots;
(f) Minimum Front Setbacks;
(g) Minimum Side Setbacks, Interior & Corner Street Side;
(h) Minimum Rear Setbacks;
(i) Minimum and Maximum Building Heights;
(j) Maximum Lot Coverage;
(k) Landscaping;
(l) Fencing;
(m) Parks, Recreational Features & Open Spaces;
(n) Lighting; and
(o) Parking;

(6) Architectural Unit Design Standards, which may be identified to simply comply with existing City Code requirements or proposed as different standards and features identified within the RSD;

(7) Amenities and features including but not limited to:
(a) Private amenities within the proposed RSD for the benefit of the RSD residents;
(b) Public amenities within the proposed RSD for the benefit of the entire community;
(c) Relationship and connections to existing & proposed public amenities (parks, trails, open spaces, etc.); and
(d) Environmentally sensitive features and preservation areas:

(8) Methods by which the RSD will integrate with or separate from neighboring uses and developments;

(9) Transportation elements including:
(a) Identification of public and private roadways within the RSD area (location, layout, classifications of roadways);
(b) Roadway design standards (cross sections) for each identified classification of private roadway; and
(c) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);

(10) Signage, including development signage and signage for individual or groups of uses within the proposed RSD;

(11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
(a) Provisions establishing and governing a Homeowners Association (HOA); and
(b) Maintenance of amenities and facilities by the HOA;

(12) Storm water facilities and maintenance, including:
(a) Detention and retention areas, including conceptual design layout, features of basins, etc.; and
(b) Drainage channels;

(13) Graphic illustrations, as needed;

(14) Conceptual and layout mapping for the proposed RSD including:
(a) Properties included;
(b) Description of boundaries (not necessarily legal description);
(c) Identified existing natural and developed features;
(d) Conceptual development plans;
(e) Data tables including at least:
(i) Total project acreage;
(ii) Acreage of each use type, area, etc.;
(iii) Proposed number of units of each use type, area, etc.;
(iv) Public and private streets;
(v) Public dedications;
(vi) Private properties, uses, and features; and
(vii) Identification of unbuildable or preservation areas; and

(15) The manner in which all other aspects of development within the boundaries of the RSD not otherwise addressed by the RSD will be handled (i.e. all other aspects of development not otherwise addressed by the RSD shall default to the base tenets of Title 7 of the Tooele City Code).

7-14b-5. Standard of Review.

(1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Residential Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for an RSD. Every application for an RSD shall be considered independently of all other RSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an application for an RSD shall not be based on the process, decision, features, or aspects of any other application for an RSD. Each respective RSD shall be non-binding upon any other RSD both during the application and review process and through development and land use.

(2) Findings Required. The approval or denial of an application for a Residential Special District shall be based on at least the following findings:

(a) the proposed Residential Special District will result in the development of properties in a manner that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-14;

(b) the proposed Residential Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and

(c) the proposed Residential Special District will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the housing market.

7-14b-6. Processes and Procedures. *The approval and adoption of an RSD shall not alter or change the approval processes to be employed for land use applications within the RSD. Proposals for establishment of an RSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. An RSD shall not change or affect any aspect of permitting for construction of structures and uses within the RSD.*

7-14b-7. Requirements and Exemptions. *The approval and adoption of an RSD shall not alter or change any requirement for approval identified for same land use application outside of the RSD. Proposals for establishment of an RSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.*

EXHIBIT D

PROPOSED TEXT AMENDMENT TO CHAPTER 7-16

CHAPTER 16. Zoning District Purpose and Intent. Mixed Use, Commercial, Industrial, and Special Purpose Districts

7-16-1. Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts.
7-16-2. Purposes and Intent.
7-16-2.1. Gateway Overlay Districts - Location.

7-16-1. Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts.

(1) The Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts of Tooele City are established and provided to implement the Tooele City General Plan. These Districts are:
   (a) Mixed Use - General District (MU-G)
   (b) Mixed Use - Broadway District (MU-B)
   (c) Neighborhood Commercial District (NC)
   (d) General Commercial District (GC)
   (e) Regional Commercial District (RC)
   (f) Light Industrial District (LI)
   (g) Industrial Service District (IS)
   (h) Industrial District (I)
   (i) Research and Development District (RD)

(2) Also provided are the following Special Purpose Overlay Districts, formulated to establish special design, use requirements and general site planning provisions for specific areas of the City. These Districts are:
   (a) Downtown Overlay District (DO)
   (b) Gateway Overlay District (GO)
   (c) Commercial Special District (CSD)

7-16-2. Purposes and Intent.

The purposes and intent of the Tooele City Mixed Use, Commercial, Industrial and Special Purpose Districts are:

(11) Commercial Special District (CSD). The purpose of the Commercial Special District (CSD) is to provide a master planned, architecturally designed non-residential development where customized zoning requirements are developed and implemented to apply to a specific geographic area in order to permit flexibility and initiative to produce a unique, cohesive development.

EXHIBIT E

PROPOSED TEXT AMENDMENT TO CREATE CHAPTER 7-16a

CHAPTER 16a. CSD Commercial Special Districts.

7-16a-1. Commercial Special Districts and Suffix.
7-16a-2. Adoption and Implementation.
7-16a-3. Residential Special Districts Eligibility and Size.
7-16a-4. Development Standards.
7-16a-5. Standard of Review.
7-16a-6. Processes and Procedures.
7-16a-7. Exemptions.

7-16a-1. Commercial Special Districts and Suffix. *The establishment of a Commercial Special District (CSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the CSD. Each approved CSD shall act independently from other approved CSDs. Each CSD shall be titled appropriate to the development planned within the CSD and include the suffix "-CSD" (i.e. Name-CSD) to identify the zoning of the subject properties as a CSD. Each CSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the CSD, and identified on the official Zoning Map according to the approved name of the CSD.*

7-16a-2. Adoption and Implementation. *The approval and adoption of an application for a CSD shall require both an amendment to the text of this Title, to establish the CSD and its terms, and an amendment to the official Zoning Map. The approval and adoption of a CSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of a CSD, the terms adopted within the CSD shall act as the development standards for properties assigned the CSD designation.*

7-16a-3. Commercial Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Commercial Special District shall first be identified on the Land Use Map of the General Plan and assigned to a commercial land use designation. Mixed-use, special use, and industrial land uses shall not be considered a commercial land use for the purpose of considering eligibility for an CSD.

(2) Size. The minimum size for any application for a Commercial Special District shall be 100 acres. All acreage identified for inclusion in an CSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an CSD but shall not be included in the calculation of minimum acreage for CSD eligibility:

- *(a) slopes prohibiting development;*
- *(b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;*
- *(c) preservation designations, such as conservation easements;*
- *(d) publicly owned lands; or*
- *(e) properties previously approved for development under a land use application or building permit.*

(3) Eligibility. Any application for a Commercial Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an CSD and denied.

7-16a-4. Development Standards. *Each application for a CSD shall establish a complete set of non-residential development standards for implementation on properties assigned the CSD zoning designation. Development standards for a CSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for a CSD shall address and establish provisions for at least the following:*

(1) The name proposed for the CSD;
(2) The geographic boundaries of the CSD;
(3) The purpose and intent of the CSD including a written description of the CSD proposal with the expected outcome and benefit the CSD will provide to the community;
(4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;

(5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:
  (a) Minimum and/or Maximum Lot Sizes;
  (b) Minimum Lot Frontage;
  (c) Minimum Lot Width, Interior & Corner Lots;
  (d) Minimum Front Setbacks;
  (e) Minimum Side Setbacks, Interior & Corner Street Side;
  (f) Minimum Rear Setbacks;
  (g) Minimum and Maximum Building Heights;
  (h) Maximum Lot Coverage;
  (i) Location, arrangement configuration, and bulk standards for buildings;
  (j) Minimum Landscaping Coverage;
  (k) Fencing;
  (l) Lighting; and
  (m) Parking;
(6) Architectural Design Standards for buildings and features within the CSD;
(7) Amenities and features including but not limited to:
  (a) Private amenities within the proposed CSD for the benefit of businesses and employees within the CSD;
  (b) Public amenities within the proposed CSD for the benefit of the entire community;
  (c) Relationship and connections to existing & proposed public amenities (trails, open spaces, etc.); and
  (d) Environmentally sensitive features and preservation areas:
(8) Methods by which the CSD will integrate with or separate from neighboring uses and developments, both residential and non-residential;
(9) Transportation elements including:
  (a) Identification of public and private roadways within the CSD area (location, layout, classifications of roadways, etc.);
  (b) Roadway design standards (cross sections) for each identified classification of private roadway;
  (c) Identification of truck routes and routes for use by heavy vehicles; and
  (d) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);
(10) Signage, including development signage and signage for individual or groups of uses within the proposed CSD;
(11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
  (a) Provisions establishing and governing a master association (MA); and
  (b) Maintenance of amenities and facilities by the master association (MA);
(12) Storm water facilities and maintenance, including:
  (a) Detention and retention areas, including conceptual design layout, features of basins, etc.; and
  (b) Drainage channels;
(13) Graphic illustrations, as needed;
(14) Conceptual and layout mapping for the proposed CSD including:
  (a) Properties included;
  (b) Description of boundaries (not necessarily legal description);
  (c) Identified existing natural and developed features;
  (d) Conceptual development plans;
  (e) Data tables including at least:
    (i) Total project acreage;
    (ii) Acreage of each use type, area, etc.;
    (iii) Public and private streets;
    (iv) Public dedications;
    (v) Private properties, uses, and features; and
    (vi) Identification of unbuildable or preservation areas; and
(15) The manner in which all other aspects of development within the boundaries of the CSD not otherwise addressed by the CSD will be handled (i.e. all other aspects of development not otherwise addressed by the CSD shall default to the base tenets of Title 7 of the Tooele City Code).

7-16a-5. Standard of Review.

(1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Commercial Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for a CSD. Every application for a CSD shall be considered independently of all other CSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an application for a CSD shall not be based on the process, decision, features, or aspects of any other application for a CSD. Each respective CSD shall be non-binding upon any other CSD both during the application and review process and through development and land use.

(2) Findings Required. The approval or denial of an application for a Commercial Special District shall be based on at least the following findings:

(a) the proposed Commercial Special District will result in the development of properties in a manner that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-16;

(b) the proposed Commercial Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and

(c) the proposed Commercial Special District will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the market.

7-16a-6. Processes and Procedures. *The approval and adoption of a CSD shall not alter or change the approval processes to be employed for land use applications within the CSD. Proposals for establishment of an CSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. A CSD shall not change or affect any aspect of permitting for construction of structures and uses within the CSD.*

7-16a-7. Requirements and Exemptions. *The approval and adoption of a CSD shall not alter or change any requirement for approval identified for same land use application outside of the CSD. Proposals for establishment of a CSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.*

EXHIBIT F

JULY 14, 2021 PLANNING COMMISSION MINUTES

STAFF REPORT
July 8, 2021

To: Tooele City Planning Commission
Business Date: July 14, 2021

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: **RSD Residential Special District & CSD Commercial Special Districts – City Code Text Amendment Request**

Application No.: P21-657
Applicant: Tooele City
Request: Request for approval of a City Code Text Amendment regarding the establishment of provisions for RSD Residential Special Districts and CSD Commercial Special Districts.

BACKGROUND

This application is a request for approval of a City Code Text Amendment for the purpose of establishing new provisions in the Tooele City Code for Residential Special Districts (RSD) and Commercial Special Districts (CSD). These districts would serve as new zoning designations whereby applicants that meet the criteria for utilization of these provisions can establish customized development requirements that allow for a more cohesive integration of a variety of similar uses than may otherwise be allowed under standard zoning.

ANALYSIS

General Plan and Zoning. The principle of zoning has a long history across the country of providing the identification of appropriate uses and intensities of land for different areas of a community based on the planning, vision, and goals of the community itself. Despite its dramatic upside, zoning does inherently bring with it a few drawbacks. First, since zoning is geographically based it provides for the clear boundaries and separations. Although this has its advantages as well, it provides for the possibility where adjacent properties have different rules or allowances on them that requires careful treatment of impacts of one onto the other. Second, zoning becomes a very rigid system regulation. Many times the allowances and intensities of land uses become little more than "yes" or "no" scenarios that provide little opportunity for flexibility. A third drawback is the fact that zoning provisions tend to trail behind the ever changing trends and innovations in land uses, both positive and negative. Aside from being practically unable to anticipate and address every potential use of land, the process to amend the terms of zoning provisions is naturally cumbersome enough that it is difficult to move as quickly as trends and application that desire to apply those trends.

The intent behind the concept of a Residential Special District, and the commercial equivalent in a Commercial Special District, is that these districts are established with the sole purpose of providing zoning provisions based entirely around flexibility. The way this is accomplished is through the base requirement that the entire application for an RSD is the writing of a new zoning designation by the applicant that allows them to identify the development related provisions that permit the trends, innovation, and integration of uses desired within a specific geographic area of the community. In order to do so, an application must first meet specific criteria in order to be eligible for consideration of an RSD or CSD. Those criteria include the appropriate underlying

land use and the size and scope of project desired. There is a balance to be struck in these provisions whereby the allowance for consideration of an application for an RSD or CSD is large enough and has the appropriate aspects to the area to warrant consideration, but also not open up the criteria to the point that it provides the opportunity to undermine the standard City zoning classifications. Finally, even in those cases where an area of the community and a proposal is warranted for consideration for an RSD or CSD, the City is under no obligation to approve such an application, or even a specific component of the application.

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

(1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
   (a) The effect of the proposed amendment on the character of the surrounding area.
   (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
   (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
   (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
   (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
   (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendment request and has issued the following comments:

1. This text amendment will provide another tool for the creation of development projects that are cohesive.
2. This text amendment will provide another tool for the creation of development projects that can integrate a variety of unit types.
3. This text amendment will provide another tool for the creation of development projects that can support good planning principles.
4. This text amendment will provide another tool for the creation of development projects that provide benefits to the community.

Engineering Review. The Tooele City Engineering Division has completed their review of the City Code Text Amendment request and has issued the following comment:

1. This text amendment will provide another tool for the creation of development projects that present the potential for efficient infrastructure.

Noticing. The applicant has expressed their desire to amend the terms of the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the

City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the City Code text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed City Code text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed City Code text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed City Code text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed City Code text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed City Code text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed City Code text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed City Code text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the RSD Residential Special District and CSD Commercial Special Districts City Code Text Amendment Request by Tooele City for the purpose of establishing provisions for RSD Residential Special Districts and CSD Commercial Special Districts, application number P21-657, based on the following findings:"

1. List findings …

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the RSD Residential Special District & CSD Commercial Special Districts City Code Text Amendment Request by Tooele City for the purpose of establishing provisions for RSD Residential Special Districts and CSD Commercial Special Districts, application number P21-657, based on the following findings:"

1. List findings …

EXHIBIT A

PROPOSED LANGUAGE FOR THE
RSD RESIDENTIAL SPECIAL DISTRICT & CSD COMMERCIAL SPECIAL DISTRICTS
CITY CODE TEXT AMENDMENT

TITLE 7. UNIFORM ZONING TITLE OF TOOELE CITY

Chapter 1. General Provisions.
Chapter 2. Supplementary and Qualifying Regulations.
Chapter 3. Nonconforming Uses.
Chapter 4. Off-Street Parking Requirements.
Chapter 5. Conditional Use.
Chapter 6. Planned Unit Development Overlay District (PUD).
Chapter 7. Repealed (Ord. 97-21, 06-04-97).
Chapter 8. Mobile Home Parks.
Chapter 9. Recreational Vehicles and Recreational Vehicle Parks.
Chapter 10. Performance Standards for Industrial and Other Uses.
Chapter 11. Design Review.
Chapter 11a. Design Standards: Multi-Family Residential.
Chapter 11b. Design Standards: Single-Family Residential.
Chapter 12. Sensitive Area Overlay Zoning Regulations.
Chapter 13. Zoning Districts.
Chapter 13a. OS Open Space Zone.
Chapter 14. Residential Zoning Districts.
Chapter 14a. Accessory Dwelling Units.
Chapter 14b. RSD Residential Special Districts.
Chapter 15. Residential Facilities For Persons with a Disability.
Chapter 15a. Residential Facilities for Elderly Persons.
Chapter 16. Zoning District Purpose and Intent. Mixed Use, Commercial, Industrial and Special Purpose Districts.
Chapter 16a. CSD Commercial Special Districts.
Chapter 17. Repealed (Ord. 98-40, 12-16-98).
Chapter 18. Repealed (Ord. 2003-10, 03-19-03 and Sec 7-18-8).
Chapter 19. Subdivisions.
Chapter 20. Condominium Approval Procedure.
Chapter 21. Repealed (Ord. 2012-17, 09-10-12).
Chapter 22. Certificates of Occupancy.
Chapter 23. Official City Maps and Major Street Master Plan.
Chapter 24. Annexed Areas.
Chapter 25. Signs.
Chapter 26. Water Rights.
Chapter 27. Personal Wireless Telecommunications Facilities.
Chapter 28. Constitutional Taking Issues.
Chapter 29. Temporary Vehicle Sales Lots.

CHAPTER 13. Zoning Districts

7-13-1. Establishment of Zoning Districts.
7-13-2. Rules for Locating Boundaries.

7-13-1. Establishment of Zoning Districts.

(1) In order to accomplish the purposes of this Title, Tooele City is hereby divided into the following zoning districts:
- (a) Multi-Family Residential (MR-25)
- (b) Multi-Family Residential (MR-16);
- (c) Multi-Family Residential (MR-8);
- (d) Medium Density Residential (R1-7);
- (e) Medium Density Residential (R1-8);
- (f) Medium Density Residential (R1-10);

DRAFT

(g) Low Density Residential (R1-12);
(h) Low Density Residential (R1-14);
(i) Low Density Residential (R1-30);
(j) Low Density Residential (RR-1);
(k) Low Density Residential (RR-5);
(l) Low Density Residential (RR-20);
(m) Multiple Use (MU-160);
(n) Mixed Use - General (MU-G);
(o) Mixed Use - Broadway (MU-B);
(p) Neighborhood Commercial (NC);
(q) General Commercial (GC);
(r) Regional Commercial (RC);
(s) Light Industrial (LI);
(t) Industrial (I); ~~and,~~
(u) Research and Development (RD)*;*
(v) Residential Special District (RSD); and,
(w) Commercial Special District (CSD).

CHAPTER 14. Residential Zoning Districts

7-14-1. Residential Zoning Districts.
7-14-1.1. In-Fill Overlay District.
7-14-1.2. In-Fill Overlay District Streets.
7-14-2. Residential Zoning Districts Purpose.
7-14-3. Uses Allowed within the Residential Zoning Districts.
7-14-4. Table of Allowed Density and Table of Site Planning and Development Standards.
7-14-5. Table of Minimum Dwelling Unit Size.
7-14-6. Accessory Structure Requirements.
7-14-7. Porches.
7-14-8. Requirements.
7-14-9. Keeping of Animals and Household Pets.
7-14-10. Apiaries

7-14-1. Residential Zoning Districts.

In accordance with the requirement of the Utah Code that zoning within municipalities be by districts, Tooele City has established and identified on the Tooele City Zoning District Map the following residential zoning districts which govern the use, intensity, area and other requirements for the use of residential land as required by this Ordinance. The map accompanying this Ordinance, and incorporated herein by reference, identifies the location and extent of each residential zoning district within the City. All development, use, activity, and authorized permits and licenses shall adhere to all the provisions, standards, and requirements of the applicable zoning district.

To meet the purposes of this Ordinance, Tooele City is divided into the following residential and special purpose zoning districts:

Multi-Family Residential (MR-25)
Multi-Family Residential (MR-16)
Multi-Family Residential (MR-8)
Medium Density Residential (R1-7)
Medium Density Residential (R1-8)
Medium Density Residential (R1-10)
Low Density Residential (R1-12)
Low Density Residential (R1-14)

DRAFT

Low Density Residential (R1-30)
Low Density Residential (RR-1)
Low Density Residential (RR-5)
Low Density Residential (RR-20)
Multiple Use (MU-160)
In-Fill Overlay (IFO)
Residential Special District (RSD)

7-14-2. Residential Zoning Districts Purpose.

The residential zoning districts of Tooele City, and as presented in Table 1 and Table 2 are formulated and provided and achieve the following purposes:

(5) The purpose of the Residential Special District (RSD) is to provide a master planned, architecturally designed residential development where customized zoning requirements are developed and implemented to apply to a specific geographic area in order to permit flexibility and initiative to produce a unique, cohesive development to achieve the following:

(a) Protecting and enhancing the value of properties by encouraging the use of good design principles and concepts through development planning with full recognition of the significance and effect they can have on the proper planning and development of subject properties as well as adjacent and nearby properties;

(b) Provide a mechanism whereby reasonable and unique developments may be approved that provide a benefit to the development, the residents within the proposed development, and the community as a whole that may not be specifically possible under the base tenets of this Title.

(c) Encouraging and maintaining the orderly and harmonious appearance, attractiveness, and aesthetic development of structures and grounds;

(d) Providing a method whereby specific development plans, based upon City criteria and policy may, at the discretion of the City, be required for the systematic and orderly development of the city;

(e) Encouraging excellence of property development, compatible with plans and policies of the City, with due regard for the public and private interests involved; and

(f) Ensuring that the public benefits derived from the beautification of developments and uses shall be protected by exercise of reasonable controls over the character and design of private buildings, structures and open spaces.

CHAPTER 14b. RSD Residential Special Districts

7-14b-1. Residential Special Districts and Suffix.
7-14b-2. Adoption and Implementation.
7-14b-3. Residential Special Districts Eligibility and Size.
7-14b-4. Development Standards.
7-14b-5. Standard of Review.
7-14b-6. Processes and Procedures.
7-14b-7. Exemptions.

