
PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, April 17, 2019 at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**

Presented by Girl Scout Troop 147

2. **Roll Call**

3. **Mayor's Youth Recognition Awards**

4. **Public Comment Period**

5. **Public Hearing and Motion on Ordinance 2019-09** An Ordinance of the Tooele City Council Amending the Tooele City General Plan Land Use Map for Various Properties Located Throughout the City to the Medium Density Residential and High Density Residential Land Use Categories and Renaming Referenced Zoning Districts

Presented by Jim Bolser

6. **Public Hearing and Motion on Ordinance 2019-10** An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Various Properties Located Throughout the City to the MR-8 Multi-Family Residential, MR-16 Multi-Family Residential, and MR-25 Multi-Family Residential Zoning Districts

Presented by Jim Bolser

7. **Minor Subdivision Final Plat for the Mountain View Meadows Subdivision**, Located at 560 South 50 West in the R1-7 Residential Zoning District for the Purposes of Creating 4 Single-Family Residential Lots

Presented by Jim Bolser

8. **Subdivision Preliminary Plan for the Hunter's Meadow Subdivision**, Located at Approximately 760 West 700 South in the R1-7 Residential Zoning District for the Purposes of Creating 54 New Single-Family Residential Lots

Presented by Jim Bolser

9. **Resolution 2019-30** A Resolution of the Tooele City Council Accepting Fencing on 2000 North Street and 400 West Street as a Public Improvement Owned by Tooele City and Maintained by the North Tooele City Special Service District

Presented by Roger Baker

10. **Ordinance 2019-11** An Ordinance of Tooele City Amending Tooele City Code Chapter 10-3 Regarding Parking in the Public Rights-of-Way

Presented by Roger Baker

11. **Resolution 2019-34** A Resolution of the Tooele City Council Re-Approving and Readopting Resolution 2017-18 Approving the Annexation of 49 Acres of Additional Sunset Estates Property into the North Tooele City Special Service District
Presented by Michelle Pitt
12. **Budget Presentation –Police Department**
Presented by Ron Kirby, City Police Department Chief
13. **Budget Presentation –Human Resources**
Presented by Kami Perkins, City Human Resource Director
14. **Budget Presentation –Public Works**
Presented by Steve Evans, City Public Works Director
15. **Budget Presentation – Parks & Recreation**
Presented by Darwin Cook, City Parks & Recreation Director
16. **Minutes**
April 3, 2019 Business Meeting
April 3, 2019 RDA & City Council Work
17. **Invoices**
18. **Adjourn**

Michelle Y. Pitt
Tooele City Recorder

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

TOOELE CITY CORPORATION

ORDINANCE 2019-09

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY GENERAL PLAN LAND USE MAP FOR VARIOUS PROPERTIES LOCATED THROUGHOUT THE CITY TO THE MEDIUM DENSITY RESIDENTIAL AND HIGH DENSITY RESIDENTIAL LAND USE CATEGORIES AND RENAMING REFERENCED ZONING DISTRICTS.

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 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City’s elected official regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations, public comments, and other relevant considerations; and,

WHEREAS, the Land Use Plan and the policies contained therein may be amended from time to time by the Tooele City legislative body to reflect the changing policies and values of the elected officials and the public; and,

WHEREAS, Utah Code § 10-9a-403 and § 10-9a-404 provide for the municipal legislature to consider General Plan amendment recommendations given by the Planning Commission, and to approve, revise, or reject proposed General Plan amendments; and,

WHEREAS, on March 20, 2019, the City Council approved Ordinance 2019-08 which made significant changes to the terms of the Tooele City Code regarding multi-family residential zoning districts and land uses; and,

WHEREAS, Ordinance 2019-08, in part, changed the title of existing multi-family residential zoning districts and created an additional multi-family residential zoning district; and,

WHEREAS, Ordinance 2019-08 addressed revisions to the terms of the City Code but did not address the renaming or reassignment of properties to those zoning districts on the Zoning Map or the corresponding land use categories on the General Plan Land Use Map; and,

WHEREAS, Ordinance 2019-08 provides opportunities to address affordable housing needs within the community that can now be applied to various areas of the community through this General Plan Land Use Map; and,

WHEREAS, Ordinance 2019-08 provides opportunities to provide diverse housing opportunities within the community that can now be applied to various areas of the community through this General Plan Land Use Map; and,

WHEREAS, the City has initiated an amendment to the Land Use Plan to apply the changes resulting from the adoption of Ordinance 2019-08 to the General Plan Land Use Plan; and,

WHEREAS, the City has initiated an amendment to the Land Use Plan to apply the changes resulting from the adoption of Ordinance 2019-08 to the General Plan Land Use Plan as shown in the attached **Exhibit A**; and,

