

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council and the Tooele City Redevelopment Agency will meet in a Business Meeting on Wednesday, January 3, 2024, at the hour of 7:00 p.m. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website www.utah.gov, the Tooele City Website www.tooelecity.gov, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or michellep@tooelecity.gov.

*We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel". 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.gov anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Swearing in of New Council Members**
4. **Selection of City Council & Redevelopment Agency Chair and Vice Chair Positions for 2024**
5. **Mayor's Youth Recognition Awards**
6. **Public Comment Period**
7. **Tooele Technical College Student of the Year and Annual Update**
Presented by President Paul Hacking
8. **Public Hearing and Motion on Ordinance 2023-44** An Ordinance of Tooele City Amending Tooele City Codes Chapters 7-11A-18 Regarding Multi-Family Residential Building Materials, 7-11A-12 Regarding Multi-Family Residential Landscaping Standards and 7-11A-25 Regarding Deviations from Multi-Family Residential Design Standards
Presented by Andrew Aagard, Community Development Director
9. **Public Hearing and Motion on Ordinance 2023-45** An Ordinance of Tooele City Amending the Tooele City Annexation Policy Plan, an Element of the Tooele City General Plan
Presented by Andrew Aagard, Community Development Director
10. **Public Hearing and Motion on Ordinance 2023-46** An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 6.9 Acres of Property Located at 1232 West Utah Avenue from Light Industrial (LI) to Industrial (I)
Presented by Andrew Aagard, Community Development Director

11. **Resolution 2024-01** A Resolution of the Tooele City Council Declaring Certain Technology-Related Equipment and Certain Personal Property Surplus and Authorizing its Disposal (Library)
Presented by Michelle Pitt, City Recorder
12. **Ordinance 2024-01** An Ordinance of the Tooele City Council Establishing the Dates, Times, and Places of its Public Meetings in 2024
Presented by Michelle Pitt, City Recorder
13. **Resolution 2024-02** A Resolution of the Tooele City Council Amending the City Fee Schedule to Include a Public Improvement Completion Extension Fee
Presented by Roger Baker, City Attorney
14. **Invoices & Purchase Orders**
Presented by Michelle Pitt, City Recorder
15. **Minutes**
 - ~October 18, 2023 RDA Meeting
 - ~December 20, 2023 Work Meeting
 - ~December 20, 2023 Business Meeting
16. **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 435-843-2111 or michellep@tooelecity.gov, prior to the meeting.

TOOELE CITY CORPORATION

ORDINANCE 2023-44

AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODES CHAPTERS 7-11A-18 REGARDING MULTI-FAMILY RESIDENTIAL BUILDING MATERIALS, 7-11A-12 REGARDING MULTI-FAMILY RESIDENTIAL LANDSCAPING STANDARDS AND 7-11A-25 REGARDING DEVIATIONS FROM MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah's charter cities, including Tooele City, "the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law"; and,

WHEREAS, Utah Code Section 10-8-84 enables Tooele City to "pass all ordinances and rules, and make all regulations ... as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city"; and,

WHEREAS, Tooele City Code Chapter 7-11a is Tooele City's Multi-Family Residential land use regulation (also known as ordinances) governing the development and design of multi-family residential structures in Tooele City; and,

WHEREAS, Tooele City's Multi-Family Residential Design Guidelines historically have provided design guidelines for exterior building materials reviewed and confirmed during the multi-family residential site plan design review process; and,

WHEREAS, Tooele City's Community Development staff have received feedback from the development community that the current Multi-Family Residential Design Guidelines for exterior building materials on multi-family residential are resulting in rendering structures unaffordable and resulting in unfair competition with other home builders within the City; and,

WHEREAS, the Tooele City Community Development Director, at the request of the Tooele City Council, has evaluated the cost and types of exterior building materials that can be used and the impacts these materials and the amounts used thereof on the building exteriors have on the overall cost of a building or unit; and,

WHEREAS, Tooele City Staff presented Exhibit A and a of the proposed ordinance amendments to the City Council during its November 15, 2023 public work meeting; and,

WHEREAS, On December 13, 2023, the Planning Commission convened a duly-noticed public hearing, accepted public comment, and voted to provide its recommendation to the City Council; and,

WHEREAS, On December 20, 2023, the City Council convened a public hearing, considered the Planning Commission recommendation, and accepted public comment:

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

1. TCC Chapter 7-11a is hereby amended as shown in Exhibit B, attached and incorporated; and,
2. this ordinance is necessary for the immediate preservation of peace, health, safety, and welfare of Tooele City and its residents and businesses; and,
3. this ordinance may benefit the general public of Tooele City in that it may serve to slightly reduce the cost of materials and labor and, possibly the cost of the unit itself; and,
4. this ordinance will render sections of the Multi-Family Residential Design Guidelines in greater ease of compliance for developers and facilitate a concise review for the City Planner and other City Staff involved in the development review process and enforcement of these guidelines.

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

Proposed Ordinance Amendments

7-11a-18 Design Standards: Building Materials

1. ~~Exterior Finishes Front and Public Street Facing Facades~~. Exterior building materials shall be natural or cultured brick or stone over at least ~~50~~40% percent of the ~~entire building front~~ facade (not including windows and doors), ~~the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 60% of the front building facade shall be natural or cultured brick or stone.~~ All building facades that face a public right-of-way or exterior street shall utilize at least ~~4~~ 40% natural or cultured brick or stone.
2. ~~All remaining space on front and street facing facades, as well as facades not facing a public street shall comply with the following:~~
 - a. ~~Shall utilize at least two of the following exterior building materials. Stucco, clapboard, board and batten, wood, masonry block, vinyl, metal panels, tile, aluminum, shake, terra cotta and/or composite materials.~~
 - b. ~~Not more than 70% of the exterior building façade not requiring brick or stone shall be covered by one of the exterior materials listed above.~~
3. ~~Townhomes: Each townhouse façade shall include a portion of the required 40% brick or stone.~~

(2) Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

Ordinance Without Edits

7-11a-18 Design Standards: Building Materials

1. Front and Public Street Facing Facades. Exterior building materials shall be natural or cultured brick or stone over at least 40% percent of the front facade (not including windows and doors). All building facades that face a public right-of-way or exterior street shall utilize at least 40% natural or cultured brick or stone.
2. All remaining space on front and street facing facades, as well as facades not facing a public street shall comply with the following:
 - a. Shall utilize at least two of the following exterior building materials. Stucco, clapboard, board and batten, wood, masonry block, vinyl, metal panels, tile, aluminum, shake, terra cotta and/or composite materials.
 - b. Not more than 70% of the exterior building façade not requiring brick or stone shall be covered by one of the exterior materials listed above.
3. Townhomes: Each townhouse façade shall include a portion of the required 40% brick or stone.

(2) Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

7-11a-12 Design Standards: Landscaping

(6) Quantity. The plantings throughout multi-family Projects are intended to enhance and beautify community appearance and to protect welfare by protecting residents and visitors from the traffic, noise, glare, trash, activity, vibration, odor, visual disorder and other adverse or harmful effects associated with some uses. ~~For the purpose of this Section, a building section shall mean the area between building entrances, the area between a building entrance and the edge of the facade, or the number of horizontal units behind the facade where there are no building entrances.~~ The following shall be required for areas of the Project:

~~(a) In on-site areas between each building and streets outside of the Project, per building section, exclusive of right-of-way and parkstrip requirements:~~

~~(i) along arterial class roads:~~

~~A. at least two shade trees and one ornamental tree utilizing drip-style irrigation systems; and,~~

~~B. at least 150 square feet of planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover;~~

~~(ii) along major collector class roads:~~

~~A. at least two shade trees and one ornamental tree utilizing drip-style irrigation systems; and,~~

~~B. at least 100 square feet of planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover;~~

~~(iii) along minor collector class roads:~~

~~A. at least two shade trees utilizing drip-style irrigation systems; and,~~

~~B. at least 100 square feet of planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover;~~

~~(iv) along local class roads:~~

~~A. at least two shade trees utilizing drip-style irrigation systems; and,~~

~~B. at least 75 square feet of planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover;~~

~~(b) In areas fronting upon a road which fall between buildings, there shall be at least one tree utilizing drip-style irrigation systems for every 40 feet of frontage for that area;~~

~~(c) In areas around buildings that border on Common Areas:~~

~~(i) along a side facade of each building shall have at least one shade tree utilizing drip-style irrigation systems; and,~~

~~(ii) along a rear facade of each building shall have at least two shade trees utilizing drip-style irrigation systems; and,~~

~~(d) In areas between buildings and parking areas or internal access roads:~~

~~(i) along a side facade of each building shall have at least one shade tree utilizing drip-style irrigation systems; and,~~

~~(ii) along a front or rear facade of each building shall have at least two shade trees and planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover that outline the entrance to the building; and,~~

~~(e) In areas between buildings and Project boundaries not abutting a street, the requirements shall be the same as those for areas between buildings and a minor collector class street.~~

~~(f) Common Areas not immediately adjacent to a building shall have shade trees and planting beds containing flowers and shrubs utilizing drip-style irrigation systems and non-turf ground cover to complement usable open amenity areas for residents identified in Section 7-11a-22 of this Title. The number of trees to be provided shall not be less than the number of ground floor dwelling units in the Project and shall be generally distributed throughout the Project but may be clustered in Common Areas to provide open activity areas as identified in Section 7-11a-22 of this Title.~~

A. Trees. In areas excluding right-of-way and park strip requirements the developer shall install at least 20 trees per acre of development.

I. Trees shall include a 60/40 ratio of deciduous and coniferous varieties.

II. 40% of required trees shall be located within 100 feet of any public right-of-way or exterior street and shall include park strip trees.

III. 40% of required trees shall be located in or adjacent to common areas with a dedicated recreational purpose.

IV. Parking lot trees shall be planted in accordance with the parking lot landscaping requirements as found in TCC 7-4-9, Parking Lots, Section 3, Landscaping.

V. All trees shall be irrigated utilizing a bubbler or drip irrigation system.

VI. Tree varieties shall be of a type or species that is a known performer and will thrive in Tooele's climate and soil conditions.

B. Shrubs. The developer shall install around the foundations of each building a planter bed at least five (5) feet in depth and shall include the following:

I. At least a 50/50 ratio of deciduous and coniferous varieties of shrubs.

II. At least 50 shrubs per acre of development.

- III. All shrubs shall be irrigated utilizing a bubbler or drip irrigation system.

~~(g) For the purpose of compliance with this Section, townhouse Projects or portions of Projects containing townhomes, may reduce the required landscaping from Subsection (6)(a) herein, along the front and rear facade to not less than one tree and 50% of the required planting bed area but shall include the remainder of this requirement in Common Areas of the Project.~~

Ordinance without Edits

7-11a-12 Design Standards: Landscaping

(6) Quantity. The plantings throughout multi-family Projects are intended to enhance and beautify community appearance and to protect welfare by protecting residents and visitors from the traffic, noise, glare, trash, activity, vibration, odor, visual disorder and other adverse or harmful effects associated with some uses. The following shall be required for areas of the Project:

- A. Trees. In areas excluding right-of-way and park strip requirements the developer shall install at least 20 trees per acre of development.
 - I. Trees shall include a 60/40 ratio of deciduous and coniferous varieties.
 - II. 40% of required trees shall be located within 100 feet of any public right-of-way or exterior street and shall include park strip trees.
 - III. 40% of required trees shall be located in or adjacent to common areas with a dedicated recreational purpose.
 - IV. Parking lot trees shall be planted in accordance with the parking lot landscaping requirements as found in TCC 7-4-9, Parking Lots, Section 3, Landscaping.
 - V. All trees shall be irrigated utilizing a bubbler or drip irrigation system.
 - VI. Tree varieties shall be of a type or species that is a known performer and will thrive in Tooele's climate and soil conditions.
- B. Shrubs. The developer shall install around the foundations of each building a planter bed at least five (5) feet in depth and shall include the following:
 - I. At least a 50/50 ratio of deciduous and coniferous varieties of shrubs.
 - II. At least 50 shrubs per acre of development.
 - III. All shrubs shall be irrigated utilizing a bubbler or drip irrigation system.

7-11a-25 Deviation From Design Standards

~~(1) Purpose. In the event an applicant requests a deviation from the development standards of this Chapter and has submitted a project that contains features or design above and beyond those required, the City Council shall have the discretion, but be under no obligation, to approve a deviation following a recommendation from the Planning Commission to some or all of the~~

design standards as long as:

~~(a) such deviation is consistent with the purpose and intent of the policies and development standards described in this chapter; and~~

~~(b) all required findings of this Section are satisfied.~~

~~(2) Scope. Deviations from the design standards of this Chapter, as outlined in this Section, shall apply only to standards identified in this Chapter. Deviations may be requested for applications for development projects to be applicable on a project-wide basis. Deviations from design standards shall not be permitted on unit-by-unit, lot-by-lot, building-by-building, or similar basis unless such deviation is approved with the specific finding of creating variety prior to approval of the project to which it would apply. Requests for deviations shall not be permitted to the standards of density or the method of calculation of density.~~

~~(3) Deviation Criteria. Requests for a deviation shall be examined against at least three of the following criteria when considered for approval of a deviation to the design standards of this Chapter:~~

~~(a) the deviation being requested serves to further the purposes and intents of this chapter, as identified in Section 7-11a-2, beyond what could be achieved without the deviation;~~

~~(b) the project contains amenities such as pedestrian and bicycle connectivity in excess of what is required in the General Plan and this Title;~~

~~(c) the overall percentage of dedicated public or private landscape, open space area, and amenities exceeds the required amount by at least 10%;~~

~~(d) the deviation being requested serves the specific purpose of addressing and minimizing or eliminating impacts, potential impacts, or nuisances on surrounding neighborhoods, including but not limited to traffic and viewsapes, are minimized through creative design;~~

~~(e) accumulation or clustering of building materials on the most publicly visible sides of structures where:~~

~~(i) the overall utilization of building materials exceeds that of the base standard being deviated from;~~

~~(ii) the amount of materials used for street facing facades is at least 10% greater than the minimum required by this Chapter; and~~

~~(iii) the design of the structure meets or exceeds the intent and purpose of the standard being deviated from; and~~

~~(f) the deviation request serves to increase the functionality of the features within the project;~~

~~(g) the deviation requested will not result in an increase in the number of dwelling units within the project;~~

~~(h) the building design is a specific architectural style which utilizes facade materials differently than prescribed in this Chapter, is designed by a licensed architect, but still meets the intent of the requirement being deviated; and~~

~~(i) the deviation requested serves to preserve, protect, and enhance an environmentally sensitive feature which is included into the design of the project.~~

~~(4) Request Responsibility. It shall be the responsibility of the applicant to demonstrate to the satisfaction of the City Council the benefit of deviating from the standards of this Chapter by:~~

~~(a) providing a written request for a design review for the project application in which the deviation would be applied;~~

~~(b) providing a written description and analysis of the specific development standards to be deviated from prepared by a licensed professional, such as an architect, engineer, or landscape architect; and,~~

~~(c) providing a written justification that addresses each of the required findings listed in Subsection 5 of this Section.~~

~~(5) Findings Required. The City Council may approve deviations from the development standards listed in this Chapter only if it finds:~~

~~(a) that the requested deviations are based upon a finding of facts in the record, from specific criteria identified in Subsection 3 of this Section;~~

~~(b) that the deviation is in the benefit of the health, safety, and welfare of the residents of and visitors to the project;~~

~~(c) that the deviation is in the benefit of the public health, safety, and welfare and the community as a whole;~~

~~(d) that the deviation from any one design criteria approved will not create the potential for an increased impact or nuisance from any other design criterion, either within the same project or upon neighboring properties; and~~

~~(e) that the deviations approved are anticipated to produce a development that exhibits features and design that match or exceed that intended and anticipated in the standards being deviated from.~~

Exhibit B

Staff Report

STAFF REPORT

November 29, 2023

To: Tooele City Planning Commission
Business Date: December 13, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: **Tooele City Multi-Family Residential Design Guidelines – City Code Text Amendment Request**

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment regarding proposed revisions to Tooele City Code 7-11a-18 regarding exterior building materials, Tooele City Code 7-11a-12 regarding tree and shrub requirements and Tooele City Code 7-11a-25 Deviation of Design Standards.