7-14b-1. Residential Special Districts and Suffix. *The establishment of a Residential Special District (RSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the RSD. Each approved RSD shall act independently from other approved RSDs. Each RSD shall be titled appropriate to the development planned within the RSD and include the suffix "-RSD" (i.e. Name-RSD) to identify the zoning of the subject properties as an RSD. Each RSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the RSD, and identified on the official Zoning Map according to the approved name of the RSD.*

7-14b-2. Adoption and Implementation. *The approval and adoption of an application for an RSD shall require both an amendment to the text of this Title, to establish the RSD and its terms, and an amendment to the official Zoning Map. The*

DRAFT

approval and adoption of an RSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of an RSD, the terms adopted within the RSD shall act as the development standards for properties assigned the RSD designation.

7-14b-3. Residential Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Residential Special District shall first be identified on the Land Use Map of the General Plan and assigned to a residential land use designation. Mixed-use and special use land uses shall not be considered a residential land use for the purpose of considering eligibility for an RSD.

(2) Size. The minimum size for any application for a Residential Special District shall be 30 acres. All acreage identified for inclusion in an RSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an RSD but shall not be included in the calculation of minimum acreage for RSD eligibility:

- *(a) slopes prohibiting development;*
- *(b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;*
- *(c) preservation designations, such as conservation easements;*
- *(d) publicly owned lands; or*
- *(e) properties previously approved for development under a land use application or building permit.*

(3) Eligibility. Any application for a Residential Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an RSD and denied.

7-14b-4. Development Standards. *Each application for an RSD shall establish a complete set of development standards for implementation on properties assigned the RSD zoning designation. Development standards for an RSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for an RSD shall address and establish provisions for at least the following:*

(1) The name proposed for the RSD;

(2) The geographic boundaries of the RSD;

(3) The purpose and intent of the RSD including a written description of the RSD proposal with the expected outcome and benefit the RSD will provide to the community;

(4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;

(5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:

- *(a) Maximum density allowances for:*
  - *(i) the overall RSD; and*
  - *(ii) each different use type and area within the RSD;*
- *(b) Minimum and/or Maximum Lot Sizes;*
- *(c) Minimum and/or Maximum Unit Sizes;*
- *(d) Minimum Lot Frontage;*
- *(e) Minimum Lot Width, Interior & Corner Lots;*
- *(f) Minimum Front Setbacks;*
- *(g) Minimum Side Setbacks, Interior & Corner Street Side;*
- *(h) Minimum Rear Setbacks;*
- *(i) Minimum and Maximum Building Heights;*
- *(j) Maximum Lot Coverage;*
- *(k) Landscaping;*
- *(l) Fencing;*
- *(m) Parks, Recreational Features & Open Spaces;*
- *(n) Lighting; and*
- *(o) Parking;*

(6) Architectural Unit Design Standards, which may be identified to simply comply with existing City Code requirements or proposed as different standards and features identified within the RSD;

(7) Amenities and features including but not limited to:

DRAFT

(a) Private amenities within the proposed RSD for the benefit of the RSD residents;
(b) Public amenities within the proposed RSD for the benefit of the entire community;
(c) Relationship and connections to existing & proposed public amenities (parks, trails, open spaces, etc.); and
(d) Environmentally sensitive features and preservation areas:

(8) Methods by which the RSD will integrate with or separate from neighboring uses and developments;

(9) Transportation elements including:
(a) Identification of public and private roadways within the RSD area (location, layout, classifications of roadways);
(b) Roadway design standards (cross sections) for each identified classification of private roadway; and
(c) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);

(10) Signage, including development signage and signage for individual or groups of uses within the proposed RSD;

(11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
(a) Provisions establishing and governing a Homeowners Association (HOA); and
(b) Maintenance of amenities and facilities by the HOA;

(12) Storm water facilities and maintenance, including:
(a) Detention and retention areas, including conceptual design layout, features of basins, etc.; and
(b) Drainage channels;

(13) Graphic illustrations, as needed;

(14) Conceptual and layout mapping for the proposed RSD including:
(a) Properties included;
(b) Description of boundaries (not necessarily legal description);
(c) Identified existing natural and developed features;
(d) Conceptual development plans;
(e) Data tables including at least:
(i) Total project acreage;
(ii) Acreage of each use type, area, etc.;
(iii) Proposed number of units of each use type, area, etc.;
(iv) Public and private streets;
(v) Public dedications;
(vi) Private properties, uses, and features; and
(vii) Identification of unbuildable or preservation areas; and

(15) The manner in which all other aspects of development within the boundaries of the RSD not otherwise addressed by the RSD will be handled (i.e. all other aspects of development not otherwise addressed by the RSD shall default to the base tenets of Title 7 of the Tooele City Code).

7-14b-5. Standard of Review.

(1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Residential Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for an RSD. Every application for an RSD shall be considered independently of all other RSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an application for an RSD shall not be based on the process, decision, features, or aspects of any other application for an RSD. Each respective RSD shall be non-binding upon any other RSD both during the application and review process and through development and land use.

(2) Findings Required. The approval or denial of an application for a Residential Special District shall be based on at least the following findings:
(a) the proposed Residential Special District will result in the development of properties in a manner that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-14;
(b) the proposed Residential Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and
(c) the proposed Residential Special District will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the housing market.

DRAFT

7-14b-6. Processes and Procedures. *The approval and adoption of an RSD shall not alter or change the approval processes to be employed for land use applications within the RSD. Proposals for establishment of an RSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. An RSD shall not change or affect any aspect of permitting for construction of structures and uses within the RSD.*

7-14b-7. Requirements and Exemptions. *The approval and adoption of an RSD shall not alter or change any requirement for approval identified for same land use application outside of the RSD. Proposals for establishment of an RSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.*

CHAPTER 16. Zoning District Purpose and Intent. Mixed Use, Commercial, Industrial, and Special Purpose Districts

7-16-1. Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts.
7-16-2. Purposes and Intent.
7-16-2.1. Gateway Overlay Districts - Location.

7-16-1. Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts.

(1) The Mixed Use, Commercial, Industrial and Special Purpose Zoning Districts of Tooele City are established and provided to implement the Tooele City General Plan. These Districts are:
   (a) Mixed Use - General District (MU-G)
   (b) Mixed Use - Broadway District (MU-B)
   (c) Neighborhood Commercial District (NC)
   (d) General Commercial District (GC)
   (e) Regional Commercial District (RC)
   (f) Light Industrial District (LI)
   (g) Industrial Service District (IS)
   (h) Industrial District (I)
   (i) Research and Development District (RD)

(2) Also provided are the following Special Purpose Overlay Districts, formulated to establish special design, use requirements and general site planning provisions for specific areas of the City. These Districts are:
   (a) Downtown Overlay District (DO)
   (b) Gateway Overlay District (GO)
   (c) Commercial Special District (CSD)

7-16-2. Purposes and Intent.

The purposes and intent of the Tooele City Mixed Use, Commercial, Industrial and Special Purpose Districts are:

(11) Commercial Special District (CSD). The purpose of the Commercial Special District (CSD) is to provide a master planned, architecturally designed non-residential development where customized zoning requirements are developed and implemented to apply to a specific geographic area in order to permit flexibility and initiative to produce a unique, cohesive development.

CHAPTER 16a. CSD Commercial Special Districts.

7-16a-1. Commercial Special Districts and Suffix.
7-16a-2. Adoption and Implementation.
7-16a-3. Residential Special Districts Eligibility and Size.
7-16a-4. Development Standards.

DRAFT

7-16a-5. Standard of Review.
7-16a-6. Processes and Procedures.
7-16a-7. Exemptions.

7-16a-1. Commercial Special Districts and Suffix. *The establishment of a Commercial Special District (CSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the CSD. Each approved CSD shall act independently from other approved CSDs. Each CSD shall be titled appropriate to the development planned within the CSD and include the suffix "-CSD" (i.e. Name-CSD) to identify the zoning of the subject properties as a CSD. Each CSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the CSD, and identified on the official Zoning Map according to the approved name of the CSD.*

7-16a-2. Adoption and Implementation. *The approval and adoption of an application for a CSD shall require both an amendment to the text of this Title, to establish the CSD and its terms, and an amendment to the official Zoning Map. The approval and adoption of a CSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of a CSD, the terms adopted within the CSD shall act as the development standards for properties assigned the CSD designation.*

7-16a-3. Commercial Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Commercial Special District shall first be identified on the Land Use Map of the General Plan and assigned to a commercial land use designation. Mixed-use, special use, and industrial land uses shall not be considered a commercial land use for the purpose of considering eligibility for an CSD.

(2) Size. The minimum size for any application for a Commercial Special District shall be 100 acres. All acreage identified for inclusion in an CSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an CSD but shall not be included in the calculation of minimum acreage for CSD eligibility:

- *(a) slopes prohibiting development;*
- *(b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;*
- *(c) preservation designations, such as conservation easements;*
- *(d) publicly owned lands; or*
- *(e) properties previously approved for development under a land use application or building permit.*

(3) Eligibility. Any application for a Commercial Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an CSD and denied.

7-16a-4. Development Standards. *Each application for a CSD shall establish a complete set of non-residential development standards for implementation on properties assigned the CSD zoning designation. Development standards for a CSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for a CSD shall address and establish provisions for at least the following:*

(1) The name proposed for the CSD;
(2) The geographic boundaries of the CSD;
(3) The purpose and intent of the CSD including a written description of the CSD proposal with the expected outcome and benefit the CSD will provide to the community;
(4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;
(5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:

- *(a) Minimum and/or Maximum Lot Sizes;*
- *(b) Minimum Lot Frontage;*
- *(c) Minimum Lot Width, Interior & Corner Lots;*
- *(d) Minimum Front Setbacks;*

DRAFT

(e) Minimum Side Setbacks, Interior & Corner Street Side;
(f) Minimum Rear Setbacks;
(g) Minimum and Maximum Building Heights;
(h) Maximum Lot Coverage;
(i) Location, arrangement configuration, and bulk standards for buildings;
(j) Minimum Landscaping Coverage;
(k) Fencing;
(l) Lighting; and
(m) Parking;

(6) Architectural Design Standards for buildings and features within the CSD;

(7) Amenities and features including but not limited to:
(a) Private amenities within the proposed CSD for the benefit of businesses and employees within the CSD;
(b) Public amenities within the proposed CSD for the benefit of the entire community;
(c) Relationship and connections to existing & proposed public amenities (trails, open spaces, etc.); and
(d) Environmentally sensitive features and preservation areas:

(8) Methods by which the CSD will integrate with or separate from neighboring uses and developments, both residential and non-residential;

(9) Transportation elements including:
(a) Identification of public and private roadways within the CSD area (location, layout, classifications of roadways, etc.);
(b) Roadway design standards (cross sections) for each identified classification of private roadway;
(c) Identification of truck routes and routes for use by heavy vehicles; and
(d) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);

(10) Signage, including development signage and signage for individual or groups of uses within the proposed CSD;

(11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
(a) Provisions establishing and governing a master association (MA); and
(b) Maintenance of amenities and facilities by the master association (MA);

(12) Storm water facilities and maintenance, including:
(a) Detention and retention areas, including conceptual design layout, features of basins, etc.; and
(b) Drainage channels;

(13) Graphic illustrations, as needed;

(14) Conceptual and layout mapping for the proposed CSD including:
(a) Properties included;
(b) Description of boundaries (not necessarily legal description);
(c) Identified existing natural and developed features;
(d) Conceptual development plans;
(e) Data tables including at least:
(i) Total project acreage;
(ii) Acreage of each use type, area, etc.;
(iii) Public and private streets;
(iv) Public dedications;
(v) Private properties, uses, and features; and
(vi) Identification of unbuildable or preservation areas; and

(15) The manner in which all other aspects of development within the boundaries of the CSD not otherwise addressed by the CSD will be handled (i.e. all other aspects of development not otherwise addressed by the CSD shall default to the base tenets of Title 7 of the Tooele City Code).

7-16a-5. Standard of Review.

(1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Commercial Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for a CSD. Every application for a CSD shall be considered independently of all other CSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an

application for a CSD shall not be based on the process, decision, features, or aspects of any other application for a CSD. Each respective CSD shall be non-binding upon any other CSD both during the application and review process and through development and land use.

(2) *Findings Required. The approval or denial of an application for a Commercial Special District shall be based on at least the following findings:*

(a) *the proposed Commercial Special District will result in the development of properties in a manner that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-16;*

(b) *the proposed Commercial Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and*

(c) *the proposed Commercial Special District will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the market.*

7-16a-6. Processes and Procedures. *The approval and adoption of a CSD shall not alter or change the approval processes to be employed for land use applications within the CSD. Proposals for establishment of an CSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. A CSD shall not change or affect any aspect of permitting for construction of structures and uses within the CSD.*

7-16a-7. Requirements and Exemptions. *The approval and adoption of a CSD shall not alter or change any requirement for approval identified for same land use application outside of the CSD. Proposals for establishment of a CSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.*

DRAFT

Jim Bolser

From: Bothell, Stephanie <Stephanie.Bothell@utahhomes.com>
Sent: Wednesday, July 14, 2021 1:31 PM
To: Planning Commision Public Comment
Subject: Residential Special District

I'm writing to urge the Commission to send a favorable recommendation to the Tooele City Council regarding the RSD. This will allow the City to be much more flexible when approving housing development. Similar RSDs have worked well in other municipalities like Draper.

In this unprecedented time of housing crisis, an RSD would allow developers and builders to think outside of the box to offer more affordable homes in our city. The RSD would also allow the council full power to approve projects and also to deny projects that don't work for our city.

We need to give our developers more options to think creatively and then hope they choose to work with all of us to help address the obstacles to attainable homeownership.

Respectfully,

Stephanie Bothell
Tooele County Association of Realtors

Check out my Facebook Page
Stephanie Bothell
Tooele Real Estate Expert
Associate Broker, SRS, PSA, E-Pro, RENE
435-841-9917
stephanie.bothell@utahhomes.com

REALTOR (R) at 623-Coldwell Banker Residential Brokerage
stephanie.bothell@utahhomes.com |
View My Website

Wire Fraud is Real. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

TOOELE CITY CORPORATION

ORDINANCE 2021-23

AN ORDINANCE OF TOOELE CITY ESTABLISHING AN INFORMATION TECHNOLOGY DEPARTMENT, AND AMENDING TOOELE CITY CODE SECTION 1-6-4 TO REFERENCE THE INFORMATION TECHNOLOGY DEPARTMENT.

WHEREAS, the Tooele City Charter Section 2-06 empowers the Council to establish City Departments by ordinance; and,

WHEREAS, the Tooele City Charter Section 2-06 and TCC Section 1-6-4(2), respectively, empower the Mayor to “determine the powers and duties to be performed” by City Departments, and to “have direct supervision and responsibility over operations in” the City Departments; and,

WHEREAS, the Council desires to establish an Information Technology Department; and,

WHEREAS, TCC Section 1-6-4(2) currently refers to each City Department by name:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that an Information Technology Department is hereby established; and, that TCC Section 1-6-4 is hereby amended to refer to the Information Technology Department, as shown in the attached Exhibit A.

This Ordinance is necessary for the preservation of the peace, health, safety, welfare, and orderly administration of Tooele City and its residents and businesses, and shall become effective immediately upon approval as authorized by the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

Exhibit A

Tooele City Code Section 1-6-4

CHAPTER 6. MAYOR

1-6-1. Mayor and mayor pro tem; vacancy.
1-6-2. Mayor.
1-6-3. Duties.
1-6-4. Powers generally.
1-6-5. Messages.
1-6-6. Officers.
1-6-7. Assistant to mayor. Repealed.
1-6-8. Appointments. Repealed.
1-6-9. Sign for city.

1-6-1. Mayor and mayor pro tem; vacancy.

The chief executive of the City shall be the Mayor, and during the Mayor's temporary absence or disability, the Chairperson of the City Council shall act as Mayor Pro Tem, who during such absence or disability shall possess the power of Mayor. Whenever a vacancy shall happen in the office of Mayor, the Council shall appoint an interim Mayor until the next Municipal election and until a successor is elected and qualified.
(Ord. 2019-07, 04-03-2019) (Ord. 2012-11, 04-04-2012) (Ord. 1967-3, 08-14-1967)

1-6-2. Mayor.

The Mayor shall be the chief executive officer of the City.
(Ord. 1967-3, 08-14-1967)

1-6-3. Duties.

The Mayor shall perform all duties which are or may be prescribed by law or this Code and shall see that they are faithfully executed.
(Ord. 2012-11, 04-04-2012) (Ord. 1967-3, 08-14-1967)

1-6-4. Powers generally.

The Mayor shall exercise within the City limits the power conferred upon the Mayor to suppress disorder and keep peace. The Mayor shall have authority to grant full pardons for violations of the provisions of this Code or to remit so much of any fine or penalty as belongs to the City, together with the costs of prosecution when to the Mayor it shall seem just, reasonable, and a meritorious cause. The Mayor shall report to the Council the number of fines remitted and pardons granted and the reasons therefor. The Mayor may permit the use of the facilities in the City Hall, by proper persons and for proper purposes, but not to interfere with the rights and uses of the City. The Mayor shall have power and authority at all times to examine and inspect the books, records and papers of any officer or agent employed by the City. The Mayor shall have power, when necessary, to call upon every inhabitant of the City over the age of twenty-one (21) years to aid in enforcing the laws and provisions of this Code, in suppressing riots and other disorderly conduct. The Mayor's powers and duties shall include:

(1) To appoint and dismiss from employment all persons employed by the City except for the city recorder or other employees appointed by the Council, and except as conditioned upon Council consent, both as provided by the Charter. All such appointments are to be made on the basis of fitness alone.

(2) To have direct supervision and responsibility over operations in the Finance Department, City Attorney's Office, City Recorder's Office, Human Resources Department, Police Department, Fire Department, City Hall, Community Development Department, Public Works Department, Parks and Recreation Department, Information Technology Department, and other administrative departments as may be created or amended from time to time. Included as a part thereof, the Mayor shall have direct supervision of the construction, improvements, repairs, and maintenance of streets, sidewalks, alleys, lanes, bridges, and other public highways; of sewers, drains, ditches, culverts, streams and water courses, and gutters and curbs; of all public buildings, boulevards, parks, playgrounds, squares, and other grounds and facilities belonging to the City; and the collection and disposal of waste materials.

(3) To care for and preserve all machinery, tools, appliances, facilities, and property belonging to the City.

(4) To oversee the issuing of building permits, the inspection of buildings, plumbing, and wiring, subject to uniform codes adopted by the City.

(5) To act as the purchasing agent for the City through an authorized designee, to see that city codes and purchasing policies are adhered to, to approve all claims against the City less than $20,000.00, and to see that all goods purchased by and for the City are received as per contract.

(6) To attend all meetings of the Council with the right to take part in the discussion but not to vote, except in case of a tie vote of the Council; to recommend to the Council for adoption such measures as the Mayor may deem necessary or expedient.

(7) To be the budget officer of the City and, in that capacity, to prepare the annual tentative budget (to be construed as a financial estimate only) and present it to the City Council by the first Wednesday in May, to prepare and present the annual final budget to the City Council as required by state law, and to keep the Council advised as to the financial condition and needs of the City.

(8) To perform such other duties as may be required by ordinance or resolution of the Council or otherwise allowed by the Charter or by State law.
(Ord. 2019-21, 09-04-2019) (Ord. 2019-07, 04-03-2019) (Ord. 2012-11, 04-04-2012) (Ord. 1995-21, 01-06-1996) (Ord. 1976-23, 11-11-1976) (Ord. 1967-3, 08-14-1967)

1-6-5. Messages.

The Mayor shall from time to time give the Council information relative to the affairs of the City and shall recommend for their consideration such measures as the Mayor may deem expedient.
(Ord. 2019-07, 04-03-2019) (Ord. 1967-3, 08-14-1967)

1-6-6. Officers.

The Mayor shall appoint the following officers: city attorney, treasurer, police chief, fire chief, four members of the Planning Commission, all department heads except the city recorder, and members of advisory boards as provided by this Code, with the consent of the City Council, except as expressly permitted otherwise by the City Code or Utah Code. (The following officers shall be appointed by the Council: city recorder, auditor, annual independent auditor, and three members of the Planning Commission.)
(Ord. 2019-07, 04-03-2019) (Ord. 2012-11, 04-04-2012); (Ord. 1994-56, 01-31-1995) (Ord. 1967-3, 08-14-1967)

1-6-7. Assistant to mayor. Repealed.
(Ord. 2012-11, 04-04-2012)

1-6-8. Appointments. Repealed.
(Ord. 2012-11, 04-04-2012)

1-6-9. Sign for city.

The Mayor shall sign contracts, leases, deeds, and other writings on the part of the City as authorized by resolution of the Council or as required by law. Notwithstanding, the Mayor shall have authority to sign contracts on the part of the City which are administrative in nature and which are for less than $20,000.00, without further City Council authorization.
(Ord. 2019-07, 04-03-2019) (Ord. 2012-11, 04-04-2012) (Ord. 2000-17, 08-16-2000) (Ord. 1967-3, 08-14-1967)

TOOELE CITY CORPORATION

RESOLUTION 2021-55

A RESOLUTION OF THE TOOELE CITY COUNCIL IN SUPPORT OF RENAMING THE MIDVALLEY HIGHWAY (S.R. 179) TO "JORDAN M. BYRD VETERANS MEMORIAL HIGHWAY."