WHEREAS, on April 10, 2019, 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 B**); and,

WHEREAS, on _____, the City Council convened a duly-advertised public hearing:

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

1. this Ordinance and the Land Use Plan amendments proposed herein are in the best interest of the City in that they will further the potential for desirable and most-reasonable development of or existing land uses on the properties, are consistent with the desires of the affected property owners, and are consistent with the General Plan; and,
2. the Land Use Plan and Map are hereby amended for all properties currently assigned the MR-8 zoning district, previously the MDR zoning district, to the Medium Density Land Use designation as illustrated in **Exhibit A**, attached.
3. the Land Use Plan and Map are hereby amended for all properties currently assigned the MR-16 zoning district, previously the HDR zoning district, to the High Density Land Use designation as illustrated in **Exhibit A**, attached.
4. the Land Use Plan and Map are hereby amended for the property located near 300 East 1000 North as illustrated in **Exhibit A**, attached.
5. the Land Use Plan and Map are hereby amended for the property located near 800 North 100 East as illustrated in **Exhibit A**, attached.
6. the Land Use Plan and Map are hereby amended for the property located near 350 West 400 North as illustrated in **Exhibit A**, attached.

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

IN WITNESS WHEREOF, THIS ORDINANCE IS PASSED BY THE TOOELE CITY COUNCIL THIS ____ DAY OF _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

SEAL

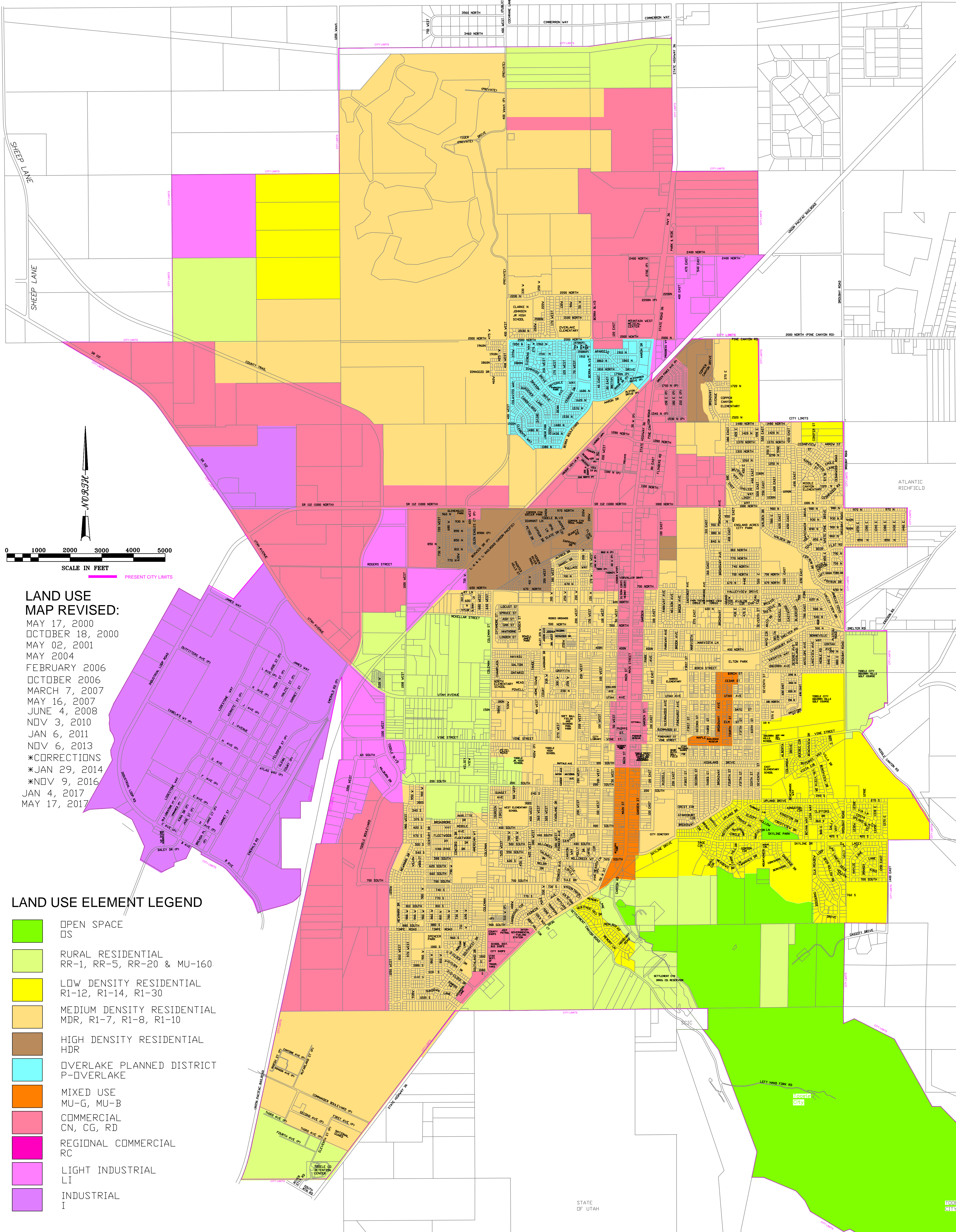
Approved as to Form:

Roger Baker, Tooele City Attorney

Exhibit A

Amendments to the General Plan Land Use Plan Map

TOOELE CITY MAP GENERAL PLAN - LAND USE ELEMENT

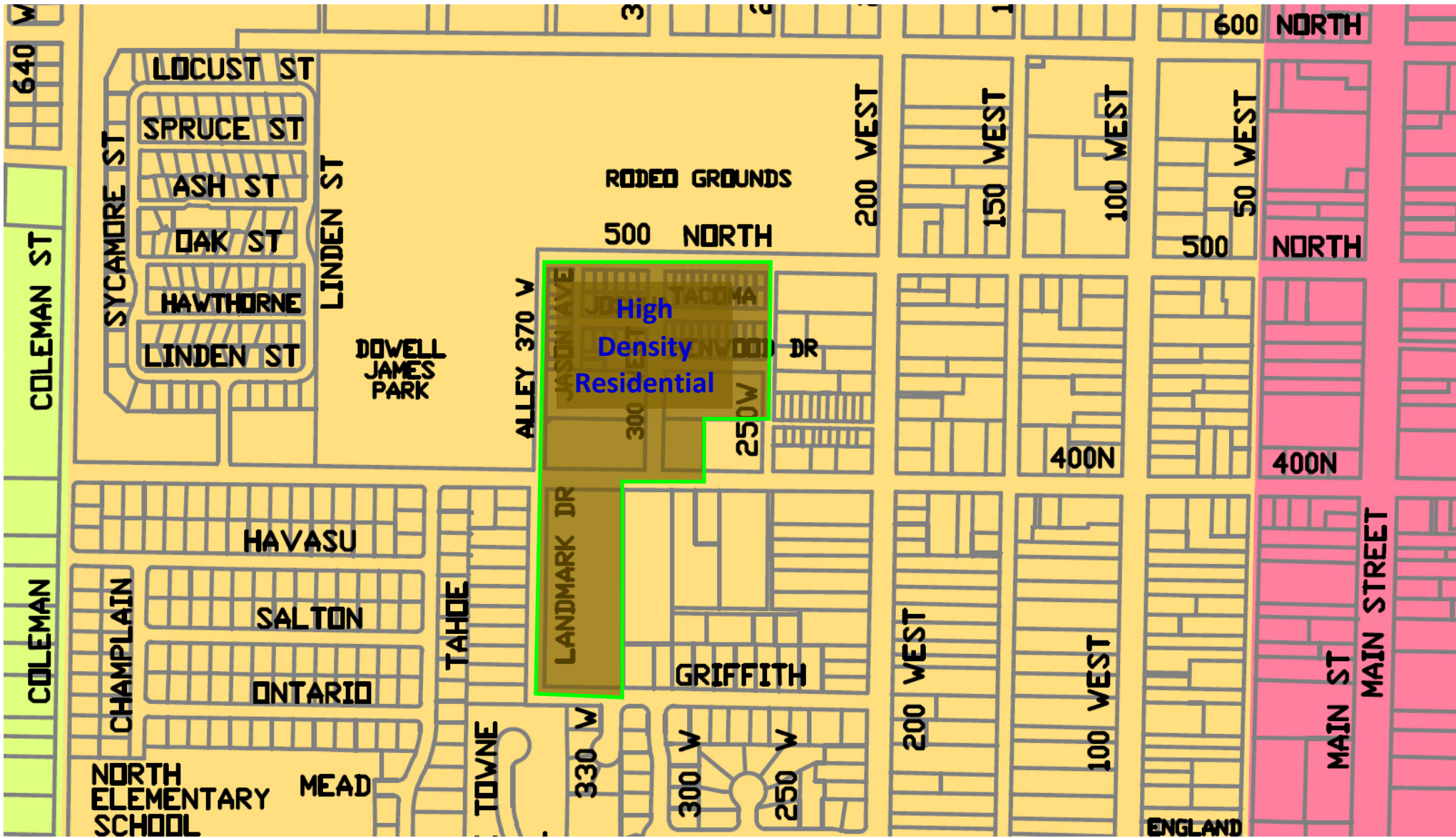