BACKGROUND

This application is a request for approval of City Code text amendments in Tooele City Code 7-11a-18 regarding exterior building materials, Tooele City Code 7-11a-12 regarding tree and shrub requirements and Tooele City Code 7-11a-25 Deviation of Design Standards.

ANALYSIS

Purpose. It is always healthy for a City to evaluate codes and standards to ensure that those standards and requirements reflect the current market, architectural trends and maintain community aesthetics. These proposed amendments look at the types and amounts of building exterior materials, the number and location of trees and shrubs and evaluates the necessity of permitting deviations from established design standards and criteria.

Ordinances Affected. The following ordinance contains specific design standards for all multi-family residential development including townhomes, apartments and condominiums and will be affected by these changes if they are adopted:

1. Title 7; Uniform Zoning Title of Tooele City, Chapter 11a, Design Standards – Multi-Family Residential.

Chapter 7-11a – 18 Design Standards: Building Materials. Recently, Tooele City has been challenged by various developers and realtors suggesting that Tooele City's current requirements for exterior building materials, particularly the requirement for brick and stone, are causing multi-family residential units to be unaffordable and creating unfair competition between various projects. One such developer submitted a design deviation request to eliminate or reduce the requirement for brick or stone claiming that such a reduction would reduce the cost of the units and make them easier to sell. That request was ultimately denied by the City Council, however, at that time the City Council directed staff to look at the exterior design standards and bring back a possible alternative to the current requirement.

During the process of evaluating the City's requirements staff determined that brick or stone are more expensive than vinyl siding, fiber cement siding and aluminum siding but brick and stone last far longer and do not require as much maintenance. Reductions in the amount of exterior brick or stone do reduce the cost in terms of materials and labor but do not reduce the prices of any amount significant enough to render a townhome

affordable to the average Utah household income.

However, Tooele City does desire to help facilitate affordable housing and still maintain architectural integrity and aesthetics for not only those living in a particular development but also those who pass through and see the multi-family residential structures.

The proposed changes are as follows:

1. Reduce the required amounts of brick or stone to 40% of the front and public street facing facades.
2. Increase and expand the list of permissible exterior materials to include materials such as metal panels, tile, terra cotta and composite materials along with a few others.
3. Require at least two of these materials for exterior wall spaces not requiring brick or stone.
4. Limit the use of one material other than brick or stone to 70% of the total wall façade thus requiring at least 30% to be an alternative material. On the front and street facing facades this would require at least 3 materials. Brick or stone and two other elements from the list of materials included in the ordinance.
5. A requirement that townhomes shall divide the 40% brick or stone requirement among the individual town home units. The code does not require a minimum division amount, only that each unit include some brick or stone. This is done intentionally to permit an architect some design flexibility by including more brick and stone on one unit and less on another but still require brick or stone on each unit.

Chapter 7-11a – 12 Design Standards: Landscaping. This proposed amendment affects section 6 and is directly related to the quantity and location of trees and shrubs, how those quantities are determined and where trees and shrubs should be placed in relation to street frontages, common areas and building foundations. The purpose for this change comes down to one thing and one thing only. Simplicity. The current code is cumbersome and difficult for both staff and developers to interpret correctly. The ambiguity of the code has resulted in frequent disagreements between staff and developers as to whether the code is being interpreted correctly. City staff believes that codes and standards should be clear, concise and easily interpreted. Our current requirement for trees and shrubs is not clear, concise and is not easily interpreted.

Currently, tree requirements are based upon the number of building sections and building sections are determined by the amount of units behind a façade with or without an entrance, windows, etc. The number of trees are then calculated based upon the number of building sections and what that building section is adjacent to such as a public street, private street, another building, common open space, landscaping areas or areas not part of the project. The ordinance also does not consider a town home project where in many instances the entire frontage of a town home project is driveway and driveway approaches thus eliminating the location where trees can be placed.

Staff is confident the following changes will result in development plans that are easier to design and easier to review by staff and easier compliance with the City code.

The proposed changes are as follows:

1. Number of trees is calculated based upon acreage alone. 20 trees per acre. If a development involves 1 acre the requirement is 20 trees.
2. 40% of the trees will be planted within 100 feet of a public street. Park strip trees shall be included in this tree requirement.
3. 40% of required trees shall be adjacent to recreational areas within a project such as play areas, sports fields, social gathering areas and so forth.
4. A 60/40 ratio of deciduous verses coniferous trees shall be provided. Coniferous evergreen trees provide visual aesthetics during winter months when deciduous trees lose their leaves.
5. Requires that parking lot trees conform to the Tooele City parking lot landscaping requirements found in TCC 7-4-9, requires that all trees be irrigated with a drip system and requires that trees be of a variety that will thrive in Tooele's climate and soil conditions.

6. Number of shrubs is calculated based upon acreage alone. 50 shrubs per acre. If a development involves 1 acre the requirement is 50 shrubs.
7. A 50/50 mix of deciduous versus coniferous shrubs
8. Buildings shall include a minimum of 5 feet of shrub planting beds around the foundations of the buildings and all shrub beds shall be irrigated by a drip or bubbler system.

Chapter 7-11a-25 Deviation From Design Standards. Staff is not entirely sure why this section is included within the City code. If the City has established design standards it is to be deduced that the desire behind these standards is to ensure all new developments comply with those standards in order to ensure architectural integrity and aesthetics in all developments. So why have a section of the code that would permit a deviation from those standards?

The code itself is also very ambiguous and confusing in that it places the onus on the applicant to verify that all of the deviation requirements are satisfied and that they qualify for the deviation from the design standards. Recently, Tooele City processed one of these requests and the process did not go well. The applicant made no effort to present the criteria, how they meet the criteria or how they qualified. The code itself is problematic and is just not necessary.

The proposed changes are as follows:

1. Strike the entirety of this section from the ordinance.

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Sections 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 Amendments request and has issued the following comment:

1. Staff's positions on the code amendments are included in the sections listed above. Staff is confident that the ordinance amendments are in the best interest of Tooele City in that it simplifies the code, eliminates considerable ambiguities, ensures better compliance due to simplicity of interpretation and upholds the City's desire to maintain architectural and design integrity with multi-family residential developments.

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. The Planning Commission and City Council should carefully weigh the proposed amendment to the City Code, consider the comments and input received from the public hearings to render a decision in the best interest of the community.

Noticing. The applicant has expressed their desire to amend 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 text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed 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 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 text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed 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 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 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 Tooele City Multi-Family Residential Design Guidelines text amendment requests by Tooele City for the purpose of revising the City Codes regarding exterior material requirements, landscaping requirements for multi-family residential developments and eliminating the deviation from design standards from the ordinance, 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 Tooele City Multi-Family Residential Design Guidelines text amendment requests by Tooele City for the purpose of revising the City Codes regarding exterior material requirements, landscaping requirements for multi-family residential developments and eliminating the deviation from design standards from the ordinance, based on the following findings:”

1. List findings ...

EXHIBIT A

MULTI-FAMILY RESIDENTIAL DESIGN GUIDELINES CODE TEXT AMENDMENT

Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

ORDINANCE 2023-45

AN ORDINANCE OF TOOELE CITY AMENDING THE TOOELE CITY ANNEXATION POLICY PLAN, AN ELEMENT OF THE TOOELE CITY GENERAL PLAN

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, Utah Code Section 10-2-401.5 (the "statute") requires that Utah municipalities adopt an Annexation Policy Plan ("Plan") as a prerequisite to annexing any unincorporated areas; and,

WHEREAS, on June 17, 2020, the City Council convened a duly noticed public hearing, accepted public comment on a proposed amendment to the adopted Annexation Policy Plan, and unanimously adopted Ordinance 2020-25 to include three additional new potential expansion areas; and,

WHEREAS, on October 21, 2020, the City Council convened a duly noticed public hearing, accepted public comment on a proposed amendment to the adopted Annexation Policy Plan, and unanimously adopted Ordinance 2020-40 to include one additional new potential expansion area; and,

WHEREAS, in the time since the latest Annexation Policy Plan was adopted, conditions surrounding Tooele City and inside of Tooele City’s boundaries have changed and evolved such as the incorporation of Erda City, the annexation of additional properties by Grantsville City and the increased difficulty of both Tooele City and developers to located water resources; and,

WHEREAS, Tooele City Administration and Staff commenced a study to revise the Annexation Policy Plan according to the conditions that currently exist outside and inside of Tooele City’s boundaries; and,

WHEREAS, Tooele City staff commenced a study to determine the amount of undeveloped and under-developed residential land currently located within Tooele City’s boundaries and finding that more than 3500 acres are available for residential development; and,

WHEREAS, Tooele City Staff presented the map as shown in Exhibit A and a

summary of the proposed changes to the City Council during its November 15, 2023 public work meeting; and,

WHEREAS, On December 13, 2023, the Planning Commission convened a duly-noticed public hearing, accepted public comment, and voted to provide its recommendation to the City Council; and,

WHEREAS, On December 20, 2023, the City Council convened a public hearing, considered the Planning Commission recommendation, and accepted public comment:

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

1. the Tooele City Annexation Policy Plan, an element of the Tooele City General Plan is hereby amended as shown in Exhibit B, attached and incorporated; and,
2. this ordinance is necessary for the immediate preservation of peace, health, safety, and welfare of Tooele City and its residents and businesses; and,
3. this ordinance may benefit the general public of Tooele City in that it amends the Annexation Policy Plan to accurately reflect current conditions outside of and inside of Tooele City; and,
4. this ordinance will focus and encourage the use of scarce water resources to undeveloped and under-developed residential land currently located within Tooele City's boundaries, where, if a developer presents sufficient water rights, Tooele City is obligated to find and provide the resource; and,
5. eliminate the possibility of Tooele City directing water resources to properties currently outside of its incorporated boundaries.

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

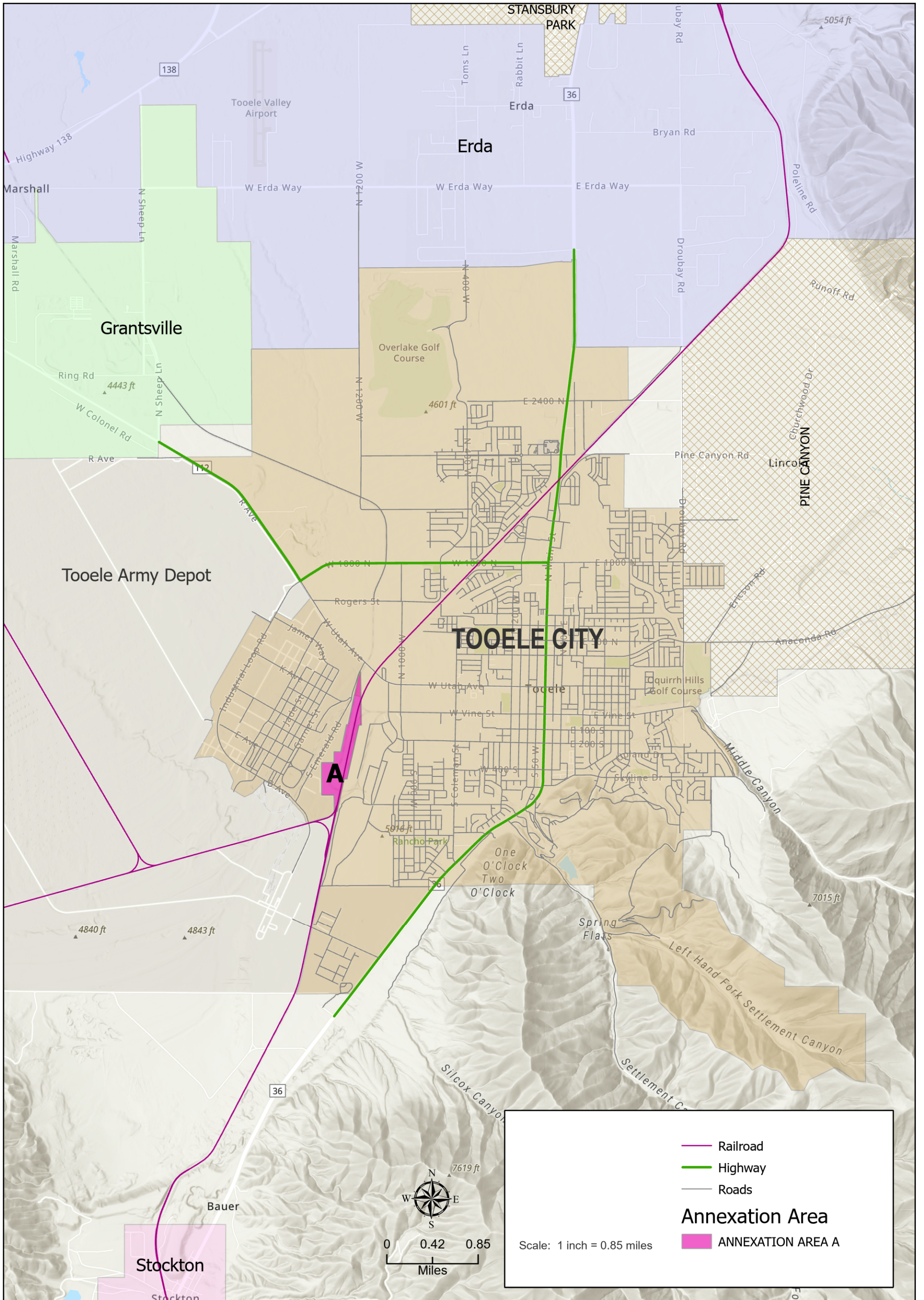
S E A L

Approved as to Form:

Roger Baker, Tooele City Attorney

Exhibit A

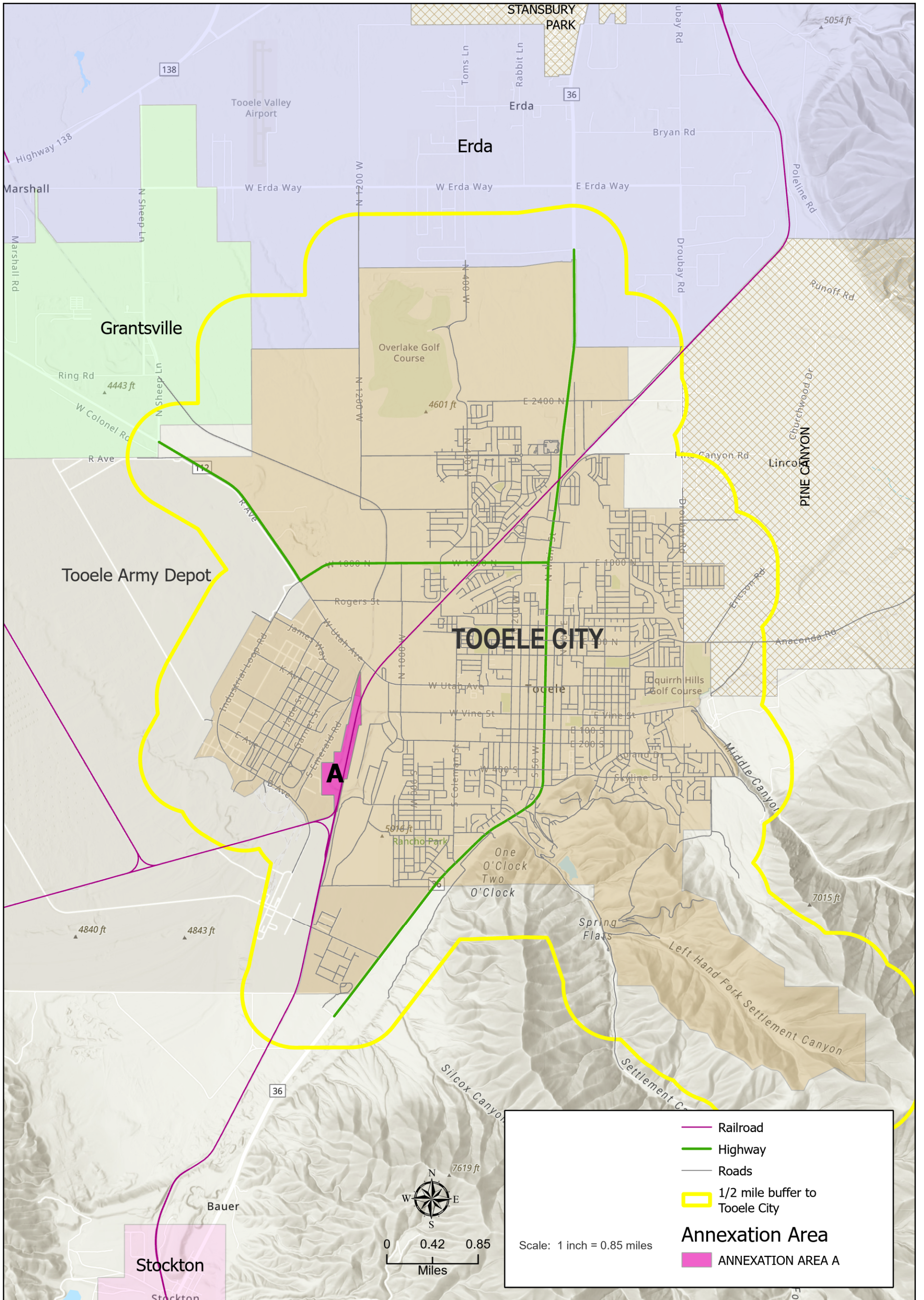
Proposed Annexation Policy Plan Map & Text