WHEREAS, the Midvalley Highway (S.R. 179) phase one is located between Grantsville and S.R. 36; and,

WHEREAS, the Midvalley Highway (S.R. 179) phases two and three will ultimately connect to Tooele City; and,

WHEREAS, the Midvalley Highway (S.R. 179) is one of the most important transportation projects in Tooele County; and,

WHEREAS, the Midvalley Highway (S.R. 179) will benefit Tooele County and Tooele City by relieving congestion, reducing commute times, facilitate county evacuation and promote interstate commerce; and,

WHEREAS, major roadways and highways are often named after prominent persons, public service and historical or military persons; and,

WHEREAS, the citizens of Tooele County have contributed military personal to US wars and conflicts throughout history, including recent conflicts; and,

WHEREAS, military personnel of Tooele County have sacrificed their lives in defending the United States; and,

WHEREAS, Specialist Jordan M. Byrd was a husband, father and citizen of Grantsville City, Tooele County, Utah; and,

WHEREAS, at the age of 19, Specialist Jordan M. Byrd was serving as a Combat Medic with the 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division, U.S. Army on October 13, 2010; and,

WHEREAS, the official narrative for his action states "On 13 October 2010, Private First Class Byrd and his platoon were conducting an air assault in Kalanar, Yahya Khei District, Patika Province, Afghanistan, as part of Operation TALASHI KHMAR, a company cordon and search when their lead element came under intense enemy small arms fire. Private First Class Byrd and his platoon were tasked with establishing the outer cordon, requiring them to establish security in one of the most hostile areas in the Battalion's area of operations. During the initial barrage, Specialist Sustaita was struck in the leg with small arms fire. One of the platoon's sections immediately returned fire to suppress the enemy and gain fire superiority. Private First Class Byrd, with total disregard for his own

safety, ran through the enemy kill zone, crossing approximately 30 meters of open terrain with rounds impacting around him to provide medical treatment on Specialist Sustaita. Despite accurate enemy sniper, AK-47, PKM, RPG, and mortar fire, Private First Class Byrd continued the treatment of the injured Soldier, putting himself between the enemy fire and the casualty, in order to provide life-saving treatment to the Soldier. As 4th Platoon's section exchanged fire, the enemy began to employ 82-mm. mortars which impacted within 75 meters of their position. The accuracy and volume of enemy fire coupled with the lack of cover and concealment pinned down the section and prevented it from reaching Private First Class Byrd and Specialist Sustaita. Private First Class Byrd shielded the casualty despite the accuracy and volume of enemy fire, and placed a tourniquet on Specialist Sustaita's wounded leg which proved to be life saving. After several minutes of being exposed, Private First Class Byrd was expertly working to stop the arterial bleeding in Specialist Sustaita's leg when he was fatally wounded. Private First Class Byrd's immediate medical attention to Specialist Sustaita likely saved his life. Despite accurate enemy fire, he displayed selfless service and distinguished gallantry crossing 30 meters of open terrain despite heavy contact in order to apply life saving medical care on a fellow Soldier while using his own body as a shield;" and,

WHEREAS, Specialist Jordan M. Byrd was awarded the Silver Star posthumously for his gallantry under fire; and,

WHEREAS, the Tooele City Council unitedly expresses its support for veterans of every generation and extends its gratitude and respect for veterans who have defended our sacred values of freedom and justice and are deserving of continuing recognition for their efforts; and,

WHEREAS, the family of Specialist Jordan M. Byrd have consented to this resolution; and,

WHEREAS, in recognition and gratitude of honorable service to the United States of America and in appreciation for the heroism and ultimate sacrifice made by Specialist Jordan M. Byrd;

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the City Council supports permanently renaming the Midvalley Highway (S.R. 179) to "Jordan M. Byrd Veterans Memorial Highway."

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____

Roger Evans Baker, City Attorney

TOOELE CITY CORPORATION

RESOLUTION 2021-75

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN AGREEMENT WITH TECSERV, INC. FOR COMPUTER NETWORK MAINTENANCE SERVICES.

WHEREAS, the Tooele City Administration finds it necessary to contract services for the purpose of providing computer network maintenance, troubleshooting, and consultant services for Tooele City's computer network; and,

WHEREAS, TecServ, Inc., has proposed to provide these services and the Administration wishes to enter into the agreement with TecServ, Inc.; and,

WHEREAS, the proposed agreement is attached hereto as Exhibit A; and,

WHEREAS, the agreement amount shall not exceed $59,000 for the one-year term of the agreement, invoiced at the rate of $165.00 per hour; and,

WHEREAS, the term of the agreement shall be one year beginning July 1, 2021:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that an agreement with TecServ, Inc. (see Exhibit A) is hereby approved, for computer network, maintenance, troubleshooting, and consultant services for a sum not to exceed $59,000, at the rate of $165.00 per hour.

This Resolution shall become effective immediately upon passage by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

TecServe Agreement

Monthly Network Services Agreement

This agreement dated _7/02/2021_ is made by and between _Tooele City Corporation_ (Client) whose address is _90 North Main, Tooele, Utah 84071_ and TecServ, Inc (Consultant) whose corporate address is 358 Rio Grande St. Suite 250 Salt Lake City, Utah 84101.

1. *Consultation Services.* Client hereby employs the Consultant to perform the following services in accordance with the terms and conditions set forth in this agreement. The Consultant will perform computer network maintenance activities for Client and will consult with the offices and employees of Client concerning matters relating to the management of Client's computer network. The Scope of Work to be performed by Consultant is defined in Attachment A.

2. *Terms of Agreement.* This agreement will be in effect for 12 Month(s) (July 1, 2021 to June 30, 2022). In the event that client has insufficient funds, by appropriation, by appropriation limitation or grant, to continue payments under this Agreement, Client may terminate this Agreement by giving TecServ not less than thirty (30) days prior written notice.

3. *Time Devoted by Consultant.* The term of this contract is based upon Consultant committing to perform activities to maintain Client computer network and handle computer network emergencies. Consultant will spend 7.5 hours per week of consulting services on Client's behalf for computer network maintenance activities. This can be adjusted at any time by Tooele City.

4. *Schedule.* The work performed by Consultant will be for on-site services at Client's facilities and may occasionally include remote connectivity to Client's network. These hours will be worked on a schedule to be set at by both parties at a later date. Schedule may be altered with mutual agreement from both parties.

5. *Additional Time.* Consultant will respond to Client emergencies within 2 hours and spend sufficient time to resolve such emergencies. The fees for emergency server services are covered within the plan. Emergencies are defined as computer network issues that directly prevent the operation of business by Client. Computer network issues that do not prevent business operations shall be handled during the on-site maintenance service schedule. If Client requests maintenance services outside the maintenance schedule, and these services are clearly not emergencies, Consultant will bill Client for these hours at the standard client rate. $165.00 per hour This includes computer network projects that cannot be completed within the regularly scheduled time.

6. *Payment to Consultant.* The amount paid to Consultant for this contract shall not exceed $59,000.00 annually. Consultant will invoice Client on the 1st of each month, this will be at the contract rate of $145.00 per hour. ~~$4,350 per month.~~ All additional work will be invoiced on the last day of that month. Payment is due upon receipt of invoice.

   Additional project work is not covered within this scheduled maintenance contract. This additional time will be billed at $165 per hour. Product purchases are not considered part of monthly contracts or other consulting services. Terms on Product Sales are considered "due upon receipt".

7. *Independent Consultant.* Both Client and the Consultant agree that the Consultant will act as an independent agency in the performance of its duties under this contract. Accordingly, the Consultant shall be responsible for payment of all taxes including Federal, State and local taxes arising out of the Consultants activities in accordance with this contract, including by way of illustration but not limitation, Federal and State income tax, Social Security tax, Unemployment.

8. *Confidential Information.* The Consultant agrees that any information received by the Consultant during this contract, which concerns the personal, financial or other affairs of Client and its agents and employees will be treated by the Consultant in full confidence and will not be revealed to any other persons, firms or organizations.

9. *Employment of Others.* Client may from time to time request that the Consultant arrange for the services of others outside of the employ of TecServ. All costs to the Consultant for those services will be paid by Client, but in no event shall the Consultant employ others without the prior authorization of Client.

10. *Non-Solicitation of Employees.* Client agrees that it will not solicit TecServ's employees to seek full or part time employment or other contractual arrangement with its company during the term of this Agreement or for twelve (12) months after the last invoice date from TecServ to Client. Client agrees that TecServ employees are not "contract for hire". Client shall not attempt to engage, contract or hire TecServ employees, TecServ's contractors or other assignees independently of this Agreement without prior written consent from TecServ.

Client may be released from such restriction under the following terms and with written approval from TecServ:

- The payment of $50,000.00 to TecServ for each employee hired by Client, and
- Each TecServ employee hired by Client has performed services for Client under this Agreement for twelve (12) consecutive months or more.

_____ Initial of Client demonstrating that Client understands and fully accepts the Non-Solicitation Covenant and terms and agrees to such terms should Client seek to hire or directly contract TecServ employees, contractors or other assignees.

11. *Liability.* With regard to the services to be performed by the Consultant pursuant to the terms of this agreement, the Consultant shall be liable to Client, or to anyone who may claim any right due to any relationship with the Client, for any acts or omissions in the performance of service on the part of the Consultant or on the part of the agents or employees of the Consultant when said acts or omissions of the Consultant are due to willful or intentional misconduct or due to gross or simple negligence.

12. *Venue.* This agreement and its performances there under shall be governed by the laws of the state of Utah. In the event that litigation results from or arises out of this Agreement or the performance thereof, the parties agree to reimburse the prevailing party's reasonable attorney's fees, court costs, and all other expenses, whether or not taxable by the court as costs, in addition to any other relief to which the prevailing party may be entitled.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement.

TecServ, Inc.	Client
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

Attachment A
Scope of Work

Services include:

- Initial evaluation of existing network including security check.
- Ongoing technical consulting
- Onsite maintenance every month for applying software patches, checking backups, updating virus definitions, and troubleshooting problems
- Toll free phone support available up to 24 hours a day, 7 days a week depending on program.
- Preferred pricing on all hardware and software with best pricing available from vendors that offer government pricing.
- Access to TecServ's extensive knowledge base and technical staff.
- Services provided by a CIO level resource including budgeting, strategic planning, policy setting for architecture and security, and project management.

Services to be performed

- 7.5 hours maintenance per week until adjusted by Tooele City.
- Emergency response time: 2 hour onsite, 30 minutes for remote administration (when applicable).*
- Phone support available 24 hours a day 7 days a week.
- Large scale projects that are performed in addition to ongoing maintenance will be billed at $165 per hour.
- Remote monitoring of servers and routers 24 hours a day 7 days a week.

Travel Cost: If more than one onsite visit occurs per week, one way travel time will be billed.

*Onsite response will be guaranteed only within 20 miles of our offices, for guaranteed response time see section 5 above. For remote administration a high speed internet connection and terminal environment are required. Remote administration will be utilized when situations permit it.

TOOELE CITY CORPORATION

RESOLUTION 2021-76

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR POLICE DEPARTMENT EQUIPMENT.

WHEREAS, the Tooele City Police Department ("Department") seeks always to improve the quality of police training and services to the citizens of Tooele City; and,

WHEREAS, the Department would benefit from a software system to help track uses of force, internal affairs, and personnel events, for the purpose of observing current behavior and directing future behavior (the "Software"); and,

WHEREAS, the Bureau of Justice Assistance, Office of Justice Programs (OJP), U.S. Department of Justice has announced that $13,943.00 in Edward Byrne Justice Assistance Grant funding has been set aside for the Department to purchase the Software; and,

WHEREAS, no local match of public monies is required for this grant; and,

WHEREAS, this Resolution and the funding it authorizes are in the best interest of Tooele City and further the public health, safety, and welfare:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that Tooele City, by and through the Tooele City Police Department, is hereby authorized to apply for and to accept the award of Edward Byrne Justice Assistance Grant funding for the purpose of purchasing the Software.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

TOOELE CITY CORPORATION

RESOLUTION 2021-77

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT BETWEEN TOOELE CITY AND TOOELE COUNTY FOR 2021 BYRNE JUSTICE ASSISTANCE GRANT FUNDS.

WHEREAS, the Tooele City Police Department ("Department") seeks always to improve the quality of police services to the citizens of Tooele City; and,

WHEREAS, the Bureau of Justice Assistance, Office of Justice Programs (OJP), U.S. Department of Justice has announced that $13,943.00 in Edward Byrne Justice Assistance Grant funding has been set aside for the Department for specialized police software, as described in Resolution 2021-76; and,

WHEREAS, the City Council approved the grant funding by way of Resolution 2021-76; and,

WHEREAS, OJP requires an interlocal agreement with Tooele County for the distribution of grant funds to Tooele City, and UCA Section 11-13-202 and -202.5 require the interlocal agreement to be approved by the City Council (see the interlocal agreement attached as Exhibit A); and,

WHEREAS, under the interlocal agreement, Tooele County will not receive any of the approved grant funds:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the interlocal agreement attached as Exhibit A is hereby approved, and that the Mayor is hereby authorized to sign the same.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

Exhibit A

Interlocal Agreement

CITY RECORDER
CONTRACT NO. _____

THE STATE OF UTAH

KNOW ALL BY THESE PRESENT

COUNTY OF TOOELE

INTERLOCAL AGREEMENT
BETWEEN THE CITY OF TOOELE, AND COUNTY OF TOOELE,

2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this _____ day of July, 2021, by and between The COUNTY of Tooele, acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Tooele, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Tooele County, State of Utah, witnesseth:

WHEREAS, this Agreement is made under the authority of Sections 11-13-101 U.C.A. et seq. and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY $ 0 from the JAG award for the Edward Byrne Program: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to allocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of $ 0 of JAG funds.

Section 2.

COUNTY agrees to use $ 0 for the 2021 Edward Byrne Program until September 30, 2022.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by Utah Law.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by Utah Law.

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 8.

The terms of this agreement shall be coterminous with the 2021 Edward Byrne Justice Assistance Grant (JAG) program and Tooele City.

CITY OF TOOELE	COUNTY OF TOOELE
_____	_____
Mayor	Commissioner
ATTEST:	
_____	_____
City Recorder	County Clerk
Approved as to Form:	
_____	_____
City Attorney	County Attorney

TOOELE CITY CORPORATION

RESOLUTION 2021-78

A RESOLUTION OF THE TOOELE CITY COUNCIL CONSENTING TO MAYOR WINN'S APPOINTMENT OF JAMIE GRANDPRE TO THE POSITION OF DIRECTOR OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, Section 2-06 of the Tooele City Charter (amended 2006) states that "The Mayor, shall, with the consent of a majority of the Council, designate a head of each department of City government"; and,

WHEREAS, under Tooele City Code §1-6-4(2), the Mayor exercises "direct supervision and responsibility over operations in the . . . Public Works Department," including the appointment of qualified employees (§1-6-4(1)); and,

WHEREAS, Mayor Winn, with the assistance of Jim Bolser, Community Development Director, and Paul Hansen, Tooele City Engineer, conducted a thorough process of soliciting and evaluating applications and applicants, and desires to appoint Jamie Grandpre to the position of Director of the Department of Public Works:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that consent is hereby given by the City Council to Mayor Debra E. Winn's appointment of Jamie Grandpre to the position of Director of the Public Works Department, effective July 21, 2021

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

STAFF REPORT

June 2, 2021

To: Tooele City Planning Commission
Business Date: June 9, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **Western Acres Phase 1 – Subdivision Preliminary Plan Request**

Application No.:	P21-191
Applicant:	David Lewis IV, representing DR Horton, Inc.
Project Location:	Approximately 1900 North Copper Canyon Drive
Zoning:	MR-16 PUD Multi-Family Residential Zone
Acreage:	Approximately 12.5 Acres (Approximately 544,500 ft^2)
Request:	Request for approval of a Subdivision Preliminary Plan in the MR-16 PUD Multi-Family Residential zone regarding the creation of 130 various town house style lots.

BACKGROUND

This application is a request for approval of a Subdivision Preliminary Plan for approximately 12.5 acres located at approximately 1900 North Copper Canyon Drive. The property is currently zoned MR-16 PUD Multi-Family Residential with a Planned Unit Development overlay. The applicant is requesting that a Subdivision Preliminary Plan be approved to allow for the development of the currently vacant site as 130 town house lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-16 PUD Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The MR-16 PUD Multi-Family Residential zoning designation is identified by the Land Use Map of the Tooele City General Plan as a preferred zoning classification for the High Density Residential land use designation. The property has an assortment of adjacent zones. To the north property is located in Tooele County. To the east properties are zoned NC Neighborhood Commercial (utilized as single-family residential) and MR-16. To the south and the west property is zoned MR-16 Multi-Family Residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The PUD Planned Unit Development overlay was added to the zoning at the request of the applicant. The PUD does not alter density limitations in the MR-16 zoning district but is more oriented towards building setbacks, lot sizes and other design criteria. The PUD overlay does permit reductions in the minimum separation between the buildings, reducing that distance to 12 feet instead of 15 feet.

Subdivision Layout. Phase 1 of Western Acres proposes the construction of 130 town house lots. The subdivision plat is the first in a succession of many phases in the large development that will eventually occupy 89 acres of property. Phase 1 will develop 12.49 acres.

The subdivision plat will connect to the existing Copper Canyon Drive and Pine Canyon Road and all streets within the development will be privately owned and maintained 51 foot wide rights-of-way. The lots within the subdivision are the footprint of each town house. In the MR-16 zoning district there are no lot size or lot width restrictions. This lack of restrictions enables private ownership of town homes while maintaining common ownership of the surrounding property.

The subdivision plat creates private lots that are the privately owned footprint of the individual town house. The plat creates limited common areas. Limited common areas are places such as town house driveways or yard spaces that are not available for use by the community at large. These areas are indicated by a crossing hatch pattern and it is not clear on the plans if the limited common areas are maintained by the town house owner or the development HOA. The remaining area in the subdivision is considered common area. The common area is the portion of the development that is available to the community and is maintained by the development itself.

The common area includes the storm water detention basins located at the western side of Phase 1. Common areas also include the roads, guest parking areas, frontages and landscaping between the buildings.

This purpose of this application is the creation of the lots, limited common areas and common areas only. The site plan design review will delve deeper into building architecture, landscaping, parking areas, and so forth. The site plan design review is required to have Planning Commission approval so the Commission will be seeing more information regarding this project at a future meeting. The applicant has already submitted a final subdivision plat and site plan design review applications and they are being reviewed.

Landscaping. Landscaping will be addressed during the site plan design review application.

Parking. Each phase needs to be able to stand alone. Therefore, in order to accommodate guest parking sufficient for this phase the applicant has had to re-work some phasing lines and bring additional guest parking that is sufficiently dispersed throughout the entire phase. 32 guest parking stalls are provided as per ordinance requirements and the applicant has made a good effort to equally distribute guest parking stalls throughout the project. Other parking issues will be reviewed in greater detail during the site plan design review process.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Subdivision Preliminary Plan submission and has issued a recommendation for approval for the request with the following comments:

1. There is a PUD Planned Unit Development Overlay attached to the zoning of this property that permits a reduction in building separation from 15 feet to 12 feet.
2. Phase 1 meets the requirements for guest parking.
3. The MR-16 zoning district does not have lot size and lot widths minimum restrictions. This enables town home developments to have private ownership of the unit and common ownership of the area surrounding the units.
4. All roads inside of the development will be privately owned and maintained streets.

5. The development still requires final subdivision plat and site plan design review approvals.
6. Other than a few minor changes to accommodate guest parking areas in the Phase, Phase 1 complies with the PUD proposal that was approved when the zoning change was completed on December 16, 2020.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Subdivision Preliminary Plan submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Subdivision Preliminary Plan by David Lewis IV, representing DR Horton, Inc., application number P21-191, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.
7. Other than a few minor changes to accommodate guest parking areas in the Phase, Phase 1 complies with the PUD proposal that was approved when the zoning change was completed on December 16, 2020.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Western Acres Phase 1 Subdivision Preliminary Plan Request by David Lewis IV, representing DR Horton, Inc. for the purpose of creating 130 town house lots, application number P21-191, based on the findings and subject to the conditions listed in the Staff Report dated June 2, 2021:"

1. List any additional findings and conditions…

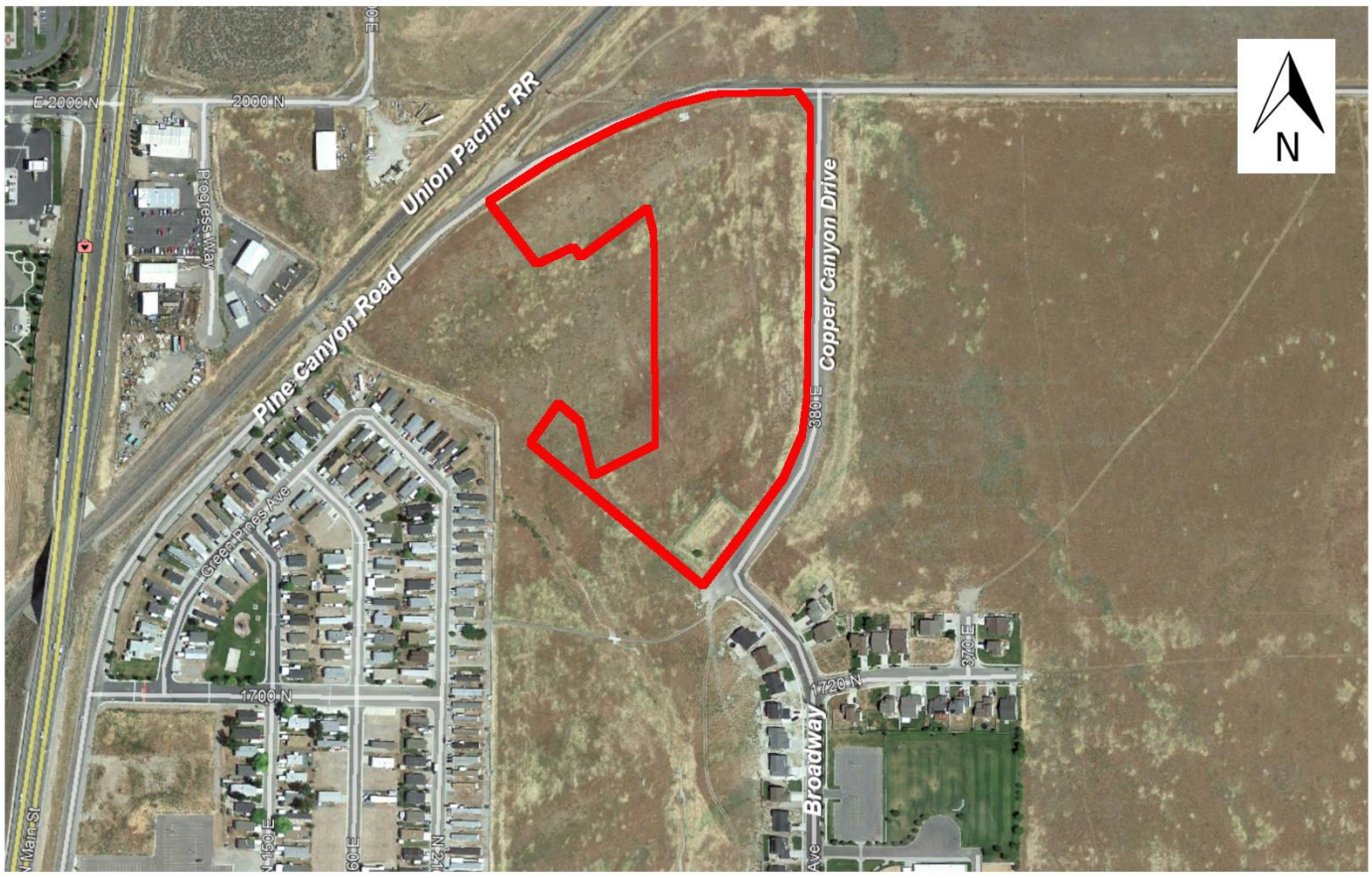
Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Western Acres Phase 1 Subdivision Preliminary Plan Request by David Lewis IV, representing DR Horton, Inc. for the purpose of creating 130 town house lots, application number P21-191, based on the following findings:"

1. List findings…

EXHIBIT A

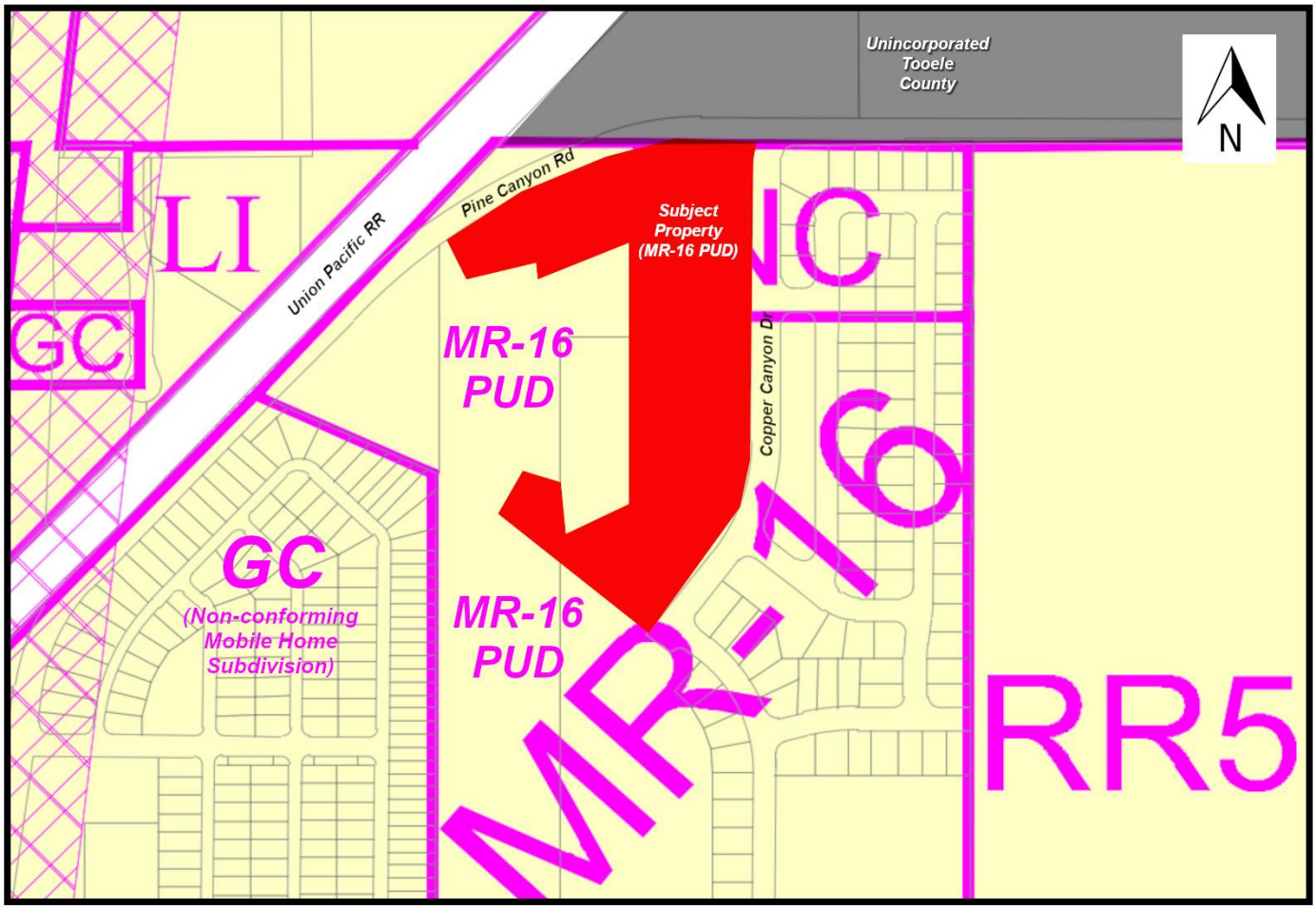
MAPPING PERTINENT TO THE WESTERN ACRES PHASE 1 SUBDIVISION PRELIMINARY PLAN

Western Acres Phase 1 Preliminary Subdivision Plan



Aerial View

Western Acres Phase 1 Preliminary Subdivision Plan



Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

PRELIMINARY PLAT
WESTERN ACRES TOWNHOMES PHASE 1

A RESIDENTIAL SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH
SHEET 2 OF 3

NORTH QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN (NOT FOUND, POSITION CALCULATED)
CALCULATED N: 7375764.19
CALCULATED E: 1422584.22

Scale 1" = 40 ft

COPPER CANYON DRIVE
BLUE IRIS AVENUE (51' RIGHT-OF-WAY, PRIVATE)
PATCHWORK AVENUE (51' RIGHT-OF-WAY, PRIVATE)
SERENITY AVENUE (51' RIGHT-OF-WAY, PRIVATE)
TEN HENS AVENUE (51' RIGHT-OF-WAY, PRIVATE)
PINE CANYON ROAD (66' RIGHT-OF-WAY, PUBLIC)
1920 NORTH (51' RIGHT-OF-WAY, PRIVATE)

STORM WATER DETENTION BASIN "A"
16,653 SQ FT

STORM WATER DETENTION BASIN "B"
12,199 SQ FT

EXISTING FEMA ZONE A FLOOD PLAIN

EXISTING FEMA ZONE AE FLOOD PLAIN

POB

UNIT #	ADDRESS
1	250 E SERENITY AVE
2	252 E SERENITY AVE
3	254 E SERENITY AVE
4	256 E SERENITY AVE
5	258 E SERENITY AVE
6	266 E SERENITY AVE
7	268 E SERENITY AVE
8	272 E SERENITY AVE
9	274 E SERENITY AVE
10	276 E SERENITY AVE
11	278 E SERENITY AVE
12	286 E SERENITY AVE
13	288 E SERENITY AVE
14	292 E SERENITY AVE
15	294 E SERENITY AVE
16	296 E SERENITY AVE
17	298 E SERENITY AVE
18	306 E SERENITY AVE
19	308 E SERENITY AVE
20	312 E SERENITY AVE
21	314 E SERENITY AVE
22	316 E SERENITY AVE
23	318 E SERENITY AVE
24	1978 E SERENITY AVE
25	1976 N BLUE IRIS AVE
26	1984 N BLUE IRIS AVE
27	1972 N BLUE IRIS AVE
28	1970 N BLUE IRIS AVE
29	1968 N BLUE IRIS AVE
30	1942 N BLUE IRIS AVE
31	1940 N BLUE IRIS AVE
32	1938 N BLUE IRIS AVE
33	1936 N BLUE IRIS AVE
34	1906 N BLUE IRIS AVE
35	1904 N BLUE IRIS AVE
36	1902 N BLUE IRIS AVE
37	1898 N BLUE IRIS AVE
38	1896 N BLUE IRIS AVE
39	1888 N BLUE IRIS AVE
40	1884 N BLUE IRIS AVE
41	1878 N BLUE IRIS AVE
42	1876 N BLUE IRIS AVE

UNIT #	ADDRESS
43	1872 N BLUE IRIS AVE
44	1868 N BLUE IRIS AVE
45	1864 N BLUE IRIS AVE
46	1858 N BLUE IRIS AVE
47	1856 N BLUE IRIS AVE
48	1852 N BLUE IRIS AVE
49	1846 N BLUE IRIS AVE
50	1844 N BLUE IRIS AVE
51	1842 N BLUE IRIS AVE
52	1836 N BLUE IRIS AVE
53	1832 N BLUE IRIS AVE
54	1828 N BLUE IRIS AVE
55	1824 N BLUE IRIS AVE
56	1822 N BLUE IRIS AVE
57	1818 N BLUE IRIS AVE
58	1816 N BLUE IRIS AVE
59	1814 N BLUE IRIS AVE
60	1812 N BLUE IRIS AVE
61	1806 N BLUE IRIS AVE
62	1802 N BLUE IRIS AVE
63	1798 N BLUE IRIS AVE
64	1796 N BLUE IRIS AVE
65	1794 N BLUE IRIS AVE
66	1793 N BLUE IRIS AVE
67	1795 N BLUE IRIS AVE
68	1799 N BLUE IRIS AVE
69	1803 N BLUE IRIS AVE
70	1807 N BLUE IRIS AVE
71	1817 N BLUE IRIS AVE
72	1823 N BLUE IRIS AVE
73	1827 N BLUE IRIS AVE
74	1833 N BLUE IRIS AVE
75	1837 N BLUE IRIS AVE
76	1849 N BLUE IRIS AVE
77	1853 N BLUE IRIS AVE
78	1857 N BLUE IRIS AVE
79	1865 N BLUE IRIS AVE
80	1869 N BLUE IRIS AVE
81	1875 N BLUE IRIS AVE
82	1879 N BLUE IRIS AVE
83	1883 N BLUE IRIS AVE
84	1885 N BLUE IRIS AVE

UNIT #	ADDRESS
85	1897 N BLUE IRIS AVE
86	1899 N BLUE IRIS AVE
87	1901 N BLUE IRIS AVE
88	1903 N BLUE IRIS AVE
89	1905 N BLUE IRIS AVE
90	1907 N BLUE IRIS AVE
91	1931 N BLUE IRIS AVE
92	1933 N BLUE IRIS AVE
93	1935 N BLUE IRIS AVE
94	1937 N BLUE IRIS AVE
95	1939 N BLUE IRIS AVE
96	1941 N BLUE IRIS AVE
97	285 E SERENITY AVE
98	283 E SERENITY AVE
99	279 E SERENITY AVE
100	277 E SERENITY AVE
101	1944 N PATCHWORK AVE
102	1942 N PATCHWORK AVE
103	1938 N PATCHWORK AVE
104	1936 N PATCHWORK AVE
105	1934 N PATCHWORK AVE
106	1932 N PATCHWORK AVE
107	1908 N PATCHWORK AVE
108	1906 N PATCHWORK AVE
109	1904 N PATCHWORK AVE
110	1902 N PATCHWORK AVE
111	1898 N PATCHWORK AVE
112	1896 N PATCHWORK AVE
113	1884 N PATCHWORK AVE
114	1882 N PATCHWORK AVE
115	1878 N PATCHWORK AVE
116	1874 N PATCHWORK AVE
117	1868 N PATCHWORK AVE
118	1864 N PATCHWORK AVE
119	1858 N PATCHWORK AVE
120	1854 N PATCHWORK AVE
121	1852 N PATCHWORK AVE
122	1848 N PATCHWORK AVE
123	1846 N PATCHWORK AVE
124	1844 N PATCHWORK AVE
125	1842 N PATCHWORK AVE
126	1832 N PATCHWORK AVE

UNIT #	ADDRESS
127	1828 N PATCHWORK AVE
128	1826 N PATCHWORK AVE
129	1824 N PATCHWORK AVE
130	1822 N PATCHWORK AVE

NOTE:
1. GUEST PARKING REQUIREMENT CALCULATED AS 125 UNITS/4= 32 PARKING SPACES REQUIRED.

PARKING SPACES IN PHASE 1= 32.

LEGEND

- FOUND SECTION CORNER
- SET 5/8 REBAR AND CAP (WILDING ENGINEERING)
- STREET MONUMENT
- SECTION LINE
- (BOUNDARY LINE)
- ROW CENTERLINE
- PUBLIC UTILITY EASEMENT
- ADJACENT PROPERTY / ROW LINE
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

NORTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST SALT LAKE BASE AND MERIDIAN (FOUND BRASS CAP MONUMENT)
N: 7375752.07
E: 1419943.96

BASIS OF BEARING S00°01'31"E 2631.31' (MEASURED MON TO MON)

WEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN (FOUND BRASS CAP MONUMENT)
BENCHMARK: 4820.53'
N: 7373120.76
E: 1419945.12

PRELIMINARY NOT RECORDED

WESTERN ACRES TOWNHOMES PHASE 1
A RESIDENTIAL SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
SHEET 2 OF 3

WILDING ENGINEERING
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

G:\DATA\19195 DR Horton Western Acres\dwg\Prelim\Western Acres Phase 1 Plat-PRELIM.dwg
PLOT DATE: May 04, 2021

PRELIMINARY PLAT
WESTERN ACRES TOWNHOMES PHASE 1

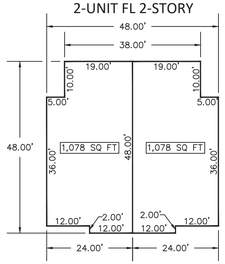
A RESIDENTIAL SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

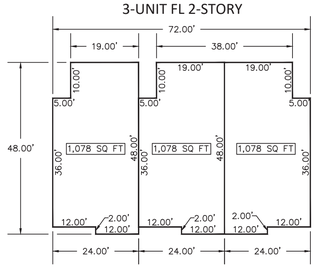
SHEET 3 OF 3

PRELIMINARY - NOT TO BE RECORDED

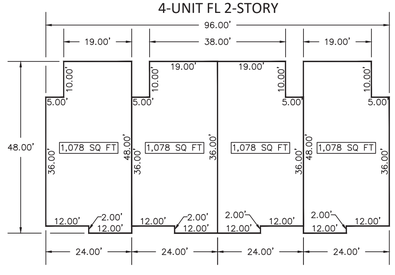
2-UNIT FL 2-STORY



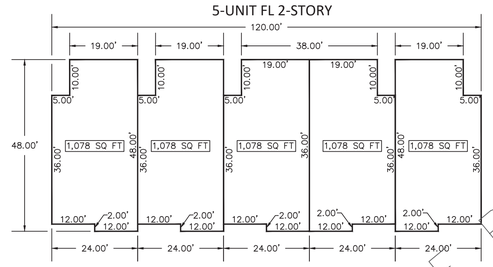
3-UNIT FL 2-STORY



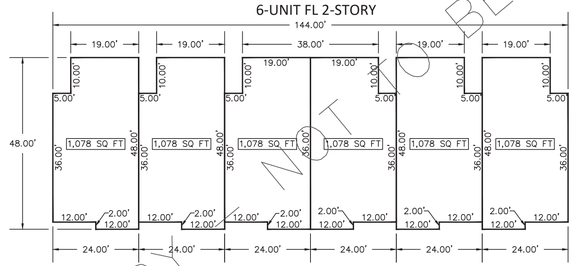
4-UNIT FL 2-STORY



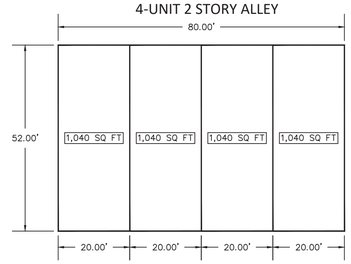
5-UNIT FL 2-STORY



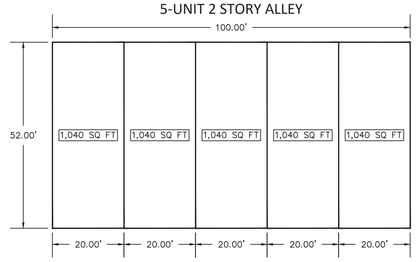
6-UNIT FL 2-STORY



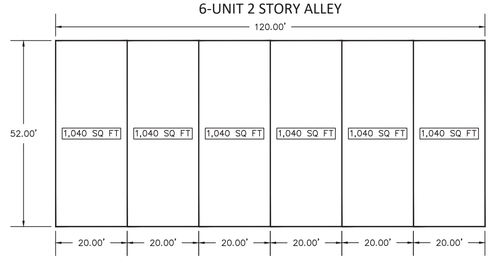
4-UNIT 2 STORY ALLEY

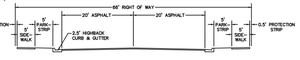


5-UNIT 2 STORY ALLEY



6-UNIT 2 STORY ALLEY





TOOELE CITY SUBCOLLECTOR - 66' ROW
PINE CANYON ROAD



MODIFIED TOOELE CITY LOCAL - 51' ROW
PRIVATE ROAD
ALL OTHER STREETS

Line Table		
Line #	Length	Direction
L1	13.00	N22°37'12"W
L2	13.00	N22°37'11"E
L3	21.61	S16°14'41"E
L4	21.61	N16°14'41"W
L5	25.93	S09°18'34"E
L6	34.04	N09°18'34"W
L7	39.65	S01°36'46"E
L8	20.00	N02°09'56"W
L9	13.00	S87°50'04"W
L10	20.00	N02°09'56"W
L11	25.00	N89°59'59"E
L12	20.00	S89°59'59"W
L13	20.00	N89°59'59"E
L14	20.00	S89°59'59"W
L15	20.00	N89°59'59"E
L16	25.00	S89°59'59"W
L17	25.00	N89°59'59"E
L18	20.00	S89°59'59"W
L19	24.70	N89°59'59"E
L20	22.81	N72°27'45"W
L21	24.19	S72°27'45"E
L22	26.49	N52°00'26"W
L23	20.00	S52°00'26"E
L24	25.00	N52°00'26"W
L25	25.00	S52°00'26"E
L26	33.38	S52°00'26"E
L27	33.39	N52°00'26"W
L28	31.59	S64°48'02"E
L29	30.06	N64°48'02"W
L30	29.30	N89°59'59"E
L31	30.93	S89°59'59"W
L32	35.00	N89°59'59"E
L33	35.00	S89°59'59"W
L34	30.00	N89°59'59"E
L35	30.00	S89°59'59"W
L36	35.00	N89°59'59"E
L37	35.00	S89°59'59"W
L38	29.66	N09°51'22"W
L39	29.76	S09°51'22"E
L40	30.00	S89°59'59"W
L41	30.00	N89°59'59"E
L42	35.00	S89°59'59"W
L43	35.00	N89°59'59"E
L44	30.00	S89°59'59"W
L45	30.00	N89°59'59"E
L46	34.07	S89°59'59"W
L47	21.52	N89°59'59"E
L48	28.31	N64°48'02"W
L49	36.16	S64°48'02"E
L50	31.00	N52°00'26"W