**APPENDIX A
TOOELE CITY GENERAL PLAN
ANNEXATION POLICY PLAN
EXPANSION AREA**

DRAFTED OCTOBER 26, 2023





**APPENDIX B
TOOELE CITY GENERAL PLAN
ANNEXATION POLICY PLAN
HALF MILE BUFFER**

DRAFTED OCTOBER 26, 2023



Annexation Policy Plan Element

Introduction

The growth of a community can happen in two basic forms; internal and external. Internal growth is the development policies, patterns and strategies for properties already within the incorporated area of a city. External growth is the policies and strategies for expanding the incorporated boundaries of a city. External growth can be a troubling and dangerous approach to growth or can serve as a natural and healthy approach to managing growth. The Annexation Policy Plan Element is Tooele City’s approach, policies and strategies for external growth management. The basic function of the Annexation Policy Plan is to identify those areas around the outside of the community that present the greatest potential for a positive and appropriate development focus. Identifying certain “Expansion Areas,” or “Growth Areas,” that will best accommodate future growth will allow increased focus on creating or enhancing transportation systems and infrastructure coordinated with development activity that builds upon the character, development and infrastructure within the community. In the Expansion Areas the city can concentrate on improvements that will support the existing variety of uses of the community, such as residential, office, commercial, tourism, recreation, and industrial uses. Growth into Expansion Areas is intended to occur in a manner that discourages sprawl by focusing new development into targeted areas that are most appropriate for integrating open spaces, natural resources, land uses, and transportation activities into the community. Expansion Areas are not urban growth boundaries. Expansion growth boundaries are typically specific geographic boundaries within an area that set down outer limits for new development or infrastructure. Expansion Areas are not prohibitive to new development, but target it to identified areas most viable for inclusion and integration into Tooele City.

In September 2010, Tooele City concluded the process of working with the firm of Lewis, Young, Robertson, and Burningham, Inc. (LYRB) to develop the first comprehensive Annexation Policy Plan for the city. Through the unanimous adoption of City Council Ordinance 2010-15 on October 6, 2010, that plan became the official Annexation Policy Plan for Tooele City in accordance with Utah State Law. Annexation policy for Tooele City existed prior to that plan but did not provide the depth and breadth of that plan. The LYRB plan was officially amended through a unanimous City Council vote on Ordinance 2020-25 on June 17, 2020. That amendment served to add three new potential expansion areas to the LYRB plan. The development of this Annexation Policy Plan was built upon the LYRB plan, prior policy, and the adopted June 2020 amendment and serves as an update to them. This Annexation Policy Plan has been prepared such that all current requirements of the law have been addressed regarding the areas under consideration in this amendment.



In the 2001 General Legislative Session, the Utah State Legislature adopted regulation that mandated communities develop and adopt a formal Annexation Policy Plan in order to be able to annex property. That legislation, codified as Section 400 of Title 10, Chapter 2 of the Utah Code Annotated, also establishes subject matter to be included within Annexation Policy Plans and the procedure by which those plans are to be developed and adopted. This Element of the Tooele City General Plan, as adopted according to those regulations, serves as the official Annexation Policy Plan for Tooele City. The argument can be made that the best annexation policy is not to annex in order to control development and contain it to that area already within the community. The argument can conversely be made that a policy of inaction gives away the control and decision making authority entrusted to the community's leadership and gives it to others to dictate how the greater community will develop. For these reasons, the approach for Tooele City is not to take either approach but rather to establish clear and reasonable policies and goals considering petitions for annexation.

Procedure And Involvement

The process and procedure for annexation, as outlined in the Utah State Code, is one that is extensive and lengthy but provides ample opportunity for protest and consideration, including general public scrutiny and input. It is a process that hinges on the Annexation Policy Plan. In similar fashion, the adoption of an Annexation Policy Plan is too and extensive one designed to have a built in element of public review and input. It is a procedure that intricately involves both the Planning Commission and the City Council.

The Duties of the Planning Commission as the Recommending Body

- Prepare a proposed Annexation Policy Plan.
- Provide notice and hold a public meeting to allow Affected Entities, as defined in the Utah State Code, to examine the proposed Annexation Policy Plan and to provide input on it.
- Accept and consider any additional written comments from Affected Entities after the public meeting.
- Make any modifications to the proposed Annexation Policy Plan the Planning Commission considers appropriate, based on input provided at or following the public meeting.
- Provide notice and hold an official public hearing on the proposed Annexation Policy Plan.
- Make any further modifications to the proposed Annexation Policy Plan the Planning Commission considers appropriate, based on input provided at the public hearing.
- Submit its recommended Annexation Policy Plan to the Tooele City Council for their consideration.

The Duties of the City Council as the Legislative and Adopting Body

- Provide notice, including notice to Affected Entities, of a public hearing.
- Hold a public hearing on the Annexation Policy Plan recommended by the Planning Commission.
- After the public hearing, make any modifications to the recommended Annexation Policy Plan that the City Council considers appropriate.
- Adopt the recommended Annexation Policy Plan, with or without modifications.

Responsibilities of Petitioners for Annexation

Although not formally a part of the dictates in the Utah State Code, it is important to recognize the responsibilities of the petitioners for annexation. This is particularly poignant considering that the process for annexation is driven by the petitioner's intent rather than a City initiative in the vast majority of cases and by its very nature originates outside of the City as a request for inclusion into and burden upon the city's resources and infrastructure. As such the emphasis should be placed upon the petitioner to demonstrate the viability and benefit to the community of the annexation request. The petitioner for any annexation should be solely responsible for providing, to the satisfaction of the City, professionally-prepared analyses and studies

that clearly, thoroughly, and specifically identify and outline the viability of the petition and resulting impacts to the community, should the petition be approved, in at least each of the areas:

- Culinary Water: source provision, storage, delivery, and infrastructure
- Sewer & Wastewater: collection, treatment, secondary water, and infrastructure
- Storm Water: collection, disposal, regionalization, and infrastructure
- Transportation: vehicular, non-motorized, active transportation, transit, pedestrian modes, and infrastructure
- Parks, Recreation, & Open Space: services provided, impact on existing facilities and programs, needs for additional and expanded facilities and programs, active recreation, and open space preservation
- Public Safety: services provided, impact on existing facilities, needs for additional and expanded facilities, and impacts on response capabilities to the area(s) proposed for annexation, and infrastructure
- Taxes: implications to the public funds from added areas and land uses proposed in the immediate circumstances as well as over 5- and 10-year horizons

Although the strict consideration of this procedure suggests the Planning Commission and City Council conduct their respective portions of the process in a bubble, it is anticipated and reasonable that both bodies will have review and input throughout the entire process of General Plan development, including the Annexation Policy Plan. It is also anticipated that the meetings outlined in the procedure above will not be the only opportunities for Affected Entities or the general public to review and provide feedback on the Annexation Policy Plan and General Plan as a whole. Although more specific than the adoption procedure for the entire General Plan, the procedure for adoption of the Annexation Policy Plan will be followed and incorporated into the process followed by Tooele City for the adoption of both. Even after adoption of the General Plan, it is appropriate for Affected Entities and members of the general public to review the Plan and provide comment to City staff, Administration, the Planning Commission or the City Council.

Annexation Goals And Considerations

The management of growth and expansion should be in consideration with all types development applications and activities. These considerations should separate areas of the unincorporated county into areas that the City has identified as possible areas of expansion that can reasonably be accommodated with municipal services by Tooele City. These areas should be coordinated with Tooele County and other entities to ensure that growth is consistent with appropriate goals and plans. By discouraging growth in outlying areas and encouraging growth in areas where services are available, or can easily be extended, the City can discourage sprawl development and allow for the efficient cost effective provision of municipal services.

The growth areas of the City should be of sufficient size to accommodate planned residential and non-residential growth consistent with the General Plan, taking into account the following:

1. Land with natural constraints, i.e. sensitive lands, water sheds, water drainage, cliffs, steep slopes, views, vegetation preservation, rock slides, liquefaction, and fault lines, etc.;
2. Agricultural land to be preserved;
3. Greenbelt and open space lands;
4. Transportation corridors and preservation;
5. Existing projects with development potential;
6. Land use patterns already created by existing development;
7. Development buildout potential and timing;

8. Preservation of public infrastructure and water sources;
9. Preservation of viewsheds and scenic vistas where possible; and
10. Needs for preservation of open-space, parks, and wildlife habitats.

The following factors should be considered in determining the precise location of annexation growth area boundaries:

1. Geographic, topographic, and manmade features;
2. The location of public facilities;
3. Availability of needed services, limits of capacities and extension limits;
4. Jurisdictional boundaries of other public entities and improvement districts; and
5. Location of natural resource lands and critical areas.

Planning growth in this way could provide the following advantages to the City:

1. An efficient development pattern;
2. Identification and maintenance of protected agricultural areas;
3. Avoidance of unnecessary and premature consumption of land that cannot be developed or serviced efficiently;
4. A focused plan for preserving existing public facilities, capital investments and extension of public facilities in the future;
5. Development and maintenance of fiscal integrity in City operations by encouraging the full utilization of existing infrastructure;
6. Diversification and strengthening of the tax base of the community;
7. Development of local job opportunities;
8. Protection and preservation of natural and environmental features that are desired by the community; and
9. Facilitation of development by providing sufficient areas to support anticipated populations.

Annexation Policy Plan Information

Tooele City is not required to adopt an Annexation Policy Plan. Without an adopted Annexation Policy Plan the City would be prohibited from considering petitions for annexation. Aside from being good practice, an Annexation Policy Plan is required to review and address specific topics and aspects of property annexation. Based on current Utah State Code requirements, the following aspects and topics are required and included within this Annexation Policy Plan:

- A map of the Expansion Areas which identify those areas considered reasonable for potential annexation and those that are not.
- A statement of the specific criteria that will guide the city's decision whether or not to approve future annexation petitions, addressing matters relevant to those criteria including:
 - The character of the community
 - The need for municipal services in developed and undeveloped unincorporated areas
 - The city's plans for extension of municipal services;
 - How the services will be financed
 - An estimate of the tax consequences to residents both currently within the municipal boundaries and in the Expansion Area
 - The interests of all affected entities

- The justification for excluding from the Expansion Areas any area containing urban development within ½-mile of the city's boundary
- A statement addressing any comments made by Affected Entities at or after the public meeting and public hearings

This plan shall be construed neither as an expression of the City's intention or ability to annex property or extend municipal services and infrastructure to any particular property, nor to do so in any particular time frame or at all. Rather it should only be considered as a statement of policy by which consideration of petitions for annexation will be reviewed and areas where that consideration may be possible. Simply put, should the City choose to annex any land identified in this plan, the City's stated policy is for the land owners and developers to construct and dedicate all land and facilities necessary to extend and provide municipal services, e.g., roads, water, sewer, storm drain, etc., as a condition to annexation.

Expansion Areas Map

Each Annexation Policy Plan is required by state law to include a map of the Expansion Areas which may be considered by the City for possible inclusion into the City at some point. Identification of properties within an Expansion Area does not suggest or entitle any of those properties to annexation into the city just as it doesn't mean that any properties will be annexed at all. Adoption of an Expansion Area Map represents solely the scope of properties that could be considered for potential annexation. The Tooele City Expansion Area Map is included herein as Appendix A to this General Plan Element. Utah State law also states that, if practicable and feasible, annexation boundaries should be aligned with surrounding entities under the following considerations:

- The boundaries of existing local districts and special service districts for sewer, water and other services
- The boundaries of school districts whose boundaries follow city boundaries
- The boundaries of other taxing entities
- To eliminate islands and peninsulas of territory that are not receiving municipal-type services
- To facilitate the consolidation of overlapping functions of local government
- To promote the efficient delivery of services
- To encourage the equitable distribution of community resources and obligations

The City has weighed each of these considerations in determining the proposed Expansion Areas illustrated in the Expansion Area Map. This Tooele City Annexation Policy Plan anticipates the possible annexation of the following area.

Expansion Area A. Expansion Area F is located along to the west side of Tooele City's current municipal boundaries and is comprised of approximately 103 acres of private property. Area F is a narrow peninsula of incorporated property straddling the railroad corridor that lies between Industrial Depot area and the main geographical body of the city. This portion is outlined entirely by the current incorporated boundary of Tooele City with the exception of a narrow southern boundary formed by the ownership boundary of the Tooele Army Depot. This area has some industrial type uses and overflow from other industrial type uses on it in addition to the Union Pacific railroad corridor cutting down the center. Annexation of this property would round off the privately owned properties in the area all being within incorporated Tooele City and fill in the gap between the Industrial Depot and the main geographic body of the city creating a more cohesive incorporated City boundary.

Annexation Petition Criteria

Utah State Code Section 10-2-401.5(3)(b) specifies that each community's Annexation Policy Plan shall include a statement of the specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions, addressing matters relevant to those criteria including: 1) the character of the community; 2) the need for municipal services in developed and undeveloped unincorporated areas; 3) the municipality's plans for extension of municipal services; 4) how the services will be financed; 5) an estimate of the tax consequences to residents both currently within the municipal boundaries and in the Expansion Area; and 6) the interests of all affected entities.

Community Character

Tooele City represents the urban hub of Tooele County and serves as the County seat. Historically, the Tooele Valley served as an agricultural community; however, housing affordability and the relative proximity to the Salt Lake Valley have attracted more and more residential growth over the years. This has subsequently led to an increase in commercial opportunity and the need for public services. The Annexation Policy Plan seeks to embrace and balance the agricultural history of Tooele City, where appropriate, while providing areas for continued residential and commercial growth. In addition, Expansion Areas C and D offer unique open space preservation opportunities.

Tooele City must plan carefully for a mix of residential and commercial development that will generate a sustainable and diversified economic base for the community. Because residential development often costs more to service relative to the revenues generated by this development type, it is important to provide for appropriate non-residential development that will generate jobs, increase the property tax base of the area, and generate additional sales tax revenues as well as be consistent with the City's open space preservation priorities. Therefore, the City should consider an appropriate mix of development when considering annexation petitions, taking into consideration the existing and planned land uses already within Tooele City and those that will remain outside of the city that will border an area proposed for annexation.