Line Table		
Line #	Length	Direction
L51	55.58	S52°00'26"E
L54	10.00	S16°14'41"E
L55	10.00	N16°14'41"W
L56	10.00	S09°18'34"E
L57	10.00	N09°18'34"W
L58	10.00	S02°09'56"E
L59	10.00	N02°09'56"W
L60	10.00	N89°59'59"E
L61	10.00	S89°59'59"W
L62	10.00	N89°59'59"E
L63	10.00	S89°59'59"W
L64	10.00	N89°59'59"E
L65	10.00	S89°59'59"W
L66	10.00	N89°59'59"E
L67	10.00	S89°59'59"W
L68	10.00	N89°59'59"E
L69	10.00	S89°59'59"W
L70	10.00	S72°27'45"E
L71	10.00	N72°27'45"W
L72	10.00	S52°00'26"E
L73	10.00	N52°00'26"W
L74	10.00	S52°00'26"E
L75	10.00	N52°00'26"W
L76	20.00	S52°00'26"E
L77	20.00	N52°00'26"W
L78	20.00	S64°48'02"E
L79	20.00	N64°48'02"W
L80	10.00	N89°59'59"E
L81	24.00	S00°00'01"E
L82	10.00	N89°59'59"E
L83	20.00	S89°59'59"W
L84	20.00	N89°59'59"E
L85	20.00	S89°59'59"W
L86	20.00	N89°59'59"E
L87	20.00	S89°59'59"W
L88	20.00	N89°59'59"E
L89	20.00	S89°59'59"W
L90	10.00	N09°51'22"W
L91	10.00	S09°51'22"E
L92	12.67	N18°44'50"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	478.28'	1250.00'	21°55'22"	S67°16'40"W	475.37'
C2	471.08'	1094.50'	24°39'38"	S70°19'30"W	467.45'
C3	101.94'	60.00'	97°20'41"	N48°40'21"W	90.11'
C4	223.13'	336.50'	37°59'36"	N18°59'47"E	219.07'
C5	52.91'	34.00'	89°09'27"	N83°24'51"E	47.73'
C6	95.70'	200.00'	27°24'55"	S38°17'59"E	94.79'
C7	157.12'	175.00'	51°26'27"	N25°43'13"E	151.89'
C8	53.82'	200.00'	15°25'08"	N07°42'34"W	53.66'
C9	357.35'	1250.00'	16°22'47"	S70°02'58"W	356.14'
C10	120.93'	1250.00'	5°32'35"	S59°05'17"W	120.88'
C11	73.83'	1094.50'	3°51'53"	S59°55'37"W	73.81'
C12	243.02'	1094.50'	12°43'18"	S68°13'13"W	242.52'
C13	154.24'	1094.50'	8°04'27"	S78°37'05"W	154.11'
C14	25.93'	200.00'	7°25'44"	S28°18'23"E	25.91'
C15	69.77'	200.00'	19°59'11"	S42°00'51"E	69.41'
C16	16.37'	200.00'	4°41'23"	S25°47'45"E	16.37'
C17	237.06'	1283.00'	10°35'12"	S67°08'14"W	236.73'
C18	544.26'	1217.00'	25°37'24"	S77°19'33"W	539.73'
C19	47.71'	29.50'	92°39'17"	S18°11'12"W	42.67'
C20	51.42'	34.00'	86°38'33"	S71°27'46"E	46.66'
C21	348.97'	1120.00'	17°51'09"	S73°43'44"W	347.56'
C22	145.26'	85.50'	97°20'41"	N48°40'21"W	128.41'
C23	53.41'	34.00'	89°59'59"	S45°00'00"E	48.08'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C24	46.34'	29.50'	90°00'01"	N45°00'00"E	41.72'
C25	46.27'	29.50'	89°51'44"	N44°55'53"W	41.67'
C26	53.41'	34.00'	90°00'01"	S45°00'00"W	48.08'
C27	240.04'	362.00'	37°59'36"	N18°59'47"E	235.67'
C28	53.41'	34.00'	90°00'00"	S07°00'26"E	48.08'
C29	46.34'	29.50'	90°00'00"	N82°59'34"E	41.72'
C30	301.05'	454.00'	37°59'36"	N18°59'47"E	295.56'
C31	46.34'	29.50'	89°59'59"	N45°00'00"W	41.72'
C32	58.61'	34.50'	97°20'41"	N48°40'21"W	51.82'
C33	206.22'	311.00'	37°59'36"	N18°59'47"E	202.47'
C34	53.41'	34.00'	90°00'00"	N82°59'34"E	48.08'
C35	61.39'	34.00'	103°26'52"	S00°17'00"E	53.38'
C36	180.01'	200.50'	51°26'27"	N25°43'13"E	174.03'
C37	19.08'	225.50'	4°50'51"	N02°25'26"W	19.07'
C38	48.94'	34.00'	82°28'48"	S36°23'33"W	44.83'
C39	93.71'	1069.00'	5°01'22"	S80°08'38"W	93.68'
C40	168.16'	1069.00'	9°00'47"	S66°19'49"W	167.99'
C41	35.97'	34.00'	60°36'31"	N10°13'46"E	34.31'
C42	79.01'	225.50'	20°04'29"	S10°02'15"E	78.60'
C43	0.50'	34.00'	0°50'33"	N38°24'51"E	0.50'
C44	0.51'	34.00'	0°51'58"	S77°11'58"W	0.51'
C45	100.04'	1120.00'	5°07'03"	S67°40'03"W	100.00'
C46	1.81'	34.50'	3°00'14"	S84°09'26"W	1.81'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C47	14.06'	20.00'	40°16'07"	N49°43'34"E	13.77'
C48	120.06'	1120.00'	6°08'30"	S73°45'19"W	120.00'
C49	28.16'	1120.00'	1°26'27"	S77°32'48"W	28.16'
C50	85.78'	1120.00'	4°23'18"	S80°27'40"W	85.76'
C51	35.52'	85.50'	23°48'22"	N85°26'30"W	35.27'
C52	6.77'	85.50'	4°32'23"	N71°16'08"W	6.77'
C53	102.96'	85.50'	68°59'56"	N34°29'59"W	96.85'
C54	58.40'	362.00'	9°14'38"	N04°37'18"E	58.34'
C55	7.23'	362.00'	1°08'37"	N09°48'56"E	7.23'
C56	100.33'	362.00'	15°52'48"	N18°19'39"E	100.01'
C57	5.41'	362.00'	0°51'25"	N26°41'45"E	5.41'
C58	68.67'	362.00'	10°52'08"	N32°33'32"E	68.57'
C59	13.03'	311.00'	2°24'03"	N36°47'34"E	13.03'
C60	120.77'	311.00'	22°14'58"	N24°28'04"E	120.01'
C61	40.62'	311.00'	7°29'00"	N09°36'05"E	40.59'
C62	31.81'	311.00'	5°51'36"	N02°55'47"E	31.79'
C63	137.99'	200.50'	39°26'02"	N19°43'00"E	135.29'
C64	7.58'	200.50'	2°09'58"	N40°31'00"E	7.58'
C65	34.44'	200.50'	9°50'27"	N46°31'12"E	34.39'
C66	8.48'	34.00'	14°17'25"	S44°17'43"W	8.46'
C67	52.91'	34.00'	89°09'27"	S07°25'43"E	47.73'
C68	71.44'	1069.00'	3°49'44"	S59°54'33"W	71.42'
C69	24.10'	225.50'	6°07'24"	S23°08'11"E	24.09'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C70	154.62'	1217.00'	7°16'47"	S55°33'54"W	154.52'
C71	47.71'	29.50'	92°39'17"	N74°28'04"W	42.67'
C72	51.65'	34.00'	87°02'40"	N15°22'54"E	46.83'
C73	17.77'	1120.00'	0°54'33"	S58°26'58"W	17.77'
C74	5.98'	1120.00'	0°18'21"	S64°57'21"W	5.98'
C75	8.96'	1120.00'	0°27'29"	S70°27'19"W	8.96'

20 0 20 40

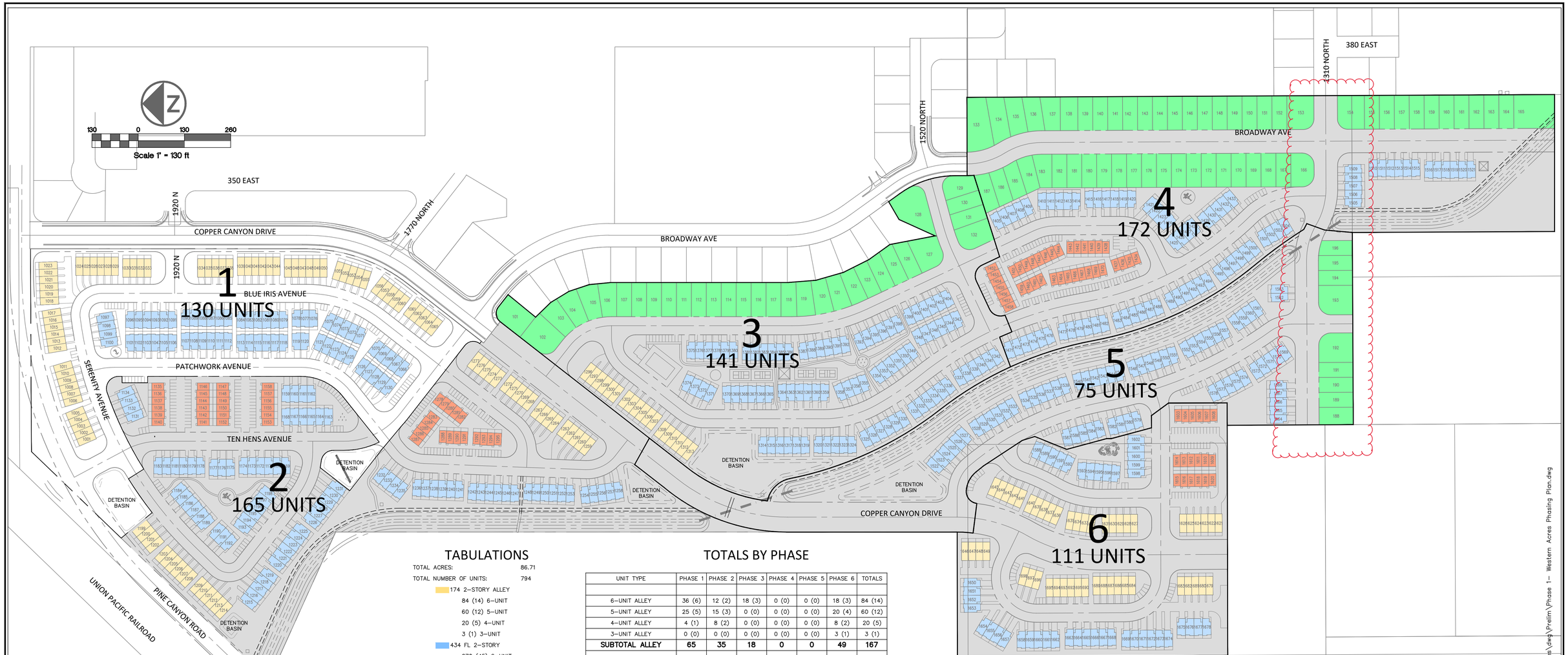
Scale 1" = 20 ft

C:\DATA\19195 DR Horton Western Acres\dwg\Prelim\Western Acres Phase 1 Plat-PRELIM.dwg
PLOT DATE: May 04, 2021

WESTERN ACRES TOWNHOMES PHASE 1
A RESIDENTIAL SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 3

WILDING ENGINEERING
14721 South Heritage Crest Way
Bluffdale, Utah 84065
801.553.8112
www.wildingengineering.com



TABULATIONS

TOTAL ACRES: 86.71

TOTAL NUMBER OF UNITS: 794

- 174 2-STORY ALLEY
  - 84 (14) 6-UNIT
  - 60 (12) 5-UNIT
  - 20 (5) 4-UNIT
  - 3 (1) 3-UNIT
- 434 FL 2-STORY
  - 270 (45) 6-UNIT
  - 95 (19) 5-UNIT
  - 56 (14) 4-UNIT
  - 9 (3) 3-UNIT
  - 4 (2) 2-UNIT
- 97 PIONEER
  - 16 (2) 8-UNIT
  - 7 (1) 7-UNIT
  - 48 (8) 6-UNIT
  - 10 (2) 5-UNIT
  - 16 (4) 4-UNIT
- 96 COTTAGE LOTS (42' x 96' MIN)

DENSITY 9.16 UNITS/ACRE

TOTALS BY PHASE

UNIT TYPE	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	TOTALS
6-UNIT ALLEY	36 (6)	12 (2)	18 (3)	0 (0)	0 (0)	18 (3)	84 (14)
5-UNIT ALLEY	25 (5)	15 (3)	0 (0)	0 (0)	0 (0)	20 (4)	60 (12)
4-UNIT ALLEY	4 (1)	8 (2)	0 (0)	0 (0)	0 (0)	8 (2)	20 (5)
3-UNIT ALLEY	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	3 (1)	3 (1)
SUBTOTAL ALLEY	**65**	**35**	**18**	**0**	**0**	**49**	**167**
6-UNIT 2-STORY	36 (6)	60 (10)	78 (13)	48 (8)	36 (6)	12 (2)	270 (45)
5-UNIT 2-STORY	20 (4)	10 (2)	5 (1)	20 (4)	20 (4)	20 (4)	19 (95)
4-UNIT 2-STORY	4 (1)	12 (3)	8 (2)	9 (3)	6 (2)	12 (3)	56 (14)
3-UNIT 2-STORY	3 (1)	6 (2)	0 (0)	0 (0)	0 (0)	0 (0)	9 (3)
2-UNIT 2-STORY	2 (1)	0 (0)	0 (0)	0 (0)	2 (1)	0 (0)	4 (2)
SUBTOTAL 2-STORY	**65**	**88**	**91**	**80**	**66**	**44**	**434**
8-UNIT PIONEER	0 (0)	0 (0)	0 (0)	16 (2)	0 (0)	0 (0)	16 (2)
7-UNIT PIONEER	0 (0)	0 (0)	0 (0)	7 (1)	0 (0)	0 (0)	7 (1)
6-UNIT PIONEER	0 (0)	24 (4)	0 (0)	6 (1)	0 (0)	18 (3)	48 (8)
5-UNIT PIONEER	0 (0)	10 (2)	0 (0)	0 (0)	0 (0)	0 (0)	10 (2)
4-UNIT PIONEER	0 (0)	8 (2)	0 (0)	8 (2)	0 (0)	0 (0)	16 (4)
SUBTOTAL PIONEER	**0**	**42**	**0**	**37**	**0**	**18**	**97**
COTTAGE LOTS	0	0	32	55	9	0	96
SUBTOTAL COTTAGE LOTS	**0**	**0**	**32**	**55**	**9**	**0**	**96**
TOTALS	**130**	**165**	**141**	**172**	**75**	**111**	**794**

PARKING REQUIREMENT: 2 FOR EACH UNIT
PLUS 1 FOR EVERY 4 UNITS = 1,396 REQUIRED

SATISFIED AS FOLLOWS:

334 (2-STORY ALLEY DRIVEWAY PARKING (2X EACH UNIT))

868 (FL 2-STORY DRIVEWAY PARKING (2X EACH UNIT))

194 PARKING SPACES REQUIRED

NOTE:
1) THIS SUBMITTAL IS FOR PHASE 1 ONLY. ALL OTHER FUTURE PHASES ARE NOT PART OF THIS REVIEW.

D·R·HORTON®
America's Builder

PROJECT INFORMATION

WESTERN ACRES

PHASING PLAN
5/4/21
TOOELE, UTAH

WILDING ENGINEERING
14721 South Heritage Crest Way
Bluffdale, Utah 84065
801.553.8112
www.wildingengineering.com

G:\DATA\19195 DR Horton Western Acres\dwg\Prelim\Phase 1- Western Acres Phasing Plan.dwg
PLOT DATE: May 04, 2021

TOOELE CITY CORPORATION

ORDINANCE 2020-50

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE MR-16 MULTI-FAMILY RESIDENTIAL AND R1-7 RESIDENTIAL ZONING DISTRICT AND CREATING A PLANNED UNIT DEVELOPMENT ZONING OVERLAY ON 86.7 ACRES OF PROPERTY LOCATED IN THE AREA GENERALLY AT 1600 NORTH 300 EAST

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a "comprehensive, long-range plan" (hereinafter the "General Plan") by each Utah city and town, which General Plan contemplates and provides direction for (a) "present and future needs of the community" and (b) "growth and development of all or any part of the land within the municipality"; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 1998-39, on December 16, 1998, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the "Land Use Plan") of the General Plan establishes Tooele City's general land use policies, which have been adopted by Ordinance 1998-39 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of a "land use [i.e., zoning] ordinances and a zoning map" that constitute a portion of the City's regulations (hereinafter "Zoning") for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, Tooele City Code Chapter 7-6 constitutes Tooele City's Planned Unit Development (PUD) overlay zoning district, the purposes of which are stated in §7-6-1, incorporated herein by this reference, and which include, among others, to create opportunities for flexible site planning, to encourage the preservation of open space areas and critical natural areas, and to encourage the

provision of special development amenities by the developer; and,

WHEREAS, the 86.7 acres are owned by various individuals and corporations consisting of Sean Hogan, Western Acres LLC, Mark Gressman, Robin Parsons, Mario Cruz and Mountain Vista Development Incorporated; and,

WHEREAS, by Rezone Petition received March 4, 2020, DR Horton requested that the Western Acres development be reassigned to the MR-16 Multi-Family Residential and R1-7 Residential zoning districts and receive a Planned Unit Development ("PUD") overlay zone designation for the purpose of decreasing lot sizes for the single-family sections, reducing minimum required dwelling unit sizes, reducing lot width, reducing building setbacks, decreasing exterior material requirements and reducing clubhouse social area requirements; and,

WHEREAS, the properties bear a mix of zoning districts starting with NC Neighborhood Commercial in the north east corner, LI Light Industrial near the south west corner, RR-5 Residential in the southern properties and R1-8 Residential towards the south east of the proposed development (see map attached as **Exhibit A**); and,

WHEREAS, the Western Acres development is anticipated to contain 714 town house style residential units, 97 single-family residential units, 21 acres of open space, and numerous public amenities, including stabilization and improvement of the Middle Canyon drainage channel and floodplain, an eigh-foot wide asphalt trail running the length of the channel, a four-court pickleball complex, a 60-foot by 100-foot swimming pool, exercise equipment, pavilions, playgrounds and to lots, terra parks and hammock parks (see **Exhibit B**); and,

WHEREAS, the properties to the west are zoned GC General Commercial and LI Light Industrial and properties to the east are zoned MR-16 Multi-Family Residential and R1-8 Residential; and,

WHEREAS, the properties to the north are located in unincorporated Tooele County and properties to the south are zoned RR-5 Residential; and,

WHEREAS, the Western Acres Development will contain front loaded town house units, alley (rear loaded) town house units, garage less town house units and detached single-family units; and,

WHEREAS, the structures within the Western Acres Development will comply with the Tooele City Design Guidelines for multi-family and single-family residential structures except as otherwise listed in this ordinance (*reference* Tooele City Code §7-11a, *et seq*. and §7-11b, *et seq*.); and,

WHEREAS, the Planned Unit Development standards and qualifications requested by DR Horton for the PUD, are as follows:

R1-7 Residential Zone	
Current Requirements	***Proposed Changes with PUD***
Lot size – 7,000 Square Feet	Lot Size – 3,500 Square Feet
Dwelling Size - 1,100 Square Feet	Dwelling Size – 800 Square Feet

Lot Width – 60 Feet	Lot Width – 42 Feet
Front Setback – 20’ to house, 25’ to garage	Front Setback – 20’ to house, 20’ to garage
Side Setback – 6 feet	Side Setback – 5 feet

MR-16 Multi-Family Residential Zone	
Current Requirements	***Proposed Changes with PUD***
Dwelling Size , Two Story with Double Garage – 1,100 square feet	Dwelling Size , Two Story with Double Garage – 800 square feet
Setback Between Buildings – 15 Feet	Setback Between Buildings – 12 Feet
Exterior Materials – 50% of the entire façade shall be brick or stone.	Exterior Materials – Eliminate the 50% brick or stone requirement in favor of stucco, fiber cement siding, wood, masonry block, brick, and stone.
Clubhouse – 1000 square foot interior social area	Clubhouse – Substitute 1000 square foot interior social area requirement with additional site amenities.

WHEREAS, with the exception of the development requirement changes enumerated above, development within the proposed PUD must comply with all adopted Tooele City development codes and policies; and,

WHEREAS, Utah Code §10-9a-501 and §10-9a-503 provide for the municipal legislature to consider Planning Commission recommends for amendments to the land use ordinances and zoning map, and to approve, revise, or reject the recommended amendments; and,

WHEREAS, the City Council finds that, subject to the reasonable and appropriate conditions outlined below, the proposed PUD overlay rezone is consistent with the General Plan and is not adverse to the best interest of the City; and,

WHEREAS, because the City is under no obligation to approve a PUD, it is appropriate for the City to require DR Horton to comply with the conditions listed below; and,

WHEREAS, on December 9, 2020, the Planning Commission convened a duly-noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on December 16, 2020, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

Section 1. **Amendment.** The Tooele City Zoning Map is hereby amended to indicate that the Western Acres development is a Planned Unit Development, the underlying zone of which shall be reassigned to the MR-16 Multi-Family and R1-7 Residential zoning districts; and,

Section 2. **Rational Basis.** The City Council finds that approving this ordinance and the Western Acres PUD is in the best interest of Tooele City and its residents because it will provide

increased housing options in the lower price-point range, helping to address the housing gap in Utah, will provide important health- and safety-related improvements to the Middle Canyon drainage channel, and will provide numerous amenities for the increased quality of life of PUD residents and others.

Section 3. **Development Standards.** The Western Acres Planned Unit Development standards and qualifications shall be as follows. All standards not expressly addressed herein shall default to Tooele City standards and specifications contained in City-adopted codes and policies existing at the time of complete land use application (e.g., subdivision, site plan, building permit).

R1-7 Standards with PUD
Lot Size – 3,500 Square Feet
Dwelling Size – 800 Square Feet
Lot Width – 42 Feet
Front Setback – 20' to house, 20' to garage
Side Setback – 5 feet

MR-16 Standards with PUD
Dwelling Size , Two Story with Double Garage – 800 square feet
Setback Between Buildings – 12 Feet
Exterior Materials – Eliminate the 50% brick or stone requirement in favor of stucco, fiber cement siding, wood, masonry block, brick, and stone.
Clubhouse – Substitute 1000 square foot interior social area requirement with additional site amenities.

Section 4. **No Vesting.** Approval of this Ordinance 2020-50, together with its exhibits, shall not be construed to imply or constitute any vesting or entitlement as to intensity of use (i.e., density) or configuration (i.e., lots, units, roads).

Section 5. **Severability.** If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 6. **Effective Date.** This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this _____ day of _____, 2020.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y Pitt, City

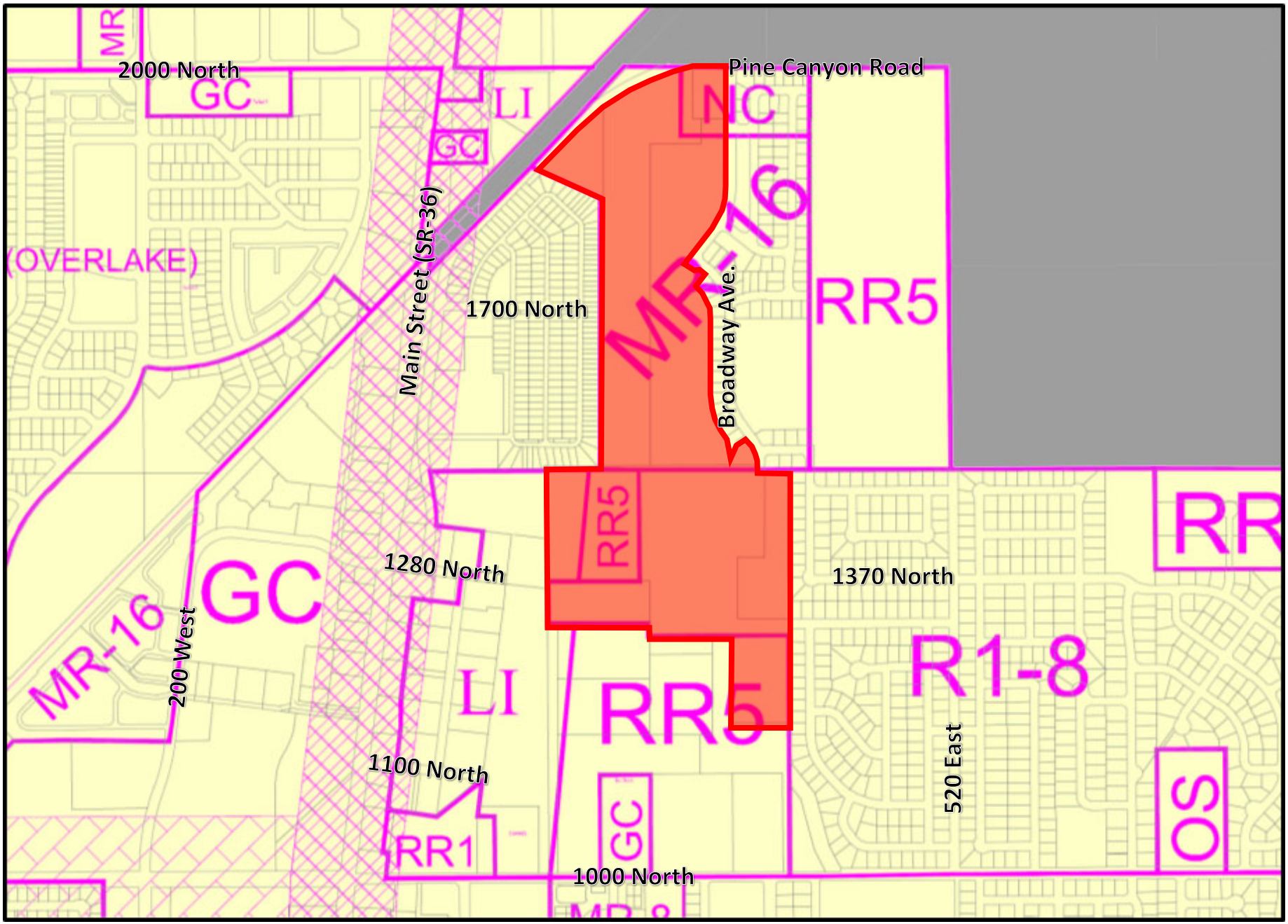
Recorder S E A L

Approved as to Form: _____
Roger Baker, Tooele City Attorney

EXHIBIT A

ZONING MAP

Western Acres Zoning Map & PUD Amendment



Current Zoning Map

EXHIBIT B

REZONE PETITION

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org

Tooele City
Est. 1853

Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

P20-24

Project Information

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
3/4/2020	MR-16, R1-9, RR-5, LI	PUD	

Project Name: Western Acres — Acres: 86.05

Project Address: Pine Canyon Road and Copper Canyon Dr.

Proposed for Amendment: ☐ Ordinance ☑ General Plan ☐ Master Plan: _____

Brief Project Summary:

Residential Development to include Single-Family Detached and townhomes.

02-123-0-0033
02-125-0-0036
02-125-0-0037
02-123-0-0040
02-123-0-0032
02-123-0-0018
02-123-0-0031
02-123-0-0028
02-125-0-0017
02-125-0-0038
02-126-0-0029

Property Owner(s): Mountain Vista Development			**Applicant(s):** DR Horton		
Address: 668 E. 12225 S. Ste 201			Address: 12351 S. Gateway Park Place Suite D-100		
City: Draper	State: UT	Zip: 84020	City: Draper	State: UT	Zip: 84020
Phone: (801) 523-0400			Phone: (801) 571-7101		
Contact Person: Don Bean			Address: 12351 S. Gateway Park Place, Suite D-100		
Phone: (385) 226-8859			City: Draper	State: UT	Zip: 84020
Cellular: (385) 226-8859	Fax: (801) 571-7102		Email: dgbean@drhorton.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2200024

For Office Use Only

Received By:	Date Received:	Fees:	App. #:
CVS	3/4/20	$8,600.00	

00373891

WESTERN ACRES TOWNHOMES - REZONE AND PUD APPLICATION

UTAH DIVISION

D·R·HORTON®

America's Builder



D.R. HORTON IS PROPOSING A PLANNED UNIT DEVELOPMENT (PUD)

OF 86.7 ACRES, WITH 811 HOMES, AND A REZONE OF THE

UNDERLYING ZONES TO ALLOW FOR OUR PROPOSED SITE PLAN.







PROJECT OVERVIEW: Middle Canyon Creek has been a long-term problem in the area, with occasional flooding throughout the neighborhood during serious rain storms. D.R. Horton is proposing an engineered alteration of the creek's path to protect the development and the surrounding property.

The Western Acres community will have private and public amenities. The private pavilions, tot lots, terra parks, hammock grottoes and pickle ball courts will be attractive assets to its residents. The trail along Middle Canyon Creek will give the public an option to take walks along the banks with several exercise apparatus along the way.

The community will offer five townhome plans and five single-family detached plans.

Common areas and amenities will be professionally managed by a homeowner's association.

PURPOSE OF THIS APPLICATION

As America's number one homebuilder and one of the top builders in Utah, D.R. Horton will deliver excellent product selections and a beautiful new community.



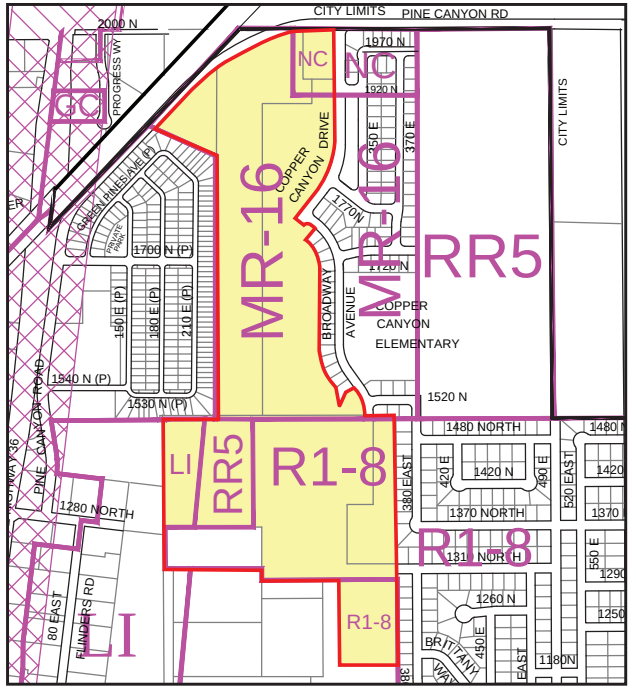
D.R. Horton is asking for approximately 50 acres of property to be rezoned according to the included zoning map. We believe the plan gives the community a logical transition between single-family detached (SFD) homes, townhomes and the existing mobile homes. D.R. Horton does not propose an increase in the current overall density, rather spreading the density in a way that makes sense for the neighborhood and gives options to Tooele City residents.

PRESENT ZONING

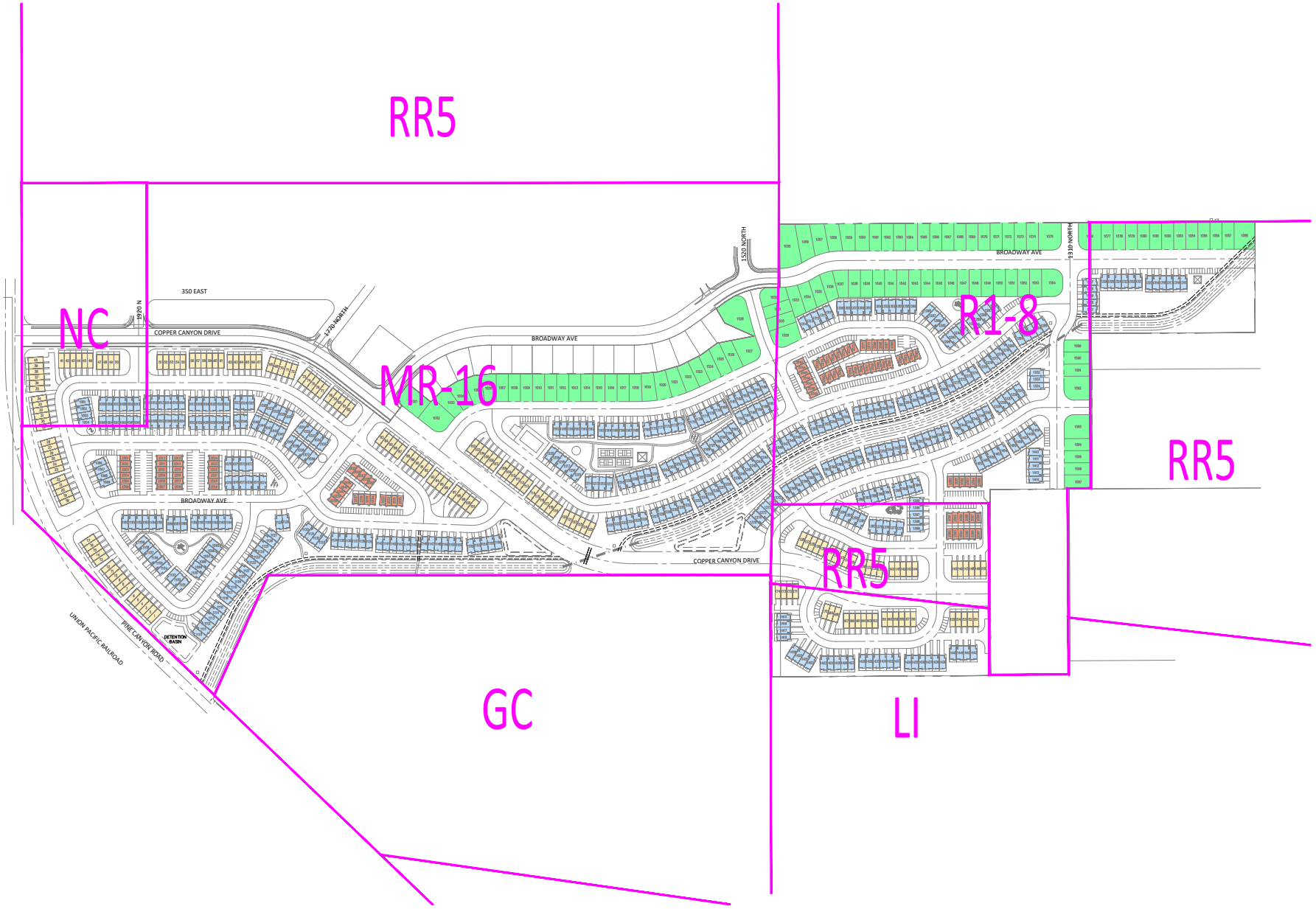
The present zoning designation of the 86.7 acres can be seen below:

UNITS PER ZONE			
ZONING	**ACRES**	**RESIDENTIAL UNITS/AC**	**RESIDENTIAL UNITS**
LI	4.8	0	0
NC	1.7	0	0
MR-16	45.7	16	731
RR5	10.2	0.2	2
R1-8	23.6	4	94
Drainage Area	.7	0	0
TOTALS	**86.7**	**N/A**	**827**

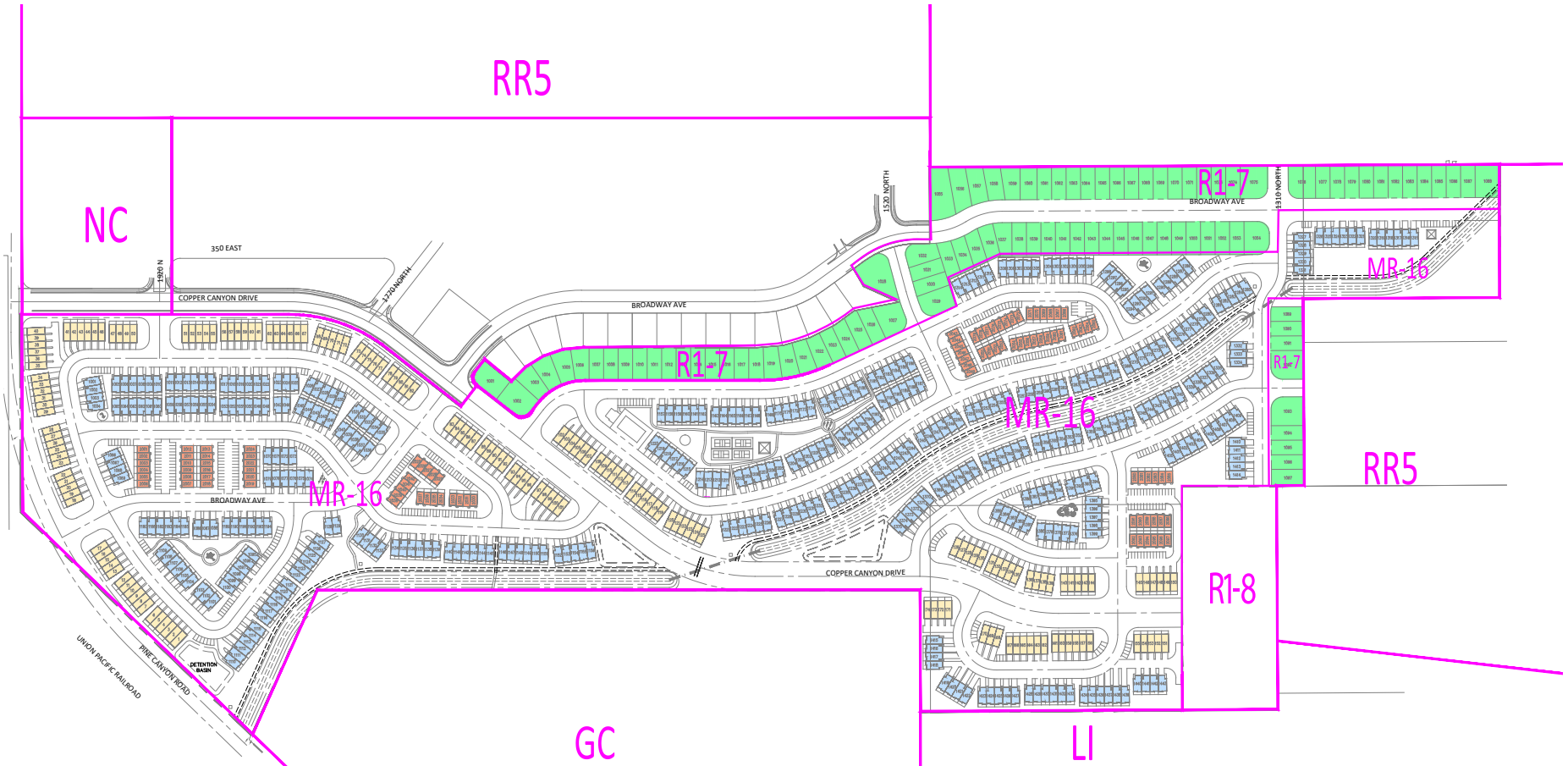
The total density allowed with current zoning is 827 units, which is a higher density than we are requesting within the site plan after the rezone.



CURRENT ZONING

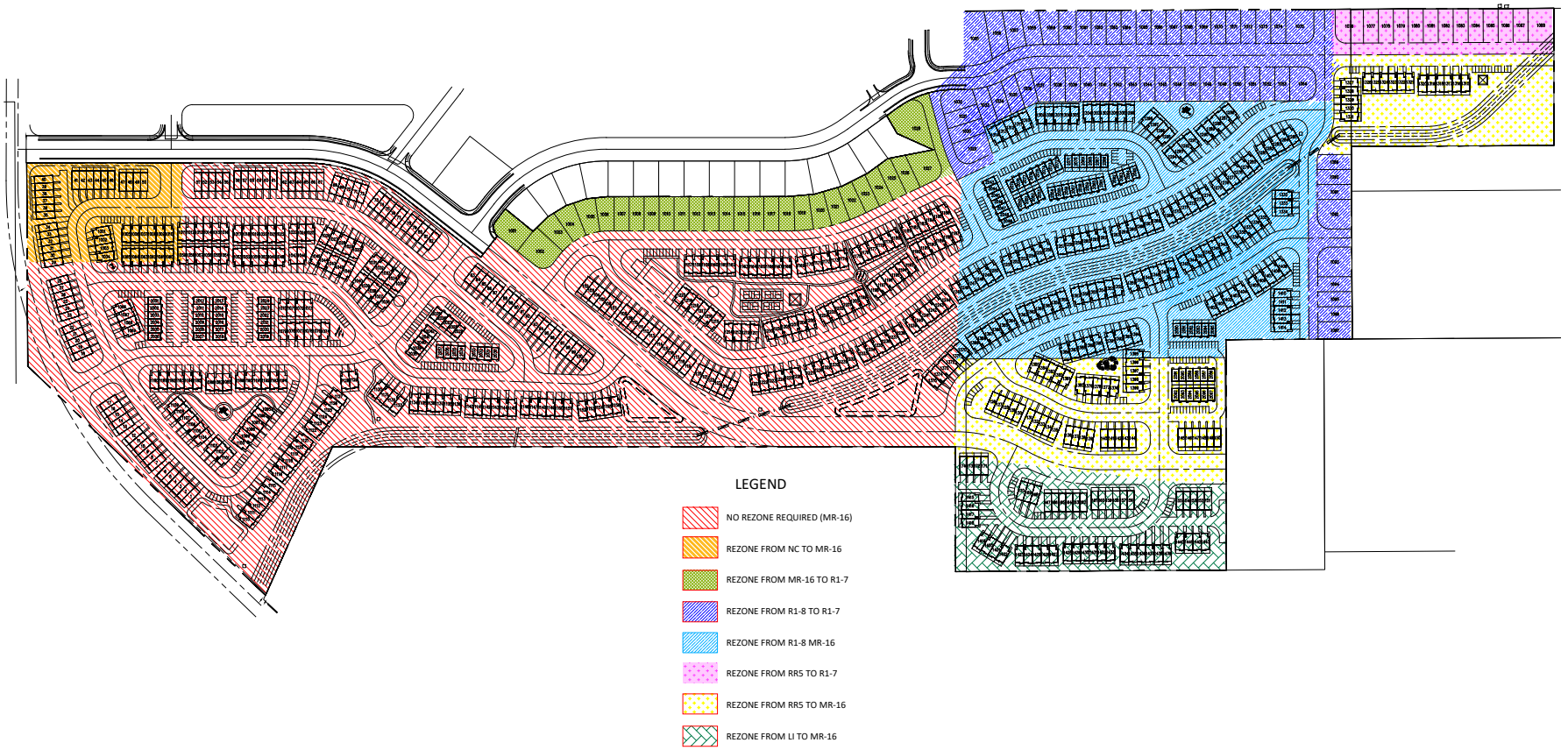


PROPOSED ZONING



ZONING	ACRES	PROPOSED RESIDENTIAL UNITS
MR-16	69.39	714
R1-7	12.61	97
Drainage Area	4.7	0
TOTALS	**86.7**	**811**

CURRENT ZONING AND PROPOSED ZONING



WHY THE PUD DESIGNATION IS APPROPRIATE

The Middle Canyon Creek divides the property of the entire proposed rezone and PUD. A coordinated plan to address the creek is needed to fix some sections drainage issues; this will add value to the community by taking some existing homes out of the flood plain. D.R. Horton will build a public trail along the newly constructed creek bed.

In addition, Tooele City's Transportation Master Plan has a collector road designed to bisect the property north and south. Our design would aid in the progress of Tooele City's long-term traffic plan.





In 7-6-1 of the Tooele City code, it states that "the purpose of the Planned Unit Development Overlay District, when used in conjunction with the requirements of the base, or underlying zoning district is to permit flexibility in subdivision and site planning, to promote the efficient utilization of resources, and to preserve and protect valuable site features and to add desired amenities for the neighborhood or area".

Under 7-6-2 the definition of a Planned Unit Development (PUD) is "a site plan or subdivision layout technique allowing building and structures with some or all the lots reduced below the minimum lot sizes and/or differing setback standards than required by the base zoning district, but where the overall project or site area meets the density standard of the zoning district". Again, our plan conforms to the current density. To reiterate, D.R. Horton does not propose an increase in the current overall density, rather spreading the density in a way that makes sense for the neighborhood and gives options to Tooele City residents.





PROPOSED PROVISIONS

• Replace 7-11a-10 (6) with, "All multi-family dwelling units that include front-facing attached garage shall have the garage door a minimum of two feet differential from the front façade." (Eliminates requiring the garage door to be **recessed** five feet from the front façade.)

• Replace 7-11a-18 (1) with, "Exterior Finishes. Exterior building materials shall be the following materials brick, stone, stucco, cementitious fiber siding, wood, or block/ masonry, or any combination." (The 50% minimum of natural or cultured brick or stone of the entire building façade requirement eliminated.)

• The setback between multi-family buildings reduced from 15' to 12 feet.

• Exception to 7-11a-22 6(c) Substitution of inside social area with increased amenities. D.R. Horton has found that the utilization of clubhouses create challenges with holiday use in high demand, but empty much of the time. Clubhouses are expensive to maintain and become a burden on the homeowners. We propose the money we would have used to construct a clubhouse be reallocated to a variety of amenities. D.R. Horton will construct bathrooms and pool equipment facilities which will be ideal for outdoor gatherings.

HOW THE PROPOSED ZONE IS CONSISTENT WITH THE GENERAL PLAN

The current zoning would allow **827** homes to be built on the subject property. The proposed plan decreases the density from 827 to **811** homes, which would allow the community a better flow through the different housing types.