Need for Municipal Services

The need for services must be outlined on the petition for annexation by the petitioners with a suggestion for how these services are to be provided. For each annexation proposal received, the Planning Commission and City Council must review and consider what services are actually needed, how and when those services are to be provided and financed, and consider the most logical and efficient service provider. The projected uses for each of the Expansion Areas is described below in order to better understand the following discussion of the need for municipal services.

In general, the City should consider, as a minimum, the following factors for all areas of service provision:

1. If the proposed area is in an existing special service district (SSD);
2. Whether or not it would be more logical and efficient for the municipal services to continue to be provided by the SSD;
3. Whether or not municipal services are currently being provided by another jurisdiction;
4. If municipal services are already being provided, whether or not it would be more logical and efficient for the City to contract with that jurisdiction to continue the provision of municipal services;
5. The cost of the capital facilities to be incurred that are associated with the proposed Expansion Area; and
6. Whether or not the capital facilities costs can be entirely offset through developer contributions and impact fees.

Expansion Area A. The Expansion Area is currently master planned by Tooele County for additional industrial activities to match that in the immediate vicinity. Area A is sandwiched between two industrial areas.

Existing Municipal Services. Within this defined Expansion Area there is currently no water or sewer service to these properties. Water and sewer service to surrounding properties within the industrial depot is provided by the City. This area has no roads that go through it or provide direct access but is traversed by the Union Pacific Railroad corridor. Public safety is provided by the Tooele County Sheriff's Office and the North Tooele County Fire Protection Service District. Mosquito abatement services are provided by the Tooele Valley Mosquito Abatement District.

Future Municipal Service Needs. Future infrastructure would need to be constructed by new development. New development would need to connect to the closest existing facilities, which would likely be within the industrial depot. It is anticipated that sewer and water services will be provided by Tooele City following annexation. Future developers would be required to install storm drain facilities. Tooele City would be responsible to maintain and regulate the roads, other than State and County roads. Tooele City's Police and Fire Departments would be responsible to provide emergency services to Expansion Area F if this area is annexed.

Plans for Extension of Municipal Services

Tooele City plans to provide services within its boundaries first and foremost. Tooele City's policy is to consider annexation only in those areas where the City has the potential to efficiently and effectively provide municipal services which may include culinary water, sanitary sewer, road maintenance and regulation, recreation, and public safety services. Petitions for annexation should be required to perform appropriate infrastructure planning and financing to determine the feasibility of and provide for the infrastructure needs within the petitioned area for annexation to ensure adequate services can be provided. As stated earlier in this Element, the Expansion Areas identified in this Element do not represent areas that *will* be annexed by Tooele City, but rather represents areas that the City may be willing to accept and consider petitions for annexations whether or not those petitions are approved and the property annexed. As future capital facilities are built, they must conform to the appropriate master plans and standards of the City.

At this point, Tooele City has no plans to build any capital facilities in any of Expansion Areas A through J. Any capital facilities that may be needed would be required of the developers as a condition of annexation and development approval.

How the Services Will be Financed

The construction and development of infrastructure for the provision of services should be financed by the developer installing the improvements as a condition of annexation and development. As a condition of annexation, developers of annexed areas should be responsible to pay for master planning and capital facilities planning, with oversight, review and approval by the City, in at least six areas: transportation, water, sewer, storm drain, public safety, and parks and recreation.

An Estimate of the Tax Consequences

Petitioners for annexation should be required to prepare and submit a report showing the tax consequences to properties covered by the annexation petition and present these with the petition for annexation. The tax

impact, among other considerations, within the municipal boundaries should also be reviewed by the City Council before a final decision is made on annexation.

The impact to the City's General Fund are determined largely on the ultimate development pattern and land use types constructed. Using detached single-family residential uses as an example, the implications are two-fold: developed land, typically through a subdivision, would yield more properties that each provide property tax income than does a single piece of undeveloped property; and a development pattern that, for example, yields five units per acre results in more properties providing property tax revenues than would a development pattern of two or three units per acre, for example. Additionally, the same works in the inverse for expenditures. The more dense the development, as a general statement, the more efficiently utilized the serving infrastructure becomes providing a more favorable cost to expenditure ratio for the City, although it typically increases the public safety services needed. Similar is the case for non-residential development patterns, although the density component plays less of a role.

It is not the intent of this Plan to provide specific tax impacts as the variability of the ultimate development types and patterns and changing tax rates year to year can make significant differences in resulting revenues and expenditures. This Plan is intended solely to give a general overview of the fiscal impacts of annexation into Tooele City using the tax rates for Fiscal Year 2019-2020.

Many of the unincorporated areas surrounding Tooele City are currently largely undeveloped. Properties in these areas are currently assigned to taxing districts 10 (O.D. Mosquito), 19 (North Tooele County Fire District), and 36 (Deseret Peak Com). These are not the only taxing entity or district assigned to properties in these Expansion Areas. As an example, the properties in these Expansion Areas are also a part of the North Tooele County Fire Protection Special District, Tooele County, and Tooele County School District but the tax funding for these other districts make up a portion of the overall rate of each Taxing District. The Tooele Valley Mosquito Abatement District and North Tooele County Fire Protection Special District represent those districts that could potentially be affected by annexation of properties into Tooele City. Taxing districts 10 and 36 currently carry the same overall taxation rate of 0.013758. Taxing district 19 currently carries the overall taxing rate of 0.013441. Annexing property from these districts into Tooele City, thereby reassigning them to taxing district 1 (Tooele City), would adjust their taxation rate to 0.014936. This results in an anticipated tax increase of 8.56% overall to those properties annexed from districts 10 and 36 and 11.12% from district 19 simply through being annexation. From that overall tax rate, Tooele City receives approximately 20% of those tax revenues (a certified tax rate of 0.003024) with the remainder going to various other taxing entities such as Tooele County and the Tooele County School District. Development of properties for anticipated non-residential land uses generally provides a significant increase in taxable value through the transition to improved land and constructed value but the overall difference in this increase tax burden to the property owner is anticipated to remain with a consistent difference between that development activity happening with or without annexation. As an example, development of non-residential land uses would also provide an increase in the number of properties, albeit to a lesser quantity than residential development as these land uses each typically consume larger areas of land compared to individual residential properties. This also does not take into account the added benefit from those non-residential developments that would also generate sales tax which provides an added revenue stream for the City as well as the property owner. For properties that would ultimately develop for residential uses, the same holds true difference in revenues relative to annexation although the overall revenue would not be as significant considering the 45% taxation credit provided to primary residential units. This credit also impacts the cost-benefit ratio for the City as residential uses are typically a net draw on resources on a per unit basis whereas non-residential uses are typically a net gain on the cost of providing services. As an example, development of residential uses on newly annexed land at an average five units-per-acre density with an average \$250,000 home would provide, on average, around

\$2,400 in property tax revenue per unit, of which around \$485 goes to the City coffers. That adds up to around an additional \$2,425 of property tax revenue per acre (0.012% of the City total General Fund budget) of residential development, not considering the costs from the net draw on resources and services.

Expansion Area A. This Expansion Area contains properties assigned to taxing district 10.

The Interests of All Affected Entities

In consideration of this Annexation Policy Plan, the determined Affected Entities would be those taxing entities that provide services to currently unincorporated properties within the various Expansion Areas identified within the plan. Tooele City, desiring to be good neighbors and partners, also includes neighboring jurisdictions in the identified roster of affected entities. The affected entities identified for Tooele City's Annexation Policy plan include: Tooele County School District, Tooele County (acting not only in their own capacity, including the Tooele County Sheriff's Office, but also under their jurisdictional responsibility to the Erda Township area, Pine Canyon Township area, and the Tooele County Recreation Special District), Deseret Peak Special Service District, Tooele Valley Mosquito Abatement District, Tooele County Sheriff's Department, North Tooele County Fire Protection Service District, Mountain West Ambulance Service, Grantsville City and Stockton Town. The Tooele County School District currently serves the educational needs of the proposed Expansion Areas and will continue to do so if any or all of the annexations should occur. Therefore, there are no projected impacts to the Tooele County School District other than the effect of revenues from additional development of land, which could occur with or without annexation. Service obligations currently provided by the Tooele County Sheriff's Department and North Tooele County Fire Protection District would be transferred to the Tooele City Police Department and Fire Department, respectively, should annexation occur. Annexation would result in properties being removed from the District's responsibility resulting not only in a reduction of tax revenues for the District but also a corresponding reduction in service requirements. The City has opted out of the Tooele Valley Mosquito Abatement District. Should annexation occur, properties being removed from the District's responsibility resulting not only in a reduction of tax revenues for the District but also a corresponding reduction in service requirements. Mountain West Ambulance service provides universal emergency medical services to the entire Tooele Valley regardless of governmental jurisdiction so the occurrence of annexation would not affect their provision of services. The governmental organization and leadership of Tooele County in their various capacities, has the underlying responsibility for administering the Deseret Peak Special Service District and the Pine Canyon Township area as well as their own governmental responsibility for unincorporated properties within the County. Annexation of properties into Tooele City would transfer the governmental oversight and responsibility for those properties from Tooele County to the City. Grantsville City currently has no properties identified within this plan that are currently within their incorporated boundaries. Similarly, Grantsville City adopted a new General Plan in January 2020. Grantsville's Annexation Policy Plan shows potential expansion areas that overlap with potential expansion areas shown in this Element. Since that time, Grantsville City has completed an annexation which brought their incorporated boundaries all the way to Tooele City's boundaries. Stockton Town currently has no properties identified within this plan that are currently within their incorporated boundaries.

The following table is a comparison of the services provided by affected entities to the Expansion Areas shown in this plan as they currently exist and as they would be provided if annexed into Tooele City.

**TABLE 1
COMPARISON OF SERVICES IN EXPANSION AREAS**

SERVICE	CURRENT PROVIDER		PROVIDER, IF ANNEXED	
Education	Tooele County School District		Tooele County School District	
Mosquito Abatement	Tooele Valley Mosquito Abatement District		None (Tooele City has opted out of the Tooele Valley Mosquito Abatement District)	
Water	Area A:	Tooele City (limited)	Area A:	Tooele City
Sewer	Area F:	No Services	Area F:	Tooele City
Storm Drain	No Services		Tooele City	
Roads	Tooele County (except for State Roads)		Tooele City (except for County and State Roads)	
Fire Protection	North Tooele County Fire Protection Service District		Tooele City Fire Department	
Law Enforcement	Tooele County Sheriff's Department		Tooele City Police Department	
Emergency Medical Services	Mountain West Ambulance		Mountain West Ambulance	

Exclusions from Expansion Area

One of the requirements from the Utah State Code for Annexation Policy Plans is a justification for the exclusion from identified Expansion Areas of any area containing urban development within one-half mile of the municipality's boundary. That regulation defines urban development to be either a housing development with more than 15 residential equivalent units and an average density greater than one residential unit per acre or a commercial or industrial development for which cost projections exceed \$750,000 for all phases.

A ½-mile buffer was drawn around the existing municipal boundaries to identify any development that could be defined as an urban development that may not be a part of an Expansion Area identified in this Plan, see the ½-mile buffer area map in Appendix D. The following areas were identified within the ½-mile buffer and have been excluded along with an explanation for their exclusion:

1. There are three residential neighborhoods located within a ½-mile of Tooele City's northern boundary. These residential developments are part of either the Erda City or Pine Canyon Township areas. None of these three neighborhoods can be defined as an urban development under the Utah State Code definition. Erda incorporated into a municipal City and now has zoning and land use authority over those subdivisions within ½-mile from Tooele City's boundaries. However, no areas have been excluded from the Annexation Policy Plan that have densities higher than one unit per acre.
2. The Tooele Army Depot administration and maintenance areas are located within the ½-mile buffer of the City. This facility is a United States Government institution and as such is not considered within the Annexation Policy Plan.
3. All other developed areas in the vicinity of the City's current incorporated boundaries, or within ½-mile of those boundaries are already incorporated into other jurisdictions' boundaries whether or not they meet the definition of urban development.

Considerations Of The Planning Commission And City Council

The decision whether or not to annex a piece of property for any purpose is one that should not be taken lightly by the City. In the process of their review, the Planning Commission is charged with the weighty task of not only a making recommendation whether or not the petition for annexation is justified as an asset to the community and whether it's best served being annexed or remain outside of the incorporated boundaries of the city, but also what types of land uses should be incorporated into the areas they believe to be justified. Similarly, in making decisions the City Council, in their role as the municipal governing body, not only has to weigh the recommendations of the Planning Commission but also determine the terms and conditions upon which property is to be annexed, should that be the ultimate decision, that reduce or eliminate the burden on the City's existing infrastructure and services. These are not simple decisions to be made by either body and should not be rushed. It is anticipated, and highly appropriate, that these decisions could be debated, discussed possibly at length, vetted thoroughly, differing opinions expressed, and decided without unanimous consent. Aside from and in addition to the concerns for infrastructure and services involved with annexation, there are other political, social, and financial considerations that should be considered.

Relationship with Expansion Areas of Other Municipalities

Grantsville City and Stockton Town are the closest municipalities to Tooele City, as shown in Appendix B. As such, the annexation policies of these Cities should be considered in the adoption of this plan. Tooele City and Grantsville City have had a mutual understanding, albeit informal, that each city has the greatest interest in the unincorporated properties between the two communities as they fall on either side of the Sheep Lane right-of-way. Grantsville City has pursued this more vigorously than Tooele City has thus far, in fact annexing properties all the way to Sheep Lane in recent years. Through negotiation with developers and owners of property that lies between the two communities, Grantsville City took the step in May 2020 to annex property from that area, crossing Sheep Lane. As discussed earlier, incorporating that area into Grantsville City removed the area from Tooele's expansion previous Expansion Area A, resulting in two newly configured Areas A and B. Should Tooele City reach a point where the extents of Expansion Areas A and B are annexed into the City, or should Grantsville City opt to annex into these same areas, the municipal boundaries between the two communities would coincide.

Stockton Town is much greater distance from Tooele City than is Grantsville but that should not and does not make Stockton a lesser consideration. This distance however, does make the likelihood of the boundaries of these two communities coming together a much longer timeline consideration and one that will likely need to be considered with greater attention and detail in future revision efforts to this General Plan. There is also an important geographic separation between these two communities. Immediately north of Stockton Town is a geologic feature commonly referred to as "the sand bar." Rightfully so, Stockton Town has, and has demonstrated, a vested in the activities on and around the sand bar as those activities most directly affect their community. The sand bar also would place a significant hurdle on the expansion abilities of Tooele City should the city ever develop a desire to expand that far. For these reasons it is most appropriate that this area be most closely involved with Stockton Town long term.

Willingness and Probability of Other Municipality to Annex the Area

Expansion Area A. There is no other surrounding municipality that would be able to annex into this area, thus there is no probability of another municipality annexing for the foreseeable future.

Current and Projected Costs of Infrastructure

It is the position of Tooele city that future capital costs for the establishment and construction of infrastructure should be financed by the developer installing the improvements. It is not the City's position that the City should incur costs related to capital improvements into the Expansion Areas.

In developing, considering, and adopting an Annexation Policy Plan, the Planning Commission and City Council are to consider current and projected costs of infrastructure, urban services, and public facilities necessary to expand the infrastructure, services, and facilities into the area being considered for inclusion in the Expansion Area.

Expansion Area A Future Capital Costs. Development within this area after annexation will need to connect to the City's water, sewer, and storm drain utility systems, which may first constitute extension of infrastructure into the Expansion Area. If annexed, Tooele City would be responsible to maintain and regulate the roads, once constructed by development activities, other than State and County roads. Tooele City's Police and Fire Departments would be responsible to provide emergency services to Expansion Area A. All other anticipated costs would be of an operations and maintenance nature as typical with the various areas of the existing community.

Consistency with the General Plan for Additional Land Suitable for Development

The City should encourage development within the municipal boundaries as a primary focus in an effort to utilize undeveloped lands first, before extensions are made to existing City boundaries. Policies should be adopted to encourage the appropriate use of undeveloped lands within the City consistent with its General Plan. If lands within the City are not available to be built on, annexations may be considered when services can be provided consistent with the General Plan.

All annexations should be considered from the point of view of the General Plan. The goals and objectives of the General Plan should serve as a guide to the consideration and land use assignments of the annexed area.

Tooele City is experiencing a pattern of rapid growth that is anticipated to continue. Projections have shown that Tooele City's population can be expected to grow by 10,000 to 15,000 people in the next decade. The City's indicators outside of formal projections suggest that this rate may serve as a baseline for the anticipated growth with actual growth outpacing those projections. The new households that will make up this growth should be accommodated on infill and existing sites within Tooele City's current boundaries primarily and supplement by future annexed areas as deemed appropriate. The amount of residential acreage needed for these new households is dependent on the overall density associated with new residential development. In addition, non-residential land uses would also be needed to support a community in which the residents can enjoy the ability to live, work, shop, and recreate.

Inclusion of Agricultural, Forest, Recreational and Wildlife Areas

Tooele City has established and pursued a policy of open space acquisition for the protection of values important to Tooele City's residents, including viewsheds, scenic vistas, watersheds, drinking water source protection, non-motorized recreation, and wildlife habitat. Some of the unincorporated areas to the south of the City present unique opportunities for open space preservation through fee acquisition, conservation easement, or other regulatory means.

Agricultural Areas. Active agricultural areas are included in the Expansion Areas and should be considered for annexation when it is consistent with the Agriculture Protection Act of Utah, the General Plan, and the desires of the owners of said properties. In general, agricultural areas should be

protected from development as feasible, unless it is the desire of the property owners of said lands to develop their properties.

Forested Areas. Forested areas should be considered for annexation with consideration to the preservation and beauty of surrounding environmental land consistent with the General Plan. Hillside protection and cluster housing should be used where practicable to preserve these areas when being considered for annexation. Unincorporated areas to the south of the City include some forested and hillside areas. These areas are primarily BLM and SITLA lands.

Recreational Areas. Recreational areas should be considered for annexation to the City with the intent that municipal services are generally not needed and the recreational and open space benefits are effectively consistent with the General Plan.

Wildlife Areas. There are an abundance of areas in and around Tooele City that currently enjoy the benefit of wildlife. As annexations occur further into these areas, a balance between the needs of people and the needs of wildlife should be considered and appropriate steps taken to plan for these needs.

Agriculture Protected Areas

The Annexation Policy Plan intends to recognize Agriculture Protection Areas adopted by the County. Expansion Areas are intended to be sensitive to the future development of these lands with planning in coordination with the property owners in these areas with the intent of protecting agricultural lands consistent with right-to-farm laws. To be included in an agriculture protection area established within Tooele County, land must comply in nature and configuration with the requirements of the state code and applicable Tooele County ordinances. Appendix C to this Plan Amendment shows the relationship between established agricultural protection areas and Expansion Areas of the Tooele City Annexation Policy Plan. Expansion Areas I and J contain properties within established agricultural protection areas. These areas should be protected and conserved through the agricultural activities currently operating on those properties until it is the desire of the property owner to have their agricultural designations removed for other types of land use.

Comments From Affected Entities

Tooele City's Planning Commission and City Council, in their capacity as the municipal legislative body, have held multiple public meetings and public hearings to consider this Annexation Policy Plan, and the General Plan as a whole. Compliant with the requirements of the Utah State Code, the City has also provided an opportunity to identified affected entities to provide comment on the Annexation Policy Plan. From this effort, the City has included the following statements regarding comments and information received from those affected entities during the public comment period as well as a logging of the comments and information received from the affected entities:

Log of Affected Entities' Comments and Information Received

Section 10-2-401.5 of the Utah State Code specifies, in part, that the City is to provide a window of time at least 10 days in length for affected entities, as defined in the Utah State Code, to provide written comment regarding the adoption of an Annexation Policy Plan or an amendment to an adopted Annexation Policy Plan. This window of time is called for in the Utah State Code is to occur following an initial discussion of the proposal during a public meeting of the Planning Commission and before a public hearing is held by the Planning Commission. For the review of this proposed amendment to the Tooele City Annexation Policy Plan, as a part of the comprehensive General Plan

Amendment, the Planning Commission granted a window of time lasting 30 days for affected entities to provide written comment. All written comment received during this window of time can be found in Appendix E to this Plan Amendment.

Tooele City Statement from Affected Entities’ Comments and Information Received

Tooele City is grateful to its affected entity partners that have taken the time and interest to review this proposed amendment for the identification and inclusion of three new expansion areas into the adopted Annexation Policy Plan. Their input and information is valuable to the City. We have great respect and appreciation for the services they provide to our valley-wide community whether or not they offered comment on this proposed amendment. It is the desire of Tooele City to continue the working relationship with these entities to provide the best services possible to all residents of the Tooele Valley regardless of the provider. Tooele City also respects the rights and decisions of property owners. One of those rights is the right to make application and be heard. As such, Tooele City’s intent is to allow property owners to make application for annexation, should they choose to do so, and be heard upon which time Tooele City intends to make decisions based on what is best for the community.

Appendices: Annexation Policy Plan Maps And Information

This section includes maps and information related to the Annexation Policy Plan. Included herein are the following maps and information:

- Appendix A: Expansion Area Map
- Appendix B: ½-Mile Buffer of Tooele City Municipal Boundaries

Exhibit B

Staff Report

STAFF REPORT

November 29, 2023

To: Tooele City Planning Commission
Business Date: December 13, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Tooele City Annexation Policy Plan – General Plan Amendment Request

Applicant: Tooele City

Request: Request for approval of an amendment to the Tooele City Annexation Policy Plan, an element of the Tooele City General Plan.

BACKGROUND

From time to time it is healthy for a City to re-evaluate its General Plan, especially as conditions within and surrounding a City evolve and change as the months pass. Conditions surrounding the City and inside of the City have changed since the official adoption of the current Annexation Policy Plan. Tooele City staff and administration are proposing some changes to the Annexation Policy Plan that reflect conditions surrounding the city as well as inside of the City.

ANALYSIS

Purpose. The Annexation Policy Plan is an element of Tooele City's General Plan and is required by State Law. The purpose of an Annexation Policy Plan is to identify areas outside of, but adjacent to the City's incorporated boundaries, that may be considered for annexation. Often, potential developers or land owners of property identified in the Annexation Policy Plan incorrectly assume that if their property is identified in the plan that it is automatically a candidate for annexation. That is not correct. The Annexation Policy Plan does not obligate the City Council to approve any request for annexation nor does it obligate Tooele City to provide service utilities to those properties. The only purpose behind the Annexation Policy Plan is to consider annexation of a particular piece of property. Nothing more.

Conditions Outside and Inside of Tooele City. Since the General Plan was formally adopted in December of 2019 and then re-adopted again in 2020 the following conditions have changed or evolved:

1. Grantsville City has annexed all of the properties to the north west of Tooele City up to Tooele City's boundaries. Those properties are no longer a candidate for annexation. The current Annexation Policy Plan map does not show those properties as the adoption in 2020 corrected the map at that time.
2. Erda Township incorporated into a City and thus taking jurisdictional authority of most of the unincorporated properties to the north and north east of Tooele City. These properties are no longer candidates for annexation.
3. Water has become an extremely difficult issue. Water rights are scarce and difficult to obtain and the available water that is out there is extremely expensive. Tooele City has thousands of undeveloped acres within its incorporated boundaries that the City is obligated to provide water for if the developer produces the water rights. When the City has obligations to property already within its boundaries should it be considering new obligations to properties currently located outside of its incorporated boundaries?

These issues were not existent or not as prevalent during 2018 – 2019 when the original Annexation Policy Plan

was formed, reviewed and adopted. Yes, water was an issue at that time but not as significant as an issue as it is today. For these reasons we are proposing amending the Annexation Policy plan by eliminating all but one of the identified annexation areas from the policy plan to accurately reflect current conditions. The following properties are recommended for removal from the Annexation Policy Plan:

Annexation Area A. This 155 acre parcel is privately owned and is sandwiched between Tooele City and Grantsville City. The City has no utilities in this area that a potential developer could tie into without great cost to extend existing utilities to the property. Grantsville City is a much better position to provide sewer and water utilities given the lay of the land than Tooele City. The property owner has also indicated that they have no intention of annexing the property into Tooele City.

Annexation Area B. This 580 acre parcel is now included within the boundaries of Erda City and is no longer a candidate for annexation as it falls under the jurisdictional authority of Erda City.

Annexation Area C. This 230 acre parcel is now included within the boundaries of Erda City and is no longer a candidate for annexation as it falls under the jurisdictional authority of Erda City.

Annexation Area D. This area containing 1530 acres is divided between two jurisdictional authorities. The northern half is located within the Pine Canyon Township which, although still unincorporated, has its own zoning authority, Planning Commission and so forth. The southern portions of the property are under County authority. The City currently does not have the necessary water resources to accommodate annexation of these properties.

Annexation Area E. This area containing 1250 acres is located south of the City and is divided by SR-36. The western half is the area south of the County Jail and north of the gravel extraction areas. The eastern half is the foot hills of the Oquirrh Mountains and extends into areas that are undevelopable due to slope and other difficult geologic conditions. Currently the City has one water line that extends to the jail, the sole reason the City's boundaries extend that far south. The lack of utilities and non-developable areas warrant removal of this area from the annexation policy plan.

Annexation Area F. The northern half of this annexation area is located within the boundaries of the Tooele Army Depot. Staff is recommending the northern half of this area be removed from the annexation policy plan because the property is under Federal control, being in the army depot, and thus is not a likely candidate for annexation as it is rare the Federal Government relinquishes control of property.

Annexation Area G. The 1540 acres of property located here extend south from the County jail all the way to the Bauer area. The reasons for this being included in the Annexation Policy Plan is not familiar to staff. However, if area E is eliminated and is never annexed then Area G is no longer contiguous to the City and therefore not a candidate to be annexed. The other consideration is utilities. There are no utilities located here and if utilities were to be extended it would be at great cost. Tooele City also does not have the water resources to serve any development in this area.

Annexation Area H. This 146 acres of property is located north east of Tooele City in the unincorporated areas of the County sandwiched between Tooele City, Erda City and Pine Canyon Township. The Union Pacific rail corridor divides the property in half. The most significant reason for requesting removal of this area from the Annexation Policy Plan is the lack of sewer and water utilities available. The City needs its water resources for vacant areas currently within the City boundaries and should not be considering utilizing these resources for areas outside of its boundaries.

Annexation Area I. This 240 acres of property is now included within the boundaries of Erda City and is no longer a candidate for annexation as it falls under the jurisdictional authority of Erda City.

Annexation Area J. This 752 acres of property is now included within the boundaries of Erda City and is no

longer a candidate for annexation as it falls under the jurisdictional authority of Erda City.

Annexation Area K. This 61 acre parcel is located immediately east and south of Tooele City's incorporated boundaries next to Droubay Road. The property is located within the Pine Canyon Township and is subject to their zoning and land use authority. The main consideration for annexing this property is water resources. With thousands of acres still within the City that are undeveloped should the City be expanding its boundaries and annexing properties that will use up scarce resources that otherwise would be used for areas already within the City? Staff's recommendation for Area K is that it be removed from the Annexation Policy Plan.

Revised Annexation Plan. If these areas are removed from the Annexation Policy Plan the only area remaining in the plan would be the approximately 103 acres of land, the wedge shaped piece of industrial property located between Tooele's Industrial Depot and the Tooele City Business Park area where the Union Pacific rail corridor currently extends south. This area is surrounded by Tooele City and it is therefore logical that the City should consider this area for annexation. This area is largely industrial / commercial and would be a net taxation benefit if it were ever annexed. Currently this property is under the jurisdictional control of Tooele County. Therefore the revised Annexation Policy Plan map looks a little empty, lonely, or scarce. Until the City is able to locate additional water resources Staff and City Administration are recommending the Annexation Policy Plan be amended to include just Area A as shown on the attached revised plan.

Interior Areas Yet to Be Developed. One of the major factors in annexing a property that must be considered is does the annexation bring net benefit to the City. Commercial and industrial areas generate jobs for City residents and generate sales tax revenue the City gets a share of after it is collected by the State. These produce a revenue stream that continues on in perpetuity. Residential areas, however, are a net burden on a City in that the property taxes collected are not sufficient enough to cover the cost of maintaining the infrastructure to these residential areas. When a residential property develops there is a one time payment of building permit and impact fees but after that the City generates very little revenue from residential properties. Staff has worked to form a map that demonstrates how much vacant residential property exists within Tooele City that is undeveloped, or that is a potential candidate for development. This means that these properties can be developed residentially and if the developer provides the water rights the City is obligated to provide the water.

Marisa Snyder in the Public Works Department, using her GIS skills, has put together a very helpful map that shows the amount of residential land within Tooele City's boundaries that the City would be obligated to provide water for if the developer provides the necessary water rights. There are currently 3077 confirmed acres of undeveloped residentially zoned ground within the City. There are also 465 confirmed acres of under developed residential ground within Tooele City. Underdeveloped ground is land that may have a home on it but the property is deep and contains multiple acres of undeveloped ground. It may not be developed today, or tomorrow or in 20 years but is always a candidate for development if a developer has the money, water rights and resources to develop. That results in a confirmed total of 3,542 acres of land within the City boundaries that would qualify for residential development. Staff should also emphasize that this number is in fact greater as, due to time constraints, not all of the underdeveloped residential properties have been identified.

This map also only identifies residential properties within the City and does not consider the water use required by commercial and industrial properties. There are still hundreds, if not thousands of acres of industrial and commercial areas yet to be developed.

Tooele City's water situation alone warrants careful consideration regarding annexation. Can the City afford to expand its boundaries to new development when it is apparent it will struggle to satisfy the needs of the areas already located within its boundaries?

Criteria For Approval. The criteria for review and potential approval of a General Plan Amendment request is found in Sections 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 proposed amendments to the Annexation Policy Plan and has issued the following comment:

1. Staff's positions on the policy plan amendments are included in the sections listed above. Staff is confident that this General Plan Amendment is in the best interest of Tooele City in that brings the Annexation Policy Plan into conformance with the conditions surrounding the City and the conditions within the City.

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

1. The Planning Commission and City Council should carefully weigh the proposed amendment to the General Plan, consider the comments and input received from the public hearings to render a decision in the best interest of the community.

Noticing. The applicant has expressed their desire to amend the General Plan 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 General Plan 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 text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed 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 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 text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions

- for potential development applications.
6. The degree to which the proposed 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 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 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 Tooele City Annexation Policy Plan Amendment, thus amending the Tooele City General Plan as shown on the revised Annexation Policy Plan map, 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 Tooele City Annexation Policy Plan Amendment, thus amending the Tooele City General Plan as shown on the revised Annexation Policy Plan map, based on the following findings:”

1. List findings ...

EXHIBIT A

MAPPING PERTAINING TO THE AMENDMENTS TO THE ANNEXATION POLICY PLAN

Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

ORDINANCE 2023-46

AN ORDINANCE OF TOOELE CITY REASSIGNING THE LAND USE DESIGNATION FOR APPROXIMATELY 6.9 ACRES OF PROPERTY LOCATED AT 1232 WEST UTAH AVENUE FROM LIGHT INDUSTRIAL (LI) TO INDUSTRIAL (I).

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 Map amendment for 6.9 acres of property located at 1232 West Utah Avenue, requesting that the Subject Property be reassigned from the LI Light Industrial land use designation to the I Industrial Land Use designation (see Amendment Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by Nick Markosian and are currently designated as Light Industrial in the Land Use Element of the General Plan; and,

WHEREAS, the Light Industrial land use designation includes the LI Light Industrial and IS Industrial Service Zoning districts; and,

WHEREAS, the Industrial land use designation includes the Industrial zoning district; and,

WHEREAS, on December 13, 2023, 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 20, 2023, 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 employment of City residents and provide an expansion to the City's commercial tax base; and,
2. the Land Use map is hereby amended reassigning the Land Use designation to Industrial for approximately 6.9 acres of property located at 1232 West Utah Avenue, according to the map attached as Exhibit A and staff report attached as Exhibit B.