WHY THE PROPOSED ZONE IS COMPATIBLE WITH THE SURROUNDING AREA

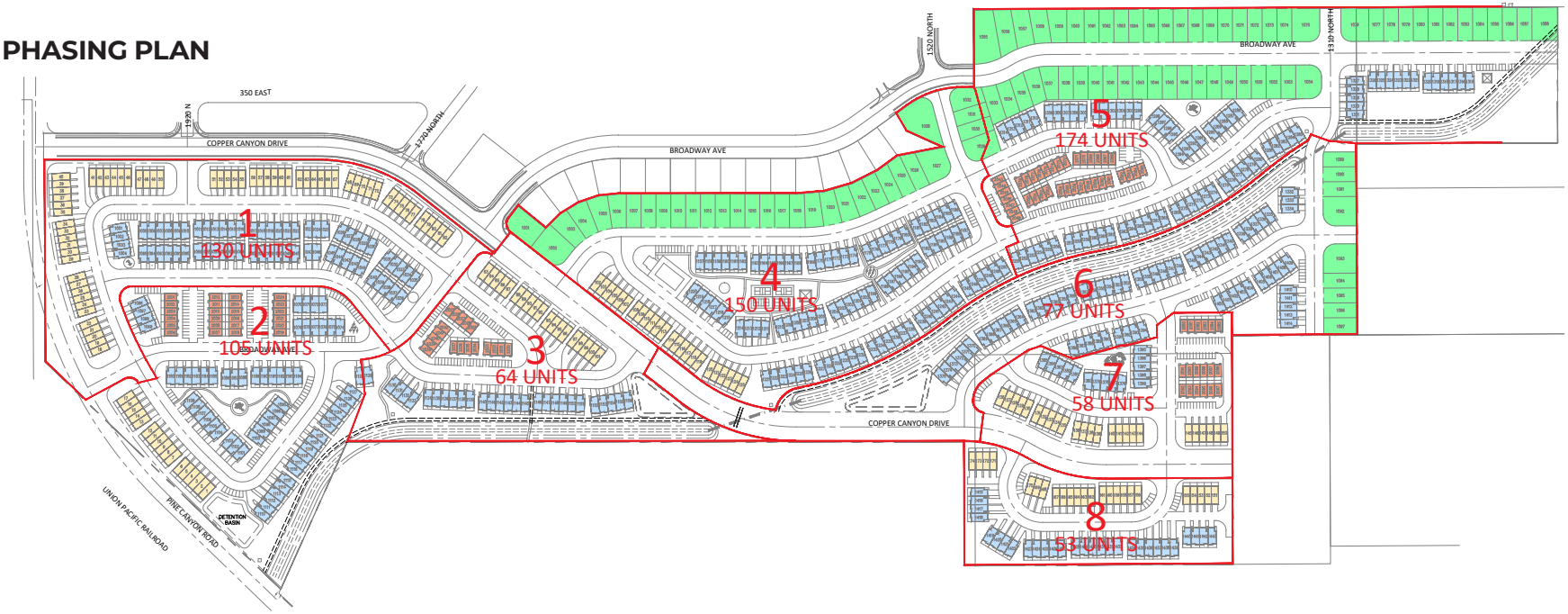
The west side of the subject property is adjacent to a mobile home park, with townhome and single-family detached developments to the east. There is an asphalt path across the subject property used by children in the mobile home park to walk to school. We will maintain a path as pedestrian access to and from the school.

The planning and development of the Middle Canyon Creek channel will take some of the subject property and the mobile home park out of the flood plain, providing added safety to the existing community and allowing most of subject property to be developed.





PHASING PLAN



HOW THE PROPOSED ZONE IS SUITABLE FOR THE EXISTING USE OF SUBJECT PROPERTY

This development would be a natural transition in housing from the mobile home park to townhomes to single-family detached homes.

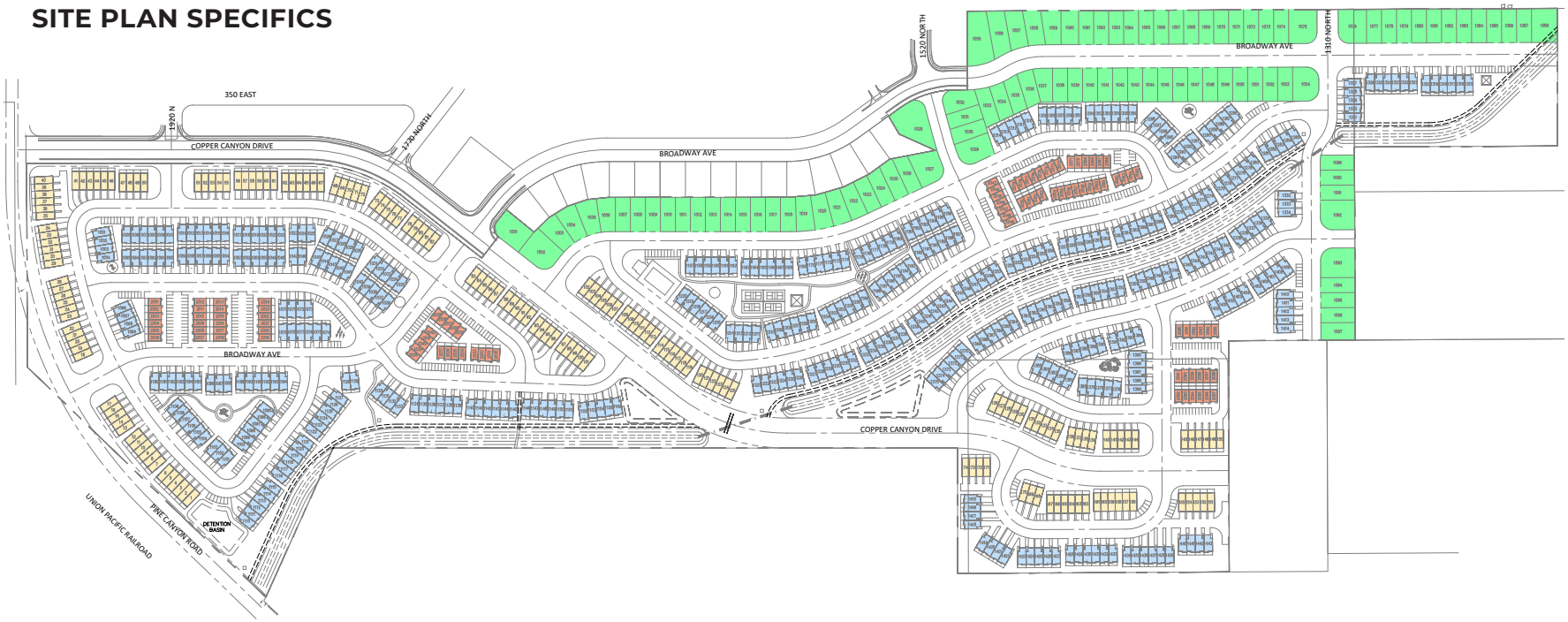
HOW THE PROPOSED ZONE PROMOTES THE GOALS AND OBJECTIVES OF TOOELE CITY

Article 1, Section 1-01 of the Tooele City charter states that the city exists to “promote the general health, welfare, and protection of its citizens”. This is done by anticipating the needs of current and future residents of Tooele, then providing for those needs in an organized, thoughtful manner.

As leaders planning for Tooele City’s future, it is important to anticipate and allow for the development of a variety of housing alternatives. As lifestyles and housing needs change, the city will have the options needed to add new residents and retain the citizens that helped build the community.

This project will also provide new housing options for those who may otherwise rent, buy existing homes or move to another city. The development will also attract families and individuals looking to live in a safe, affordable and active community.

SITE PLAN SPECIFICS



Total Acres: **86.9**
Total Number of Units **811**

Townhomes

- 443 FL 2-story
- 174 2-Story Alley
- 97 Pioneer
- 97 Single Family Detached

Townhome Parking Requirement: 2 for each unit, satisfied by the driveway, (20' min.) Plus 1 for every 4 units.

TOTAL ACREAGE: 86.7 acres

DENSITY: 9.2 units per acres

PRIVATE AMENITIES: Pavilions, tot lots, pickle ball courts, hammock grottoes & terra parks

PUBLIC AMENITIES: Paved trail north and south along riverbed with apparatus along the trail and a path from the mobile home park over the channel to Copper Canyon Elementary School

OPEN SPACE: Over 21 acres, 26.54% of project is open space

GARAGES: Two-car garage on each unit, other than Pioneer Units, which have carports

SETBACKS: Following Tooele City Code for R1-7, and provisional MR-16 to 12'.

DETENTION PONDS: Two detention basins are incorporated in the drainage plan

Design and relocation of channel done by Hansen, Allen and Lase, submitted to Tooele City



















AMENITIES PLAN



UTAH DIVISION

D·R·HORTON®

America's Builder

Tooele City Council and the
Redevelopment Agency of Tooele City
Minutes

Date: Wednesday, June 30, 2021
Time: 5:30 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main Street, Tooele, Utah

City Council Members Present:
Melodi Gochis, Chair
Justin Brady
Ed Hansen
Tony Graf
Maresa Manzione

City Employees Present:
Mayor Debbie Winn
Roger Baker, City Attorney
Michelle Pitt, City Recorder
Jim Bolser, Community Development Director
Jared Stewart, Economic Development Administrator
Shilo Baker, Executive Staff Assistant

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairwoman Gochis opened the meeting at 5:35 p.m.

2. Roll Call

Melodi Gochis, Present
Ed Hansen, Present
Justin Brady, Present
Tony Graf, Present at 5:41 p.m.
Maresa Manzione, Present

3. Ratification of Tooele City Fireworks Restrictions

Mayor Winn stated that State Code was recently changed about who can determine whether or

DRAFT

not fireworks are allowed. The Fire Code Official, who is our Fire Chief Chris Shubert, determines if there are conditions that would necessitate banning flammable things such as fireworks, lanterns, campfires, etc. Mayor Winn indicated she and Chief Shubert are hesitant to ban fireworks city-wide because it is hard to enforce, and it's hard to locate who is lighting them. Mayor Winn and Chief Shubert agree that fireworks will be allowed in the areas indicated on the map (attached). The Mayor added that State Code states that the Fire Official makes this determination and then brings it to the legislative body. Administration is asking the Council to ratify the Tooele City Fireworks Information and map. The Information and map will be on the City's website, social media, and in the newspaper. The Information asks people to watch the professional fireworks show instead of doing their own. If citizens choose to do their own fireworks, they are to refer to the map, and to not discharge fireworks in the areas marked in red or at any city part except the Dow James Park.

Council Member Hansen pointed out that the Information needs to be amended to say the time frame for discharge is until July 5th, instead of July 4th.

At this point, Council Member Graf joined the meeting.

Mayor Winn stated that she is hoping that people will be reasonable and follow the informational statement about fireworks. The City will prosecute people if they are found to be in violation. As long as people are lighting legal fireworks, they are allowed, in the areas designated on the map.

Shilo Baker added that signs will be placed at Skyline Drive, Droubay Road near the Carr Fork Subdivision, Utah Avenue at about 1000 West, and at the mouth of Settlement Canyon that say no fireworks are allowed. The sign at Settlement Canyon will also include that no campfires are allowed.

Mayor Winn indicated that firefighters are allowed to confiscate illegal fireworks. The Fire Chief is meeting with firefighters tonight to make sure they are aware of the Information. They will call dispatch if they need help enforcing the rules.

A motion to ratify the Tooele City fireworks restrictions was made by Council Member Graf. Councilmember Brady seconded the motion. The vote was as follows: Council Member Graf "Aye," Council Member Hansen "Aye," Council Member Manzione "Aye," Council Member Brady "Aye," and Chairwoman Gochis "Aye."

4. Closed Meeting to Discuss Litigation, Property Acquisition, and/or Personnel

A motion to close the meeting was made by Council Member Hansen. Council Member Manzione seconded the motion. The vote was as follows: Council Member Graf "Aye," Council Member Hansen "Aye," Council Member Manzione "Aye," Council Member Brady "Aye," and Chairwoman Gochis "Aye."

The meeting closed at 5:47 p.m.

DRAFT

Those in attendance during the closed meeting: Mayor Debbie Winn, Council Member Graf, Council Member Hansen, Council Member Manzione, Council Member Brady, Chairwoman Gochis, Roger Baker, Michelle Pitt, Jim Bolser, Shilo Baker and Jared Stewart.

5. Adjourn

Chairwoman Gochis adjourned the meeting at 6:27 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 7th day of July, 2021

_____

Melodi Gochis, Tooele City Council Chair

DRAFT

Tooele City Council
Business Meeting Minutes

Date: Wednesday, July 7, 2021
Time: 7:00 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:
Tony Graf
Melodi Gochis
Ed Hansen
Justin Brady
Maresa Manzione

City Employees Present:
Mayor Debbie Winn
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department Chief
Steve Evans, Public Works Director
Roger Baker, City Attorney
Shannon Wimmer, Finance Director
Darwin Cook, Parks and Recreation Director
Michelle Pitt, City Recorder
Cylee Pressley, Deputy City Recorder

Minutes prepared by Katherin Yei

Chairwoman Gochis called the meeting to order at 7:07 p.m.

1. **Pledge of Allegiance**
The Pledge of Allegiance was led by Matt Robinson.

2. **Roll Call**
Tony Graf, Present
Melodi Gochis, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present

DRAFT

3. Resolution 2021-66 A Resolution of the Tooele City Council Consenting to Mayor Debra E. Winn's Appointment of Caption Adrian Day as Tooele City Chief of Police
Presented by Debbie Winn, Tooele City Mayor

Mayor Debbie Winn asked Chief Kirby to come to the front. She stated her appreciation for his many years of service within the community. She addressed the City Council to appoint Captain Adrian Day as the Tooele City Chief of Police. She stated they did put out the application nation wide with Captain Day being the best choice.

Council Member Hansen motioned to approve resolution 2021-66. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

Caption Adrian Day was sworn in by Michelle Pitt, Tooele City Recorder.

4. Public Comment Period

There were no public comments.

5. Public Hearing & Motion on Ordinance 2021- 20 An Ordinance of Tooele City Reassigning the Land Use Designation From Medium Density Residential (MDR) & Regional Commercial (RC) to High Density Residential (HDR) for Approximately 29.3 Acres of Property Located at Approximately 2800 North 400 East
Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the application is to adjust the Land Use Map, which is the step that would be required prior to amending zoning. He stated the subject property is the north east corner of the community. He stated the subject property currently has three land use designations on the property effectively in quarters. He stated the consideration is for the two areas be reassigned to the high-density area and the applicant had submitted a concept plan for discussion.
Mr. Bolser stated the applicant was present and could further explain. He stated the Planning Commission did review it before the Council.

Chairman Gochis asked what the condition was the Planning Commission approved it under.
Mr. Bolser stated the motion passed with a six to one vote without any specific conditions on the motion.

Council Member Brady stated his concern was the island that will be created within the medium density residential. He stated there has been multiple applications for this area and asked if this was different from those.
Mr. Bolser stated the other applications are the properties to the south. He stated there are six properties between the applications.
Council Member Hansen asked if the roads are going to 36 to get out of the property.

Mr. Bolser stated he believes so. He stated he believes the applicant had spoken with the proposed applicant for the south, but at this time, can only provide proposal simply for his two parcels that he represents.
Mr. Bolser stated there are existing roadways including, 400 West, 600 East, and a roadway behind Lidiards. He stated there are other options for roadways and any development on any of these parcels would be obligated to provide the necessary infrastructure, be that water, sewer, storm, power, roads, etc.

Council Member Hansen asked if the City would be required to build the road at 600 if he bild there.

Mr. Bolser stated they might have to. He stated as they look at the development reviews specifically, a traffic study will be required. He stated they would be looking for how much access is needed and where.

Chairman Gochis asked about water.
Mr. Bolser stated they will be obligated to provide water system that includes connection from existing source to this site. He stated similarly sewer out of this sight, as well as providing water rights in and out to satisfy the demand of the development
Chairman Gochis asked if the developer has to have water rights or is it just that they are required to.
Mr. Bolser stated they will be required to. He stated he will allow the developer to comment on the status of the water.

Chairman Gochis invited the developer to speak.

Mr. Sydney Halstar stated he represents Loanstar on this project. He stated they are asking for MR-25 because of a height restriction. He stated the apartment building would rent well; as well as support the commercial on Highway 36. He stated there will be a leasing office and a clubhouse and amenities on site for families,

Chairman Gochis asked if the units will be for sale or rent and if they have the water rights for this project.
Mr. Halstar stated the seller has water rights that they will acquire with the transaction and have in contract the other water rights as needed.

Council Member Manzione stated she hates to see the general commercial cut down.
Mr. Halstar stated stated though they want to put commercial on the property, they notice at 10 to 15, they get to deep and are not as successful. He stated they want to provide a successful and vibrate commercial area.
Council Member Manzione stated they also want a vibrant commercial area.

Council Member Hansen asked if they will be the builder on the commercial.
Mr. Halstar stated they will be the deeloepr for the entire project and hold onto the project once its done.

Chairman Gochis stated that with the zoning of MR-25, there is a potential of 725 units. She asked id that is what the developer was planning.
Mr. Halstar stated they will be restricted by the surface area that the unit count is going to require. He stated that'll come through when they go into the zoning and planning. He stated the concept shows what we believe we can get.

Chairman Gochis stated there is limited access from this area and asked what plan they had for roads and transportation.
Mr. Halstar stated once they move to the next step, they will provide a traffic study. He stated they have not initiated that study yet.

Council Member Brady stated he understands Tooele County is to the East and the North. He stated he does not want to be unfair to the County residents in building apartments building there, when they had originally zoned for something different.

Mr. Bolser stated that it was one of the difficult things for this area. He stated there are a few things to discuss: do they continue down that same road and hope for additional success? Or do they start looking at a different proposal that may be more appropriate for the land use in this area? He stated it is an open area that he has proposals for.

Council Member Brady stated his concern is the rezoning to high density, the rest of the property is likely going to follow. He stated he does not want to see a high density of just apartments in one area. He stated this area would be a perfect area for RSD so it does not just focus on apartments.

Council Member Manzione stated with higher density comes more traffic. She stated her big concern is here is traffic and would like to see a traffic study before approving the amendment.

Chairman Gochis stated it needs to be walkable to the amenities of the businesses. She stated no one will be able to walk to local stores in Tooele without a trail system or sidewalk. She asked if that could be included in the traffic study.
Mr. Bolser stated the council could make recommendations of what they would like to see the applicant

Chairman Gochis stated she does want a firmer answer on the water for this project. She asked if the developer was working towards bringing water or if they already had it.
Mr. Halstar stated they do have it in contract and will close if they are approved for zoning. He stated they do not want to spend the money of they are a different density.

Chairman Gochis stated she does not want to make a change on the land use if we don't have a firm plan for water.
Mr. Halstar stated he does not want to spend millions of dollars on the water until he knows what he has.

DRAFT

Council Member Hansen asked if there is water coming then.
Mr. Halstar stated they do have water on contract.

Council Member Graf stated he has some concerns about regional commercial. He stated one of the things that's important when building high density is transportation. He stated there is use of the express bus to Salt Lake and the intertown bus within the City. He stated if you have higher high density in this type of situation, optimally, you'll have close connections to public transportation. He stated he doesn't like creating an island of medium density residential because to the north, they would probably have to go to the high density.

Chairman Gochis stated that area is a buffer zone between what is considered agricultural and asked what the County zoning was there.
Mr. Bolser stated he was not in depth with the County zoning map, but believes that it is the same as the existing development to the east, with the ultimate plan being large residential.

Chairman Gochis stated a County resident approached the City about the safety of residents because of machines that work agriculture in the fields.

Council Member Graf stated a recurring theme of green and open spaces is important to the City. He stated when there is a high concentration of people, they do not want a concrete jungle.
Mr. Halstar stated they will follow code, but will work with the City on open space.

Chairman Gochis opened the public hearing.

Council Member Brady motioned to deny 2021-20. Council Member Manzione seconded the motion.

Chairman Gochis asked if that would allow the applicant to make changes and come back.
Mr. Bolser stated by denying it, the applicant

Council Member Manzione withdrawn her second.

Council Member Graf stated they would like to see conceptual plans that integrate green and open space and walking paths.

Mr. Halstar asked what they are looking for in the trails. He stated they could easily add to the City's trial system.

Council Member Manzione stated a traffic study is warranted.

Council Member Graf motioned to Table 2021-20 with the conditions discussed with the developer. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Naye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

DRAFT

6. Public Hearing & Motion on Ordinance 2021-21 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MR-25 Multi-Family Residential Zoning District for Approximately 4.3 Acres of Property Located at Approximately 740 West McKellar Street

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is a zoning map amendment. He stated the subject property is west of the current MR-8, multi-family residential designation. He stated there are a combination of projects in this area under that zoning designation, including townhomes, smaller loft single family dwellings and an existing trailer corporate development. He stated the applicant was present to provide some additional context. He stated the Planning Commission did hear this item and held their own public hearing. He stated after a robust discussion about the differences of whether or not this could develop more appropriately as MR-25 as requested, they forwarded a negative recommendation for the application at hand.

Chairman Gochis stated there is a Union Pacific Railroad crossing there. She asked if that was blocked off or people could cross it?

Mr. Bolser stated it was blocked off and warranted another consideration. He stated a gentleman had requested information about his current mapping and those concerns where given to the Planning Commission. He stated those concerns were as follows: the mapping was correct and how an extension through Tooele Boulevard would work. He stated they receive information directly from the county recorder's office on a monthly basis. He stated if you measure from the edge of the parcel line to the closest corner of this one, is approximately 88 feet. He stated there is room to get Tooele Boulevard through there, which would encourage development.

Chairman Gochis stated she had concerns about the traffic on Coleman Street that residents have brought forward. She asked if the developer had done a traffic study.

Council Member Brady asked how many parking units are required.
Mr. Bolser stated it is the same for all multi-family units; two spaces per unit and space for designated guests.

Council Member Brady stated it seems that vehicles park on the street. He stated he shares concerns with Chairman Gochis. He stated he feels that it is not an appropriate area for MR-25; MR-16 would be a better fit.

Chairman Gochis invited the developer forward.

John introduced himself and stated he was happy to answer questions.