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

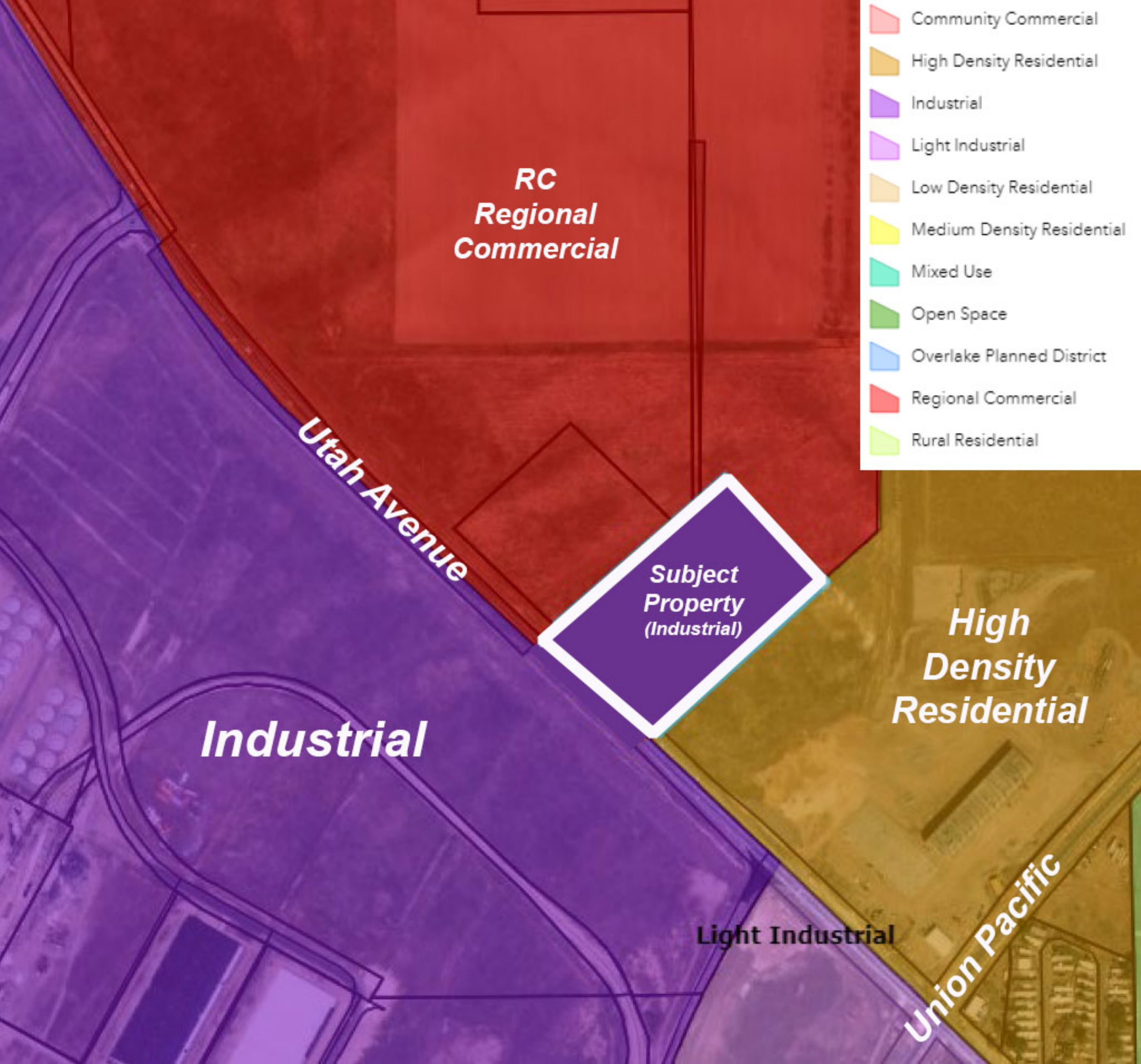


Exhibit B

Staff Report

STAFF REPORT

December 7, 2023

To: Tooele City Planning Commission
Business Date: December 13, 2023

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Markosian Auto – Land Use Map Amendment Request

Application No.: P23-1369
Applicant: Markosian Auto
Project Location: 1232 West Utah Avenue
Zoning: LI, Light Industrial
Acreage: 6.9 acres (Approximately 300,564 ft²)
Request: Land Use Map Amendment from Regional Commercial to Industrial

BACKGROUND

Markosian Auto recently developed the subject property for auto sales in the LI, Light Industrial zone. In support of the sales activity and preparation of vehicles for sale on this property, the owners would like to improve some of the property for the storage of vehicles that have been reclaimed or repossessed, and some that have been damaged and are awaiting insurance approval for repairs. These types of activity cannot be approved in the existing Light Industrial zone. The applicant's intent is to apply for a change of zoning from Light Industrial to Industrial. This current request to amend the Land Use Map from Regional Commercial to Industrial is intended to support a change of zoning afterward, if successful.

ANALYSIS

General Plan Considerations. The current Land Use Map designation of the property is Regional Commercial. Land Use Map designations are in part intended to guide decisions about zoning. For that reason, certain zones are "preferred" and matched to a particular Land Use Map designation. Only the Industrial designation on the Land Use Map identifies the Industrial zone as preferred.

Some adjacent properties are also currently designated Regional Commercial on the Land Use Map; however, other adjacent and nearby properties are designated Industrial, Light Industrial, and High Density Residential. A map highlighting the subject property and depicting the designations is attached to this report as "Exhibit B".

Goals & Objectives. The Land Use Map is a part of the Land Use Element of the General Plan. The Land Use Element includes general goals and objectives as well as several more goals that are more specific to the Industrial Land Use category itself. In reviewing the Land Use Element, staff suggests that the following goals and objectives should be considered as they relate to the current proposal.

- Goal #6, Land Use Element: *"Encourage the transition of land uses from more intense regional and city-wide activity areas to less intense land uses within local neighborhoods."*

The proposed designation would allow an expansion of use already allowed on the site, and Staff finds that it would still preserve the transition from more intense to less intense uses.

- Goal #1, Industrial Land Use Goals and Objectives: *“Provide a variety of employment opportunities for the residents of Tooele and the surrounding area.”*

The expansion of the business to enhance existing function and consolidate additional functions will allow more skilled employment on this site in Tooele.

- Goal #2, Industrial Land Use Goals and Objectives: *“Provide opportunities for associated and support uses that build upon and enhance industrial areas.”*

The prevailing land use pattern in the adjacent area is industrial, and those uses are growing and will provide future re-investment and development. The subject property represents an expansion of those areas, but also an enhancement and transition in that the operations on site would include not just heavier uses if the requested amendments are granted (the vehicle storage) but sales and services as well.

Zoning. The property has been assigned the LI, Light Industrial zoning classification. As is the case with the Land Use designations, the surrounding properties are also located in a variety of different zones including Light Industrial, RD, Research & Development, and I, Industrial. Properties to the north, east and south are zoned RD Research and Development. A zoning map segment has also been included for reference as “Exhibit C”. All properties in the immediate area are currently used for industrial or commercial purposes, or are unused.

The Industrial Land Use designation corresponds to both the Light Industrial and Industrial zones, which allow comparatively more intense land uses such as manufacturing, industrial processes, and warehousing. With that said, the Light Industrial zone does not permit the heaviest of these uses and can provide a buffer from those heavier uses and surrounding non-industrial land. The applicant has applied for the change in Land Use Map designation in order to pursue further development of the property that would include a fenced area to store vehicles that have been repossessed and/or are awaiting repairs to be authorized by insurance. The existing Light Industrial zoning of the property will not allow outdoor vehicle storage.

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 vis-à-vis 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. Adjacent properties are undeveloped or industrial in their use. There are no residential properties in the immediate vicinity at this time.
2. There are several adjacent properties to the north and east that are designated “High Density Residential”. These properties are currently zoned Light Industrial.
3. Several large adjacent properties are designated “Industrial” currently, and the subject property could be considered an expansion of that designation.
4. The proposed designation would allow further development of the property, expanding the existing industrial use.
5. Proposed industrial uses would require careful buffering of adjacent properties.
6. The proposed designation would allow the property owner to expand his operations on site, and increase the employment numbers as well.

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

Public Works Review. The Tooele City Public Works Division have completed their reviews of the Land Use Map Amendment submission and completed their review without providing comments.

Building Division Review. The Tooele City Building Division have completed their reviews of the Land Use Map Amendment submission and completed their review without providing comments.

Noticing. Notice of the public hearing has been publicly posted and properly issued to area property owners 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

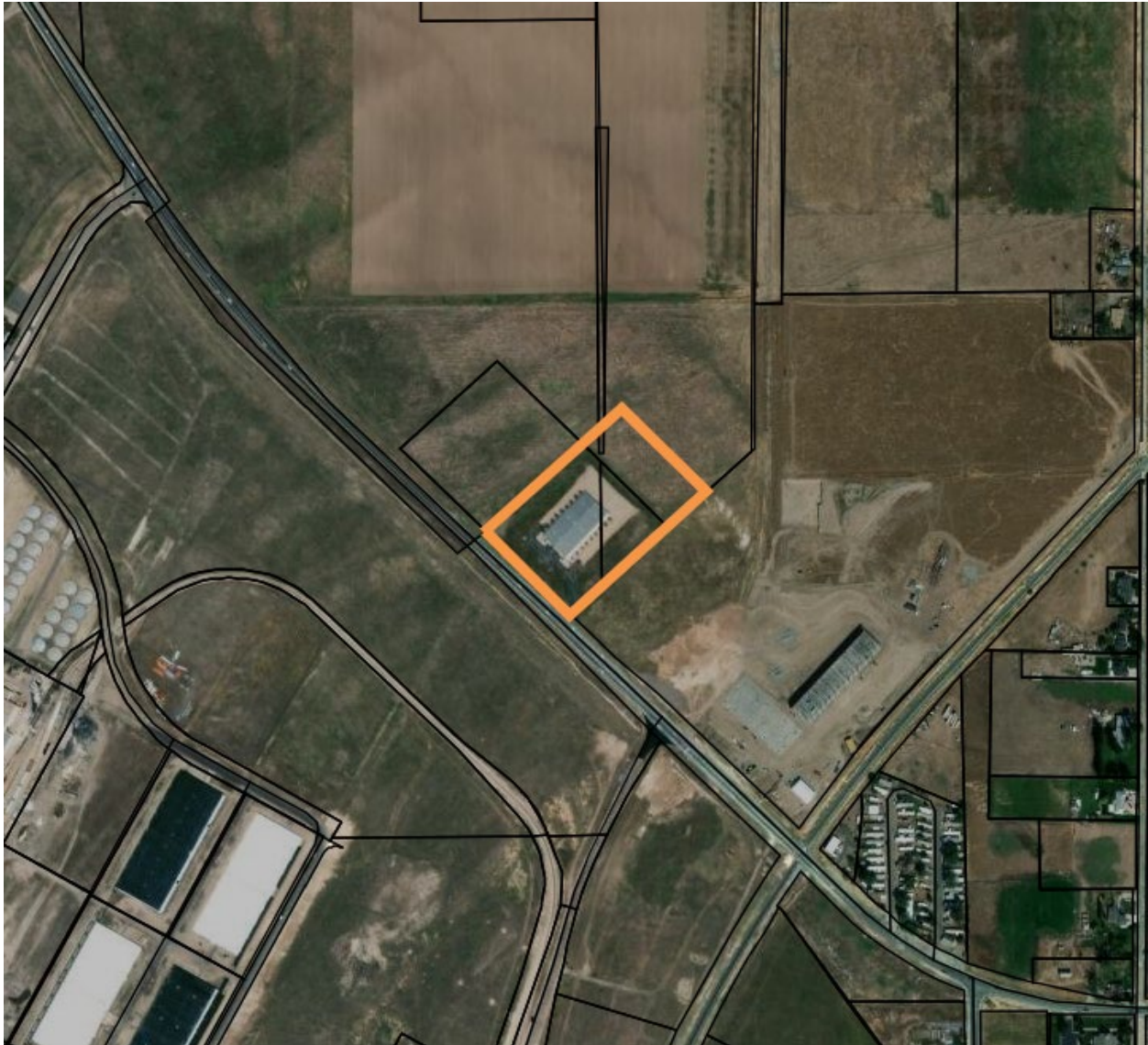
Sample Motion for a Positive Recommendation – “I move we forward a negative recommendation to the City Council for application number P23-1369: the request by Markosian Auto to amend the Land Use Map designation of the 6.9-acre parcel located at approximately 1232 West Utah Avenue, from Regional Commercial to Industrial based on the following findings and conditions:”

1. List findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for application number P23-1369: the request by Markosian Auto to amend the Land Use Map designation of the 6.9-acre parcel located at approximately 1232 West Utah Avenue, from Regional Commercial to Industrial based on the following findings:”

1. List findings...

EXHIBIT A
MAPPING PERTINENT THE REQUESTED LAND USE MAP AMENDMENT:
AERIAL MAP

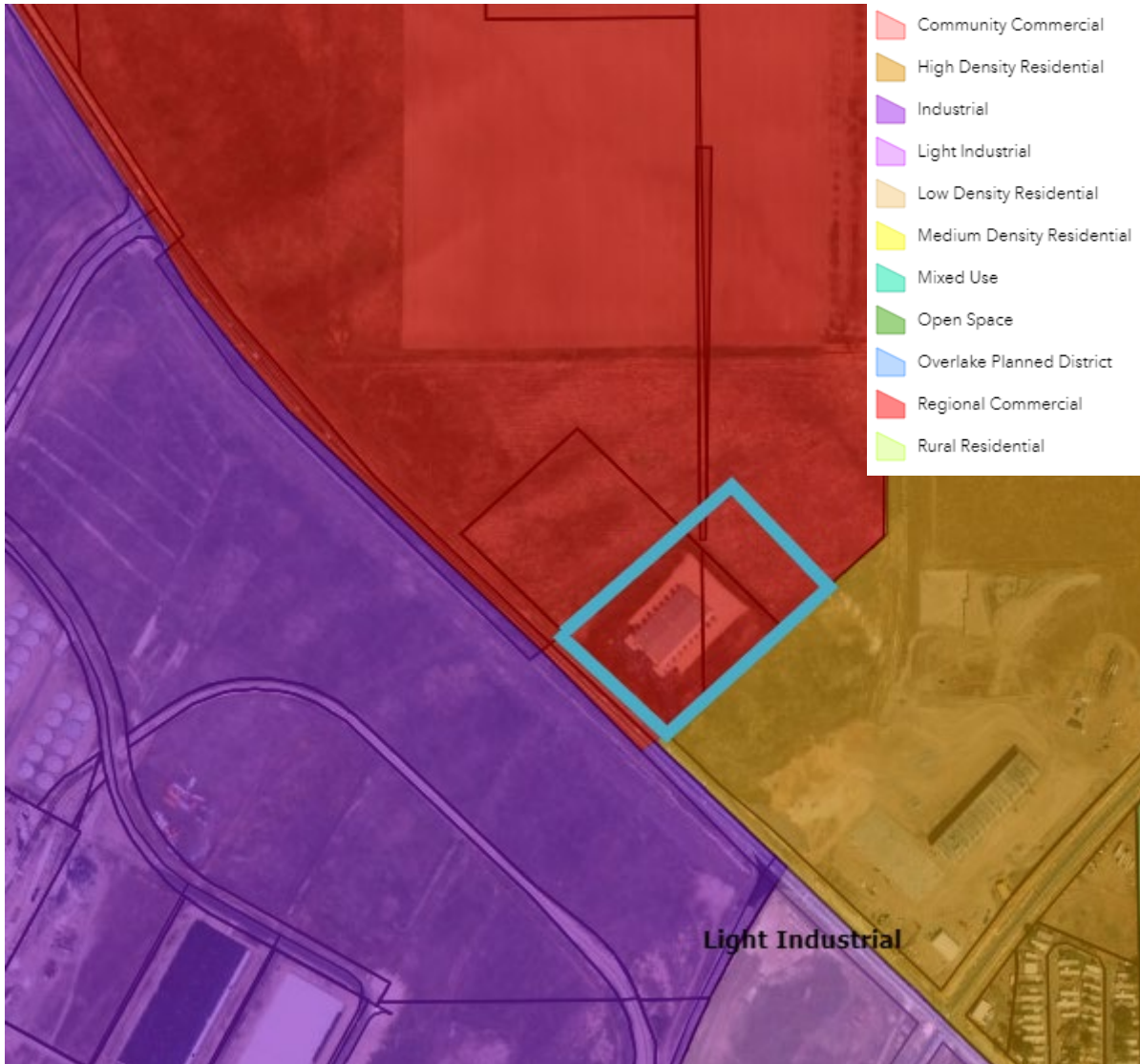


1: Subject Property, aerial view

EXHIBIT B

MAPPING PERTINENT THE REQUESTED LAND USE MAP AMENDMENT:

GENERAL PLAN, LAND USE MAP

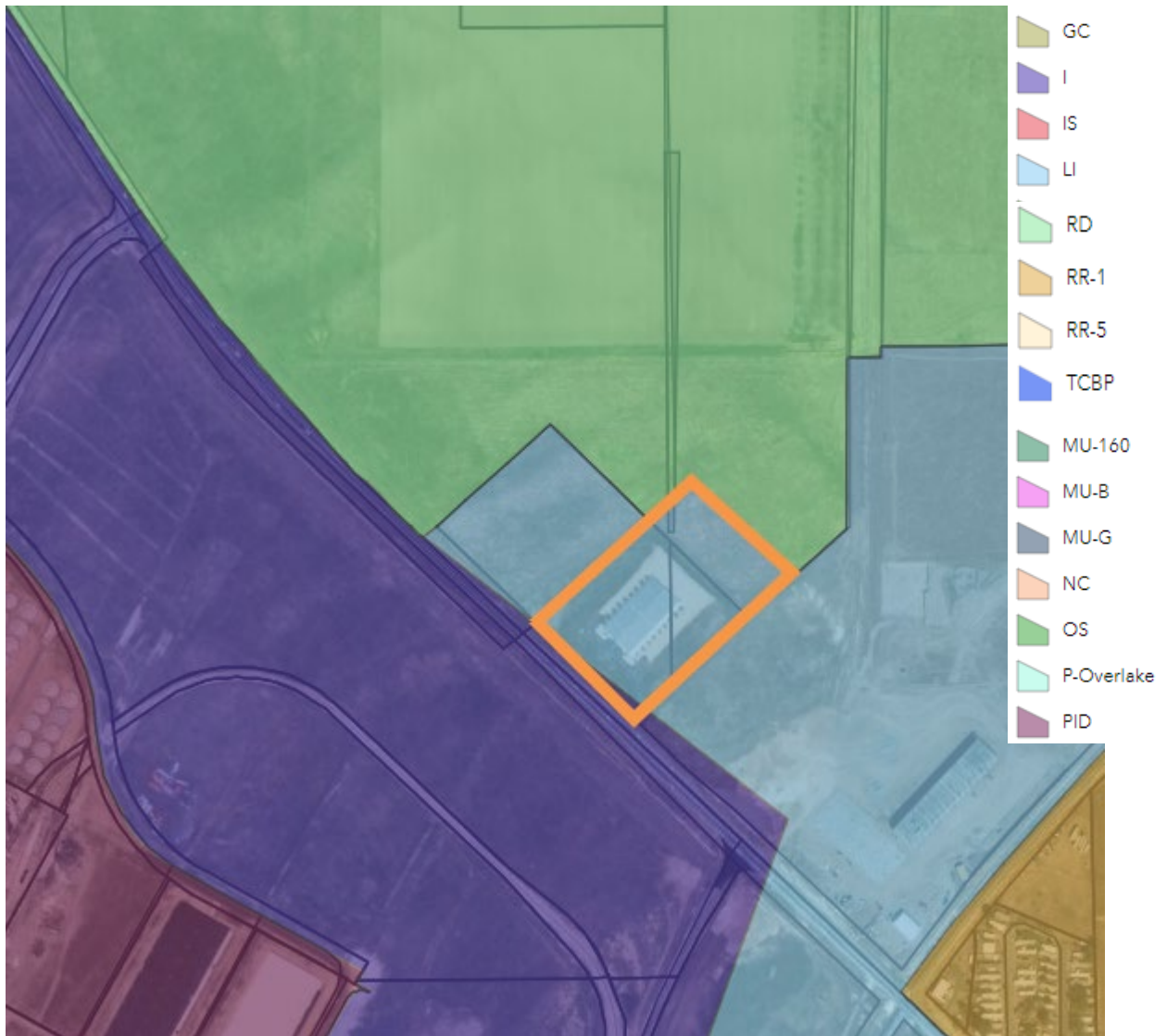


2: Subject Property, Land Use Map

EXHIBIT C

MAPPING PERTINENT THE REQUESTED LAND USE MAP AMENDMENT:

ZONING MAP



3: Subject Property, Zoning Map

EXHIBIT D

APPLICANT PROVIDED MATERIALS:

Markosian Auto Tooele

Markosian Auto recognizes the need to expand our facilities in Tooele by adding an additional one acre for the purpose of storing vehicles. We understand that this will require a request for a zoning change. Markosian Auto would like to store two types of vehicles in an enclosed fenced area. The first type would be damaged cars waiting for pending insurance claims. These cars are typically removed from the property when an adjustment has been agreed upon. The second type of automobile that will be in this enclosure are vehicles that have been legally repossessed. These types of cars hopefully will be redeemed by our customers and returned to them. Some may remain unclaimed, and they are reconditioned here at Tooele and placed back in our inventory for resale.

The one acre we are asking for your consideration will be enclosed by an eight-foot-tall fence. It will have a rolling gate that will remain locked except during operating hours. This fence will be constructed of metal panels to obscure the vision of the automobiles. In addition, we have just had the land cleared, eight inches of road base put down, compacted and sloped to allow for water runoff into an established drainage system. This containment area is strictly for two types of cars. The first is an automobile awaiting an insurance adjustment. The second type car has been repossessed and may be released back to the customer upon payment. It should be noted that this one acre of fenced property is not a salvage yard or junk yard. Markosian Auto currently buys the parts needed for the service center from multiple national auto part suppliers.

Thank you for your consideration. We look forward to working together in the future. Our plans for our expansion are just on the horizon.

Thanks

Alan Burrow

Markosian Auto

Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

RESOLUTION 2024-01

A RESOLUTION OF THE TOOELE CITY COUNCIL DECLARING CERTAIN TECHNOLOGY-RELATED EQUIPMENT AND CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING ITS DISPOSAL (LIBRARY)

WHEREAS, the Library has identified a number of technology-related equipment items that are no longer capable of meeting Tooele City's technology needs (see list of equipment attached as Exhibit A); and,

WHEREAS, the City Administration implemented a written policy, effective December 6, 2022, for the disposal of surplus technology-related equipment (see policy attached as Exhibit B); and,

WHEREAS, it is in the City's interest to make full use of technology-related equipment and then to dispose of, pursuant to policy, whatever equipment no longer serves the public interest; and,

WHEREAS, wherever possible, the City disposes of technology-related equipment by recycling it with a reputable local recycling company to minimize waste and environmental contamination:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the equipment listed in Exhibit A is hereby declared surplus and authorized for disposal pursuant to the policy attached as Exhibit B.

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 _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

Debra E. Winn

Debra E. Winn

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

Exhibit A

List of Surplus Equipment

Salvage List – Tooele City Library**12/21/2023****DESKTOP COMPUTERS**

	Item	Serial #	Reason for salvage
1	HP ProDesk 400 G1 SFF	2UA417138Q	Replaced by newer equipment
2	HP ProDesk 600 G3 SFF	MXL7232TMG	Replaced by newer equipment
3	HP ProDesk 600 G3 SFF	MXL7232TM5	Replaced by newer equipment
4	HP ProDesk 600 G1 SFF	MXL5361MMJ	Replaced by newer equipment
5	HP ProDesk 600 G1 SFF	MXL5361MQ0	Replaced by newer equipment
6	HP ProDesk 600 G1 SFF	MXL5361MPZ	Replaced by newer equipment
7	Wyse E02	7DZMM400506	Replaced by newer equipment
8	Wyse E02	7DZMM400498	Replaced by newer equipment
9	Wyse E02	7DZMM400728	Replaced by newer equipment
10	Wyse E02	7DZMM401005	Replaced by newer equipment
11	Wyse E02	7DZMM400717	Replaced by newer equipment
12	Wyse E02	7DZMM400573	Replaced by newer equipment
13	Wyse E02	7DZMM400575	Replaced by newer equipment

LAPTOP COMPUTERS

	Item	Serial #	Reason for salvage
1	HP ProBook 4520s	2CE0130YHV	Replaced by newer equipment
2	HP ProBook 4520s	2CE0130YDN	Replaced by newer equipment
3	HP ProBook 4520s	2CE0220H12	Replaced by newer equipment
4	HP ProBook 4520s	2CE0130YCR	Replaced by newer equipment
5	HP ProBook 4520s	2CE0130YLX	Replaced by newer equipment
6	HP ProBook 4540s	2CE30606CZ	Replaced by newer equipment
7	HP ProBook 4540s	2CE3060697	Replaced by newer equipment
8	Lenovo ThinkPad E470	PF0T1DXM	Replaced by newer equipment
9	Lenovo ThinkPad E470	PF0UMTUY	Replaced by newer equipment

10	Lenovo ThinkPad E470	PF0UMTS9	Replaced by newer equipment
11	Lenovo ThinkPad E470	PF0UN5Y9	Replaced by newer equipment
12	Lenovo ThinkPad E470	PF0UG4PN	Replaced by newer equipment
13	Lenovo ThinkPad E470	PF0UMTUT	Replaced by newer equipment
14	Lenovo ThinkPad E470	PF0UNCG4	Replaced by newer equipment
15	Lenovo ThinkPad E470	PF0UMXAX	Replaced by newer equipment
16	Lenovo ThinkPad E470	PF0UMXA3	Replaced by newer equipment
17	Lenovo ThinkPad E470	PF0UN5YL	Replaced by newer equipment

MONITORS

	Item	Serial #	Reason for salvage
1	Acer V196L	MMLYQAA0046500B	No longer needed
2	Acer V196L	MMLYQAA004644.145CC8532	No longer needed

NETWORK EQUIPMENT & PRINTERS

	Item	Serial #	Reason for salvage
1	HP LaserJet M605N	CNDCK4R167	Replaced by newer equipment
2	HP ProCurve Switch 24	NA	No longer needed
3	HP ProCurve Switch 48	CN304DG0TQ	Replaced by newer equipment
4	Sonicwall NSA 3650	2CB8ED32D280	Replaced by newer equipment
5	HP 2530 48G POE Switch	CN41FP30YF	Replaced by newer equipment
6	iBoss 14600	PT000232371	Replaced by newer equipment

MISC ITEMS

	Item	Serial #	Reason for salvage
1	iPad Pro	DLXR2CE2GMLN	Replaced by newer equipment
2	iPad Touch	CCQY54CGGX8	Replaced by newer equipment
3	Launchpads (59)	NA	No longer needed

Exhibit B

Disposal of Surplus Technology-Related Equipment Policy

IT Surplus Policy

1. As departments purchase new technology to meet their needs, equipment and/or items (surplus) that are no longer needed will be given to the Information Technology (IT) Department.
2. The IT Department will retain the surplus items for:
 - a. Tier 1 items: Desktops, laptops, tablets, smart phones, networking equipment, servers, or any other items that may contain city data will be stored for 3 months in case data needs to be retrieved.
 - b. Tier 2 items: Monitors, cameras and similar hardware will be stored for 1 month.
 - c. Tier 3 items: Keyboards, mice, speakers, other misc. hardware, software and other items worth less than \$100 will not be stored unless requested.
3. The IT Department will keep a list of Tier 1 and 2 items to be disposed (after parts have been salvaged), by item description, model, serial numbers and whether data has been removed from the device or not (if applicable).
4. Tier 3 items will be removed from inventory upon receipt by IT and can be disposed of immediately unless requested otherwise.
5. Once the retention period has passed, the IT Department will determine if there are parts that can be salvaged from the surplus and remove those for use elsewhere.
6. The completed list of Tier 1 and 2 items will be taken to the City Council by Resolution to be officially declared as surplus, along with a recommendation for the desired method of disposal.
7. Surplus items do not need to be presented to the City Council individually, rather a listing of multiple items and types may be taken at the same time to the City Council to be declared surplus through a single resolution.
8. If several devices of the same type are on the list, such as multiple bad UPS devices, a quantity will be acceptable instead of recording each individually. This excludes any tier 1 items.
9. Surplus property will be disposed of according to the method declared in the resolution.
10. After city council approves the surplus resolution the IT Department will erase all data contained in the equipment/item(s) and dispose of according to the following:
 - a. If the items are deemed unusable, if it previously contained sensitive data, or if their worth is determined to be under \$100, they may be disposed of.
 - b. If equipment/items are to be sold:
 - i. Items will first be made available to local government agencies.
 - ii. The sale of surplus equipment/items will be properly noticed to the public according to city policy.
 - iii. Items will be sold at public auction, with the proceeds going to Tooele City Finance.
 - iv. May be donated to non-profit agencies.
 - c. If the equipment/items are to be donated:
 - i. The donation of surplus equipment/items will be properly recorded.
 - ii. Equipment/items will be donated as is to another state agency or non-profit agency with a written agreement between the two entities

- iii. If equipment/items are to be recycled, the equipment/items will be recycled through a local recycling center or a center near and economically feasible to the city.
11. Any proceeds from the sale or recycling of surplus will be returned to the Tooele City Finance Department.
12. IT will retain records of surplus disposal for 3 years.
13. At no time will any equipment/item(s) be given to an employee, unless an employee is the highest bidder in the sale process listed in Item #10(3) above. Notwithstanding the previous statement, at no time may a member of the IT Department, or any other employee involved in the decision-making process that declared the property as surplus, bid for or repurchase equipment that was declared surplus by the Department.

TOOELE CITY CORPORATION

ORDINANCE 2024-01

AN ORDINANCE OF THE TOOELE CITY COUNCIL ESTABLISHING THE DATES, TIMES, AND PLACES OF ITS PUBLIC MEETINGS IN 2024.

WHEREAS, Tooele City Charter Section 2-04 and Tooele City Code Section 1-5-3 require the City Council to prescribe by ordinance the date, time, and place of its public meetings, and provide for at least one public meeting to be held each month;

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that the Tooele City Council's regular public meetings for calendar year 2024 shall be held at Tooele City Hall, 90 North Main Street, Tooele, Utah as follows:

- Work Meetings: at 5:30 p.m. on the first and third Wednesdays of every month, as follows, except as otherwise noticed by the City Recorder's Office;
- Business Meetings: at 7:00 p.m., on the first and third Wednesdays of every month, as follows, except as otherwise noticed by the City Recorder's Office:

January 3 and 17

February 7 and 21

March 6 and 20

April 3 and 17

May 1 and 15

June 5 and 19

July 17

August 7 and 21

September 4 and 18

October 2 and 16

November 6 and 20

December 4 and 18

This Ordinance is necessary for the immediate preservation of the peace, health and safety of Tooele City and shall take effect immediately upon publication.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

Debra E. Winn

Debra E. Winn

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

TOOELE CITY CORPORATION

RESOLUTION 2024-02

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING THE CITY FEE SCHEDULE TO INCLUDE A PUBLIC IMPROVEMENT COMPLETION EXTENSION FEE.