DRAFT

Chairman Gochis stated she believes MR-25 is too high density for this area. She stated her concerns for traffic getting in and out of the development. She asked if they will be doing a traffic study.
John stated they will be doing a traffic study, but have not yet because they want to know what density they will be approved for. He stated when you look at a report from the transit authority, it has been stated on average a single-family home will have ten car trips per day and an apartment unit will have four cars per day. He stated he calculated with an MR-8, there would be 340 car trips, where as an MR-25 would be a proposed 390 car trips. He stated they want to partner with the City and meet their needs. He stated if they want apartments, they would need MR-25; if they wanted townhomes, they can do MR-16.
Mr. Developer stated when they met with the Planning Commission they had two concerns, the traffic and apartments not fitting in at that location. He stated he heard that the City might be building a park North and would be happy to partner with them to build that.

Chairman Gochis stated she was unsure if that is a location for a park.

Council Member Manzione stated she spoke with Mr. Cook earlier that day and it is a location they will be putting a park.

Mr. Baker stated there is not a confirmed plan yet, but there are plans beginning to develop. He stated it remains something they except to become a park.

Council Member Manzione stated she believes that is not the place for MR-25 because of the traffic and not being considerate to the neighbors.
John stated they have not done a traffic study yet, but in his experience coming and gong from that property, there are not more than three cars on that road.

Chairman Gochis stated the Planning Commission recommended an MR-16. She asked if he desired they consider MR-25 or is willing to table this and bring back a proposal as an MR-16.
John stated if the Council preferred MR-16, they would be ok with that.

Chairman Gochis asked Mr. Bolser if he would have to do a new application for that.
Mr. Bolser stated of they tabled it with the purpose of the developer coming back with MR-16 proposal, they would need to check to see of the notices sent out to the community and the public hearings were sufficient for MR-16. He stated it might have to go back to the Planning Commission step, but an entire new application won't be necessary.

John stated MR-25 is going to be to much and they can build townhomes under MR-16, but asked if they have filled the need for rental units.
Mr. Bolser stated they are compliant with the State of Utah requirements, which is based on cost of housing compared to family income. He stated Tooele does not have something in house that shows where we are for those specific needs.

Council Member Manzione stated there is a shortage of housing all around, but we must balance the need with what is in the City and MR-25 does not fit in that neighborhood. She stated though we may need the rentals, we must find a balance.
John stated they are equally happy to provide townhomes in the MR-16.

Council Member Brady stated it is not townhomes verses apartments, but it is the density in this area that is the concern.

Council Member Hansen stated if they went down in units based on the concept plan, he would only be two building to many.
John stated they do have another concept plan for townhomes that they did not turn in.

Council Member Graf stated the Northlake parking lot becomes slow moving. He stated the impact of the traffic on MR-25 with Coleman Street out ways the higher density.
John stated they want to work with the City and would be happy to develop under MR-16.

Mr. Baker stated they have an application that is asked to be voted on. He stated if they wanted to entertain a variation, the Council has two options. He stated they can table it, and Mr. Bolser and himself will discuss further options with the applicant to amend their application.

Chairman Gochis asked if they need to hold another public hearing.
Mr. Baker stated they would.

Chairman Gochis opened the public hearing.

Chairman Gochis motioned to table 2021-21 until they have addional information and an amended application. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

7. Resolution 2021-49 A Resolution of the Tooele City Council Consenting to the One-Time Incorporation of Stipends Paid to Specific City Employees by the Redevelopment Agency of Tooele City (RDA) to Employee Regular Rates of Pay by Tooele City Corporation
Presented by Shannon Wimmer, Finance Director

Ms. Wimmer stated the adoption of the resolution gives authority to the City to move some of those salaries that were previously paid out of the RDA to the City's budget.
She stated this is being done in anticipation of the RDS sunset and give some consistency in the City's budget.

Council Member Manzione motioned to approve 2021-49. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

8. Resolution 2021- 74 A Resolution of the Tooele City Council Approving an Agreement with Nelson Brothers Construction Company for the Water Reclamation Facility 2021 Upgrades, Phase 1

Presented by Paul Hansen, Tooele City Engineer

Mr. Hansen stated the Council has three projects that are either recently completed or in process, the second deals with upgrades to the filter process that's in works, and the third is phase one upgrades. He stated many of the elements have become deteriorated over the last 20 years; the water that flows through that plant is quite caustic, and quite corrosive and damaging to the processing equipment. He stated they put it out for public bid and received bids from three contractors, the lowest bid being Nelson Brothers Construction with a submitted cost of $827,024. He stated Nelson Brothers Construction has worked for the city in the past. He stated where they typically ask for a 5% contingency, they are asking for additional contingency of 15%.

Council Member Brady motioned to approve 2021-74. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

9. Subdivision Plat Amendment Request by Lexington Townhomes, LLC for the Purpose of Amending the Lexington at Overlake Subdivision to Combine Lots 103 & 108 into a Single Lot 201 on 6.39 Acres in the MR-16 Multi-Family Residential Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the subject is on the south end of the Overlake subdivision, a part of the overall Lexington project. He stated the applicant wants to make it cohesive in making it a single lot. He stated the application is simply to take the two separate lots and combine it to make it one lot. He stated the Planning Commission has heard this application and forwarded a unanimous recommendation.

Council Member Graf motioned to approve the Subdivision Plat Amendment. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

DRAFT

10. Minutes: June 16, 2021 Work & Business Meeting

No changes needed to be made to the minutes from June 16, 2021.

Council Member Manzione motioned to approve minutes from June 16, 2021. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed

11. Invoices
Presented by Michelle Pitt, Tooele City Recorder

Ms. Pitt presented the following invoices to the Council for approval:

Nickerson Company Inc for Pump motors for wells #7, #9, #11, and Kennecott in the amount of $103, 567.

Nickerson Company Inc for repair and replacement of the pump for the water waste plant in the amount of $24, 320.

Council Member Hansen motioned to approve invoices with an extra pump added to the pump. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

12. Adjourn
Chairwoman Gochis adjourned the meeting at

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this ____ day of June, 2021

_____
Melodi Gochis, City Council Chairwoman

DRAFT

Tooele City Council Work Meeting Minutes

Date: Wednesday, June 7, 2021
Time: 5:30 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:
Melodi Gochis
Ed Hansen
Justin Brady
Maresa Manzione
Tony Graf

City Employees Present:
Mayor Debbie Winn
Jim Bolser, Community Development Director
Roger Baker, City Attorney
Shannon Wimmer, Finance Director
Paul Hansen, Tooele Engineer
Michelle Pitt, City Recorder
Cylee Pressley, Deputy City Recorder

Minutes prepared by Katherin Yei

1. Open City Council Meeting

Chairwoman Gochis called the meeting to order at 5:30 p.m.

2. Roll Call

Melodi Gochis, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present

Tony Graf, arrived at 5:40pm

3. Mayor's Report

Mayor Winn stated UDOT will be closing 1000 north from SR-36 to SR-112 intersection on July 9 through July 12. She stated a notice will go out to the local subdivisions and be posted. She expressed her appreciation for Tooele City citizens for following the firework restrictions. She stated the fireworks discharge time period is now closed until July 22 to July 25.

4. Council Member's Report

DRAFT

Council Member Hansen stated he attended the Planning Commission meeting and the festivities throughout the week.

Council Member Brady stated he attended several of the Fourth of July events and the attainable housing committee meeting,

Council Member Manzione stated she attended Fourth of July activities, the flag retirement ceremony, Planning Commission meeting and the pre-development meeting,

Chairman Gochis stated she attended the flag retirement ceremony, the community barbecue, movie in the park at the Aquatic Center, the concert by Charlie Jenkins.

Council Member Graf stated he attended Fourth of July activities and visited the Tooele Museum,

5. Skyline Drive Roadway Improvement Project- Change Order Conditions
Presented by Paul Hansen, Tooele City Engineer

Mr. Hansen stated they awarded a contract to Broken Arrow Construction for roadway improvements to skyline drive and have encountered a number of conditions which were not anticipated. He stated the storm drain piping and boxes that have been uncovered in the field are significantly different that what was shown on the City's plans, and have forced some adjustments to the new storm drain line sizes and locations.. This, together with extreme saturated soil are going to require significant mitigation steps to remove and replace these unsuitable soils. He stated they are asking authjorization to increase the allowed contract amount by an additional $30,000 in order to help complete the work and get the road back open.

Council Member Hansen stated that it is not really an option, the council didn't have many options for this one.

Mr. Hansen stated sometimes the City does really good, but this project has taken many setbacks.

Chairman Gochis stated she has been driven past that construction and it is becoming a problem for the residents. She stated she believes the Council does not need to make a motion for this item, but to just approve the invoice.

6. Resolution 2021- 74 A Resolution of the Tooele City Council Approving an Agreement with Nelson Brothers Construction Company for the Water Reclamation Facility 2021 Upgrades, Phase 1
Presented by Paul Hansen, Tooele City Engineer

Mr. Hansen stated the Council has three projects that are either recently completed or in process; the first is associated with the solids handling in the greenhouse, the second deals with upgrades to the filter process that's in the design phase, and the third is phase one upgrades which include several facility elements from headworks to the biosolids treatment. He stated many of the elements have become deteriorated over the last 20 years which is natural for a reclamation plant. The water that flows through that plant is quite caustic corrosive and damaging to the processing equipment. He stated that the City put it out for bid a contract to peform the phase 1 upgrades and received bids from three contractors. Nelson Brothers Construction was the lowest responsieve, responsible bidder with a submitted cost of $827,024. Mr. Hansen stated that this project it would be paid primarily from sanitary sewer revenue funds, because it's mostly repairs. There is however a small portion that will be paid using impact fees due to additional treatment capacity. He stated where they typically ask for a 5% contingency, they are asking for additional contingency of 15% due to the fact that much of the work is below water level and may require additional work as it is exposed .

Chairman Gochis stated that many supplies are on backorder and having difficulty getting them. She asked if they could make decisions over text or a quick meeting in person.

7. Discussion on a Proposed Text Amendment to Chapter 7-16 of the Tooele City Code Regarding Industrial Zone Setbacks

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is an introduction before entering into a formal review. He stated the first item originated form a pre-development meeting. He stated an application came in where the question arose of how to break up different locks for property. As well as addressing this so that they maintain the safety component of the setbacks, but allowing a little bit of flexibility. He stated one of the things that they worked out was a way to reduce the setback without reducing that safety. Mr. Bolser stated the proposal is to maintain the safety component and simply reduce the face requirement to 15 feet as a minimum setback, but also work with an allowance that the setback is actually determined by the IBC international building code. He stated it does two things: it reduces the minimum and places analysis in the safety structure.

Chairman Gochis asked if he talked to the fire chief about their ladder truck because it allows greater access.

Mr. Bolser stated he did not talk to the fire chief, but did talk to the in-house representative. He stated one of the considerations that they looked at is the ladder typically provides vertical code for taller buildings, but wouldn't necessarily get them covered.

8. Discussion on a Proposed Zoning Map Amendments by Off-Road Innovations to Reassign Approximately 2.1 Acres Located at Approximately 701 East 2400 North From the GC General Commercial Zoning District to the LI Light Industrial Zoning District (Oristrusts)

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the nature of the application is to swap the line and include the property of the far eastern lot from GC, General Commercial, to LI, Light Industrial.

Council Member Manzione asked if they are just manufacturing or planning to sell.

Mr. Bolser stated they want the possibility of having retail.

9. Discussion on a Proposed Lane Use Map Amendments to Reassign Approximately 23.6 Acres Located at Approximately 2400 North Berra Boulevard From the Medium Density Residential Land Use Category to the High Density Residential Land Use Category (Crestview)
Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the Land Use Map assigns this area as Medium Density Residential. He stated the application is to change it to High Density Residential Land use category. He stated if the applicant be successful, the intent is for multi-family homes with a townhome project. He stated the land use was broken up into three ideas: larger lot single family in western third, and smaller single family. He stated the applicant submitted a concept plan.

Chairman Gochis invited the developer forward to answer questions from the Council.

Council Member Manzione asked if the entire project would be tied together as they make a bigger piece into smaller pieces.
Mr. Holste stated they may break it and do it in three so they can do them simultaneously.
Council Member Manzione asked if it will be joining the Northern Tooele Service District.
Mr. Holste stated they have not looked ahead that far.
Council member Manzione asked about the drainage basin and the church shown on the property.
Mr. Holste stated the basin is off the property and the church will not be there.
Council Member Manzione stated there is a lot of building without many amenities going in.
Mr. Holste stated that the decision is up to the City and what their goals are.
Council Member Manzione stated it would be nice to see the City trail apart of the development because that is where the City meets the County.

Council Member Graf asked where the new high school would tie into this project.
Mr. Bolser stated the left-hand corner would be the temple site and the right-hand corner would be the high school.
Council Member Graf stated his concern is the future traffic in that area with the temple and the high-school. He stated his concern for green space and the amount of buildings that will be there.

Mr. Holste stated he shares in all of those concerns, as well as the trail system. He stated he wants to both goals.

Council Member Graf stated there needs to be open space for people to go, especially if there is a development there. He stated it is a needed amenity.

Chairman Gochis stated she talked to Mr. Cook with the Park's department if there is a set number of parks required for the population of Tooele. She stated she likes the idea of having more organized sports. She stated her concern for the water and asked what the plan was to bring water to this project.
Mr. Holste stated they are working on the water. He stated if the council approves this, they will move forward with the water.
Chairman Gochis stated if they have the water credits, whether or not they purchased them on the open market or credits, they can use those. She asked if they had anything like that.
Mr. Holste stated he did not have them yet but have had conversations with Kennecott and other places to secure the water.

Chairman Gochis asked if he is the developer for the project.
Mr. Holste stated he is the developer on the project.

Council Member Brady stated he would also liked to see them apart of the Northern Service District. He stated green space and the trail system is something the City has been concentrating on with all the developers.
Mr. Holste stated the green space and trail system is something they have been focusing on.

Council Member Brady asked if 2400 North would be completed by the school district and asked if there was a gap somewhere that would not be completed.
Mr. Bolser stated potentially side to side, the school district would have responsibility of the south and this property would have responsibility to the north.

Council Member Brady stated the roads are already designed to be the main corridor for traffic.
Mr. Holste appreciated that roads were mentioned. He stated they are working on design with the church to hopefully make it a smarter route.

Council Member Hansen stated that the Council wants him to be a part of the North Service District. He asked if that is something they can require of the applicant.
Mr. Bolser stated it is a tool the Council can use while they are in a legislative item. He stated they are looking at major items in an open space including trails and potentially a basin. He stated how they would maintain it is their purview.

Mr. Baker stated it is something they have addressed many times over the last 20 years. He stated there was a time when the Council would require entry into the service district. He stated within issues resolved and the developer agreeing to being the project into a different tax district, he was not sure. He stated at the time there was a legal issue creating two different taxation levels on a single party. He stated he gave his legal opinion to Councilman Mike Johnson to allow a property not to split themselves into two two different taxing districts. He stated this information is different and would merit some additional research.

Council Member Hansen asked the applicant if they were willing to join anyway.
Mr. Holste stated with the information provided, it would merit some additional research on his part.
Chaim ran Gochis stated she would also like to see them join the service district and if they choose not to have a fund to take care of those amenities.
Mr. Holste stated that was his plan.

Council Member Brady stated there is a double frontage road on 2400 and most developers do not understand that they do not have to have an HOA if they are apart of the service district.
Mr. Bolser stated it depends on how the right-of-way is designed. He stated typically the district is responsible for upgraded facilities versus the standard facility. He stated it may be a combination where some of these features are to the district to maintain and some of them still need an HOA.

Mr. Baker stated it is a complicated issue, but Mr. Bolser is correct when drawing a line. He stated the City has accepted that perimeter fencing as a city public improvement that has to be maintained by the district because it exceeds its public improvement standards. He stated there are other items that would not be maintained by districts such as city park and standard attention basins.

Council Member Manzione stated that a discussion needs to happen between the City Council, developer and the service district board to narrow down the specifics.

Chairman Gochis stated if his property falls outside the settlement area, he would have to petition to annex into the special service district.

10. Discussion on a Proposed Lane Use Map Amendments by U-Haul Moving & Storage of Tooele To Reassign Approximately 6.0 Acres Located at Approximately 2100 North 400 East From the Reginal Commercial Land use Category to the Light Industrial Land Use Category
Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the subject property is located east of the hospital and zoned GC, General Commercial. He stated the current land use designation is Regional Commercial.
He stated the applicant wishes to amend the land use map to LI, Light Industrial and provided a concept plan showing their plans to do two things: rent moving trucks and have a storage component to it. He stated that is why the applicant asked for the amendment.

Council Member Brady stated he opposes it because it is a gateway to the community; by building more storage units right in the gateway, that is the first thing people see.

Council Member Manzione stated she agreed with Council Member Brady. She stated she thinks they need commercial, but not as much industrial right there.

Chairman Gochis stated she did some research and believes there is different values in commercial and industrial property. She stated she did not want to give up commercial property. She stated the other storage unit in the area was asked to do a lot of cosmetic changes to fit into the area. She stated she thinks they need to preserve our commercial, because it is a commercial district.

Council Member Graf stated they did have a long discussion on the other storage unit last year where they got very specific on the details. He stated that is the gateway to Tooele City. He stated his concern is that with the type of suggested use, it would be hard to offset their concerns about appearance.

Mr. Ling stated he is the President of U-Haul Company in Utah. He stated he understands their concern and sees it in many markets. He stated they don't build the typical storage; they build three-story storage units with climate control. He stated it is a need that needs to be addressed within the community. He stated with the dealerships in town, they are not able to manage the returns and rentals; they would like to have something that can help manage that flow in a more appropriate fashion. He stated most of the load, unload is hidden from the public, because they build their facilities with garage doors.

Chairman Gochis stated her biggest concern is changing the land use because they are changing it to Light Industrial although they are not manufacturing anything.

11. Closed Meeting - Litigation, Property Acquisition, and/or Personnel

Council Member Manzione motioned to move to a closed meeting. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Chairwoman Gochis, "Aye." The motion passed

The meeting moved to closed session.

Those in attendance during the closed meeting: Mayor Debbie Winn, Council Member Graf, Council Member Hansen, Council Member Manzione, Council Member Brady, Chairwoman Gochis, Roger Baker, Michelle Pitt, Jim Bolser and Paul Hansen.

No minutes were taken during this portion of the meeting.

12. Adjourn
Chairwoman Gochis adjourned the meeting at 7:01 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this _____ day of July, 2021

_____
Melodi Gochis, City Council Chairwoman

DRAFT

TOOELE CITY CORPORATION

FISCAL NOTE TO PROPOSED EXPENDITURE

07/13/21

DESCRIPTION OF EXPENDITURE:

VENDOR: REHRIG PACIFIC COMPANY V# 07249

702 @ 65 GALLON GARBAGE CANS

REVENUE LINE ITEM:	ACCOUNT NUMBER	CURRENT BUDGET	RECEIPTS TO DATE	ADDITIONAL FUNDING	TOTAL FUNDING
					0.00

EXPENDITURE LINE ITEM	ACCOUNT NUMBER	ADJUSTED BUDGET	Y. T. D. EXPENSES	PROPOSED EXPENSE	BUDGET BALANCE
SPECIAL DEPARTMENT SUPPLIES	53 5300 481000	85,000.00	45,903.50	24,320.00	14,776.50

REQUESTED _____
DEPARTMENT HEAD

REVIEWED _____
FINANCE DIRECTOR

APPROVED _____
MAYOR

APPROVED _____
COUNCIL CHAIRMAN

Rehrig Pacific Company SINCE 1913

Locations:
1000 Raco Court, Lawrenceville, GA 30046
625 West Mockingbird Lane, Dallas, TX 75247
1738 W. 20th St, Erie, PA 16502
7452 Presidents Dr, Orlando, FL 32809
8875 Commerce Dr, DeSoto, KS 66018
7800 100th St, Pleasant Prairie, WI 53158
4010 East 26th St, Los Angeles, CA 90058

Proposal

Proposal #: 95EG 210709 **July 9, 2021**

Bill-to: 210376	Ship-to: 216774
Tooele City 90 N. Main Street Tooele, UT 84074	Tooele City 1015 South Coleman Street Tooele, UT 84074
Billing Contact:	**Shipping Contact:**
Name: Kacie Cruz Phone: 435-843-2157 E-mail: KacieC@tooelecity.org	Name: Kacie Cruz Phone: 435-843-2157 E-mail: KacieC@tooelecity.org

ITEM DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE
Rollout Cart Type: 95 Gallon EG Cart - Garbage - 319100 **Body Color:** Forest Green **Lid Color:** Forest Green **Wheels / Casters:** 10" Snap on with Intergrated Spacer **Options:** N/A **Body Artwork:** **Lid Artwork:** None Tooele City	702	$64.25	$ 45,103.50

Is Product Taxable?	No	**Subtotal =**	**$ 45,103.50**
Is Freight Taxable?	No	**Tax on Product =**	
Tax Rate:	Exempt	**Truckload Freight Rate =**	3,800.00
Terms:	Net 30 Days	**Tax on Freight =**	
		Total =	**$ 48,903.50**

ADDITIONAL INFORMATION:

Contract Options:	None
Ship From:	Los Angeles, CA facility
Leadtime:	4 weeks or sooner
Warranty:	10 year unprorated warranty
Quote Valid:	30 Days
Taxes:	All applicable taxes shall be paid by the Buyer unless a proper exemption is provided and validated.

***** All Credit Card transactions are subject to a 2% processing fee.**

PRESENTED BY:	ACCEPTED BY:
Rehrig Pacific Company Paulo Figuerola 7/9/2021	
Paulo Figuerola Date Account Specialist- Environmental AK, WA, OR, MT, ID, WY, Northern CA, UT, NV, HI Cell: 949-466-3823 Email: pfiguerola@rehrig.com	Sign and Print Name Date Title:

To initiate order, please call or send signed proposal via fax or email to Presented By representative.