WHEREAS, Tooele City Code §1-26-1 authorizes the City Council to establish City fees by resolution for activities regulated by the City and services provided by the City; and,

WHEREAS, Utah Code §10-3-718 authorizes the City Council to exercise administrative powers, such as establishing city fees and regulating the use of city property, by resolution; and,

WHEREAS, under the Council-Mayor form of municipal government, established and governed by the Tooele City Charter (2006) and Utah Code §10-3b-201 et seq., the Mayor exercises all executive and administrative powers; however, it has been the practice of Tooele City for all fees proposed by the Mayor and City Administration to be approved by the City Council; and,

WHEREAS, on December 20, 2023, the City Council approved Ordinance 2023-43, enacting comprehensive amendments to Tooele City Code Chapter 7-19 regarding subdivisions, in response to Utah Senate Bill 174 (2023); and,

WHEREAS, the enacted amendments include allowing a developer to request up to two six-month extensions of the one-year deadline for completion of development public improvements, upon payment of an extension fee to review and present the extension request (see amended Section 7-19-12); and,

WHEREAS, the City Administration recommends the extension fee be \$150 per six-month extension request, consistent with the preliminary and final subdivision extension request fees:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City Fee Schedule is hereby amended to include a public improvement completion extension request fee of \$150 per six-month extension request.

This Resolution shall become on February 1, 2024, 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 _____, 2024.

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
FISCAL NOTE TO PROPOSED EXPENDITURE**

12/22/23

DESCRIPTION OF EXPENDITURE:

VENDOR: TOOELE CITY ARTS COUNCIL V# 06300

FY2024 ARTS COUNCIL CONTRIBUTION

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
CONTRIBUTION TO ARTS COUNCIL	121 4511 921000	117,500.00	0.00	117,500.00	0.00
TOTAL:				117,500.00	

REQUESTED Arts Council
DEPARTMENT HEAD

REVIEWED Sharon Wimmer
FINANCE DIRECTOR

APPROVED _____
MAYOR

APPROVED _____
COUNCIL CHAIRMAN



2023

Shannon Wimmer
90 N. Main St.
Tooele, UT 84074

RE: TOOELE CITY ARTS COUNCIL PROPOSED BUDGET
JUNE 2023-JULY 2024

Dear Shannon Wimmer:

The Tooele City Arts Council respectfully requests funding for the following:

Mission
To actively
promote,
advance,
and preserve
the arts in
Tooele City.

Employees	\$30,000
Concerts	
Fridays on Vine	\$20,000
Supplies for Fridays on Vine	\$ 100
Christmas Concert & Sound	\$ 3,500
Grants	\$40,000
Accountant/Taxes	\$11,000
Summer Guide	\$ 4,500
Summer Children's Theater	\$ 4,000
Advertising	\$ 1,000
Misc. (fees, website)	\$ 800
Plein Air Art Contest	\$ 2,000
Cell Phone	\$ 600
TOTAL:	\$117,500

The total that the Tooele City Arts Council is asking for is **\$117,500**. Thank you for your consideration to this request.

Board Members:

Malcolm Walden
Pamela Giles
Sean Farris
Michelle Boekweg
Holly Tippetts
Ruth Nichols
Tony Graf
Rebecca Rockwell
Maresa Manzione
Pam Green

Sincerely,

Pamela Giles,
Tooele City Arts Council Chair

90 North Main Street
Tooele, Utah 84074

Phone: (435) 830-2458

21-4511-921000

Redevelopment Agency of Tooele City Council

Date: Wednesday, October 18, 2023

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

Board Members Present:

Maresa Manzione

Tony Graf

David McCall

Ed Hansen

Justin Brady

City Employees Present:

Mayor Debbie Winn

Adrian Day, Police Department Chief

Michelle Pitt, City Recorder

Roger Baker, City Attorney

Jared Stewart, Economic Development Director

Andrew Aagard, Community Development Director

Darwin Cook, Parks and Recreation Director

Paul Hansen, City Engineer

Shannon Wimmer, Finance Director

Jamie Grandpre, Public Works Director

Minutes prepared by Katherin Yei

1. Open RDA Meeting

Chairman Manzione called the meeting to order at 7:00p.m.

2. Roll Call

Tony Graf, Present

David McCall, Present

Maresa Manzione, Present

Ed Hansen, Present

Justin Brady, Present

3. Resolution 2023-11 A Resolution of the Redevelopment Agency of Tooele City, Utah ("RDA") Approving RDA Participation in Public Water, Sewer, and Road Utility Improvements for New Businesses at Peterson Industrial Depot

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented the RDA participation in public water, sewer, and road utility improvements for new businesses. Central States Manufacturing purchased property on the

industrial depot. The Peterson Industrial Depot has agreed to extend the water and sewer lines but has requested participation from the Redevelopment Agency. The second request is to participate with improvements on Loadstone Way within the industrial depot. Loadstone Way improvements are needed due to increased usage by Carvana, the School District Bus garage, and other business growth which includes the PID development at the frontage of Utah Avenue. The City will not be paying for the full cost but participating in the total.

Board Member Brady motioned to approve Resolution 2023-11. Board Member Graf seconded the motion. The vote was as follows: Board Member Hansen, "Aye," Board Member Graf, "Aye," Board Member Manzione, "Aye," Board Member Brady, "Aye," and Board Member McCall, "Aye." The motion passed.

4. Minutes

Wednesday, October 4, 2023 RDA Business Meeting

There are no changes to the minutes.

Board Member Graf motioned to approve the minutes. Board Member Hansen seconded the motion. The vote was as follows: Board Member Hansen, "Aye," Board Member Graf, "Aye," Board Member Manzione, "Aye," Board Member Brady, "Aye," and Board Member McCall, "Aye." The motion passed.

5. Adjourn

Chairman Manzione adjourned the meeting at 7:06 pm.

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 November, 2023

Maresa Manzione, Redevelopment Agency Chairman

**Tooele City Council and the Tooele City Redevelopment Agency
Work Meeting Minutes**

Date: Wednesday, December 20, 2023

Time: 6:30 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Maresa Manzione

David McCall

Tony Graf

Justin Brady

Ed Hansen

City Employees Present:

Mayor Debbie Winn

Adrian Day, Police Department Chief

Michelle Pitt, City Recorder

Loretta Herron, Deputy City Recorder

Roger Baker, City Attorney

Jared Stewart, Economic Development Director

Darwin Cook, Parks and Recreation Director

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

1. Open City Council Meeting

Chairman Brady called the meeting to order at 6:30 p.m.

2. Roll Call

Maresa Manzione, Present

David McCall, Present

Justin Brady, Present

Ed Hansen, Present

Tony Graf, Present

3. Mayor's Report

Mayor Winn reported on the following:

Shop with a Cop was successful. They were able to sponsor 30 families within the county.

KUTV (channel 2) did a story on the fire department and the truck fire on main street.

4. Council Member's Report

The Council Members reported on the events they attended during the week.

5. Discussion Items

A. Ordinance 2023-43 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-19 Regarding Subdivisions

Presented by Roger Baker, City Attorney, and GivGroup

Mr. Baker presented an amendment to City Code Chapter 7-19 in regards to subdivisions in response to Senate Bill 174. The bill requires the City to overhaul its subdivision application, approval, and appeal processes. City Councils are no longer involved in the subdivision approval process, recognizing that legislative bodies have a role in establishing subdivision rules, but not in administering subdivision applications under those rules. The preliminary subdivision will be approved by the Planning Commission. Preliminary subdivision appeals will be decided by a panel of three members with qualifications in a planning, development, or related fields. The final subdivision will be approved by a committee of the Public Works Director, Community Development Director, and City Engineer, with the signature of two of them required for approval. Final subdivision appeals are dictated by state law and will be heard by a committee of three engineers, one selected by the City, one selected by the subdivider, and a third selected by the first two. A minor subdivision be treated like a final subdivision for approvals and appeals; the preliminary and final processes are merged into a final subdivision approval process. The enactment deadline for implementation of SB 174 and these amendments is February 2024.

B. Resolution 2023-104 A Resolution of the Tooele City Council Authorizing Payment of a Fee in Lieu of Water Rights Conveyance for Holiday Oil

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented a request from Holiday Oil located near 3 O'clock Drive authorizing payment of a fee in lieu of water rights conveyance. They are requesting 8-acre feet of water for the conveyance store and car wash. They are estimating 13-15 jobs.

The City Council shared concerns for the car wash and water use. The Council discussed approving the fee in lieu for the conveyance store but not the carwash.

6. Closed Meeting - Litigation, Property Acquisition, and/or Personnel

There is no closed meeting.

7. Adjourn

Chairman Brady adjourned the meeting at 6:57 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 January, 2024

Justin Brady, City Council Chair

DRAFT

Tooele City Council Business Meeting Minutes

Date: Wednesday, December 20, 2023

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Ed Hansen

Maresa Manzione

Dave McCall

Justin Brady

Tony Graf

City Employees Present:

Mayor Debbie Winn

Adrian Day, Police Department Chief

Michelle Pitt, City Recorder

Loretta Herron, Deputy City Recorder

Roger Baker, City Attorney

Jared Stewart, Economic Development Director

Darwin Cook, Parks and Recreation Director

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

Chairman Brady called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Ed Hansen, Present

Maresa Manzione, Present

Dave McCall, Present

Justin Brady, Present

Tony Graf, Present

3. Public Comment Period

The public hearing was opened.

Rachel Yei shared concerns in regards to the animal shelter changes, including the loss of volunteer program and making it a kill shelter.

Christine Hills shared concerns to the ADU rules and guidelines in regards to the required square footage.

Tony Graf shared his gratitude to the Council, staff, and his opportunity to serve.

The public hearing was closed.

The City Council addressed the public's concerns. The staff and Council can look at the ADU required square footage. The City made the decisions to move the animal shelter to the police department for public safety.

4. Recognition of Tony Graf's Service

Presented by Council Chair Justin Brady

Chairman Brady recognized Tony Graf for his service on the City Council.

5. Public Hearing and Motion on Ordinance 2023-43 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-19 Regarding Subdivisions

Presented by Roger Baker, City Attorney

Mr. Baker presented an amendment to City Code Chapter 7-19 in regards to subdivisions in response to Senate Bill 174. The bill requires the City to overhaul its subdivision application, approval, and appeal processes. City Councils are no longer involved in the subdivision approval process, recognizing that legislative bodies have a role in establishing subdivision rules, but not in administering subdivision applications under those rules. The preliminary subdivision will be approved by the Planning Commission. Preliminary subdivision appeals will be decided by a panel of three members with qualifications in a planning, development, or related fields. The final subdivision will be approved by a committee of the Public Works Director, Community Development Director, and City Engineer, with the signature of two of them required for approval. Final subdivision appeals are dictated by state law and will be heard by a committee of three engineers; one selected by the City, one selected by the sub-divider, and a third selected by the first two. A minor subdivision be treated like a final subdivision for approvals and appeals. The preliminary and final processes are merged into a final subdivision approval process. The enactment deadline for implementation of SB 174 and these amendments is February 2024.

The public comment was opened.

Howard Schmidt shared his thoughts on this process stream lining things a bit for developers, expressing his support for the changes.

The public hearing was closed.

Council Member Hansen motioned to approve Ordinance 2023-43; An Ordinance of Tooele City Amending Tooele City Code Chapter 7-19 Regarding Subdivisions. Council

Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

6. Ordinance 2023-44 An Ordinance of Tooele City Amending Tooele City Codes Chapters 7-11A-18 Regarding Multi-Family Residential Building Materials, 7-11A-12 Regarding Multi-Family Residential Landscaping Standards and 7-11A-25 Regarding Deviations from Multi-Family Residential Design Standards

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

Council Member Brady motioned to table this item allowing the public hearing to be noticed. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

7. Ordinance 2023-45 An Ordinance of Tooele City Amending the Tooele City Annexation Policy Plan, an Element of the Tooele City General Plan

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

Council Member Brady motioned to table this item allowing the public hearing to be noticed. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

8. Ordinance 2023-46 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 6.9 Acres of Property Located at 1232 West Utah Avenue from Light Industrial (LI) to Industrial (I)

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

Council Member Brady motioned to table this item allowing the public hearing to be noticed. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

9. Preliminary Subdivision Plan Request for Millennial Park Phase 2 for Property Located at 300 West 400 North in the MR-16 Zoning District on 1.75 Acres

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary subdivision plan for Millennial Park phase 2. It is zoned MR-16, Multi-Family Residential. The applicant proposes to subdivide the parcel into 25 lots. It will include various amenities for the development, including a private road maintained the HOA. Staff is recommending approval with the conditions listed in staff report.

Council Member Manzione motioned to approve Preliminary Subdivision Plan Request for Millennial Park Phase 2 for Property Located at 300 West 400 North in the MR-16 Zoning District on 1.75 Acres. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

10. Preliminary Approval of the Proposed Harris Community Village Condominium Plat for Property Located at 251 North 1st Street in the MR-8 Multi-Family Residential Zoning District

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary approval for the proposed Harris Community Village condominium plat. It is zoned MR-8, Multi-Family Residential. They have requested the plat to create unique ownership of the buildings. It is necessary for Tooele Housing Authority to fund the project. Staff is recommending approval. Tooele Housing Authority will maintain ownership.

Council Member Hansen motioned to approve the Preliminary Approval of the Proposed Harris Community Village Condominium Plat for Property Located at 251 North 1st Street in the MR-8 Multi-Family Residential Zoning District. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

11. Minor Subdivision Request for the Kelly White Subdivision Proposed to be Located at 738 West McKellar Street in the MR-8 Multi-Family Residential Zoning District

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a minor subdivision request for the Kelly White subdivision. It is zoned MR-8, Multi-Family Residential. He has submitted the application to address the nonconforming issue on the property. There is an existing non-conforming structure on the property. They are enlarging the lot to meet requirements.

Council Member Graf motioned to approve a Minor Subdivision Request for the Kelly White Subdivision Proposed to be Located at 738 West McKellar Street in the MR-8 Multi-Family Residential Zoning District. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

12. Resolution 2023-104 A Resolution of the Tooele City Council Authorizing Payment of a Fee In Lieu of Water Rights Conveyance for Holiday Oil

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented a request from Holiday Oil located near 3 O'clock Drive authorizing payment of a fee in lieu of water rights conveyance. They are requesting 8-acre feet of water for the conveyance store and car wash. They are estimating 13-15 jobs, \$15 Million in new sales tax, and approximately \$3,900 in new property tax annually to Tooele City.

The City Council shared concerns for the car wash and water use. The Council discussed approving the fee in lieu for the conveyance store but not the carwash. If the applicant would like to continue with the carwash, they will need to purchase water on the open market.

The applicant addressed the Council. The car wash element is a adds value to the store. They would like to discuss their next step and asked for this item to be tabled.

Council Member Manzione motioned to table Resolution 2023-104; A Resolution of the Tooele City Council Authorizing Payment of a Fee In Lieu of Water Rights Conveyance for Holiday Oil until the applicant brings it back. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

13. Invoices & Purchase Orders

Ms. Pitt presented the following invoices and purchase orders for approval:

Mountainland Supply for water meters in the amount of \$62,281.67

Ken Garff Ford for five 2023 Ford Explorer for the police department in the amount of \$233,440

Ratification of CIB Bond for fire station number 3 in the amount of \$98,000

Council Member Hansen motioned to approve the invoices and purchase orders. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

14. Minutes; December 5, 2023 Canvass Meeting, December 6, 2023 MBA Meeting, December 6, 2023 Work Meeting, December 6, 2023 Business Meeting

There are no changes to the minutes

Council Member Manzione motioned to approve the Minutes. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," and Chairman Brady, "Aye." The motion passed.

Council Member Graf abstained from the vote.

12. Adjourn

Chairman Brady adjourned the meeting at 7:44pm.

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 January, 2024

Justin Brady, City Council Chair

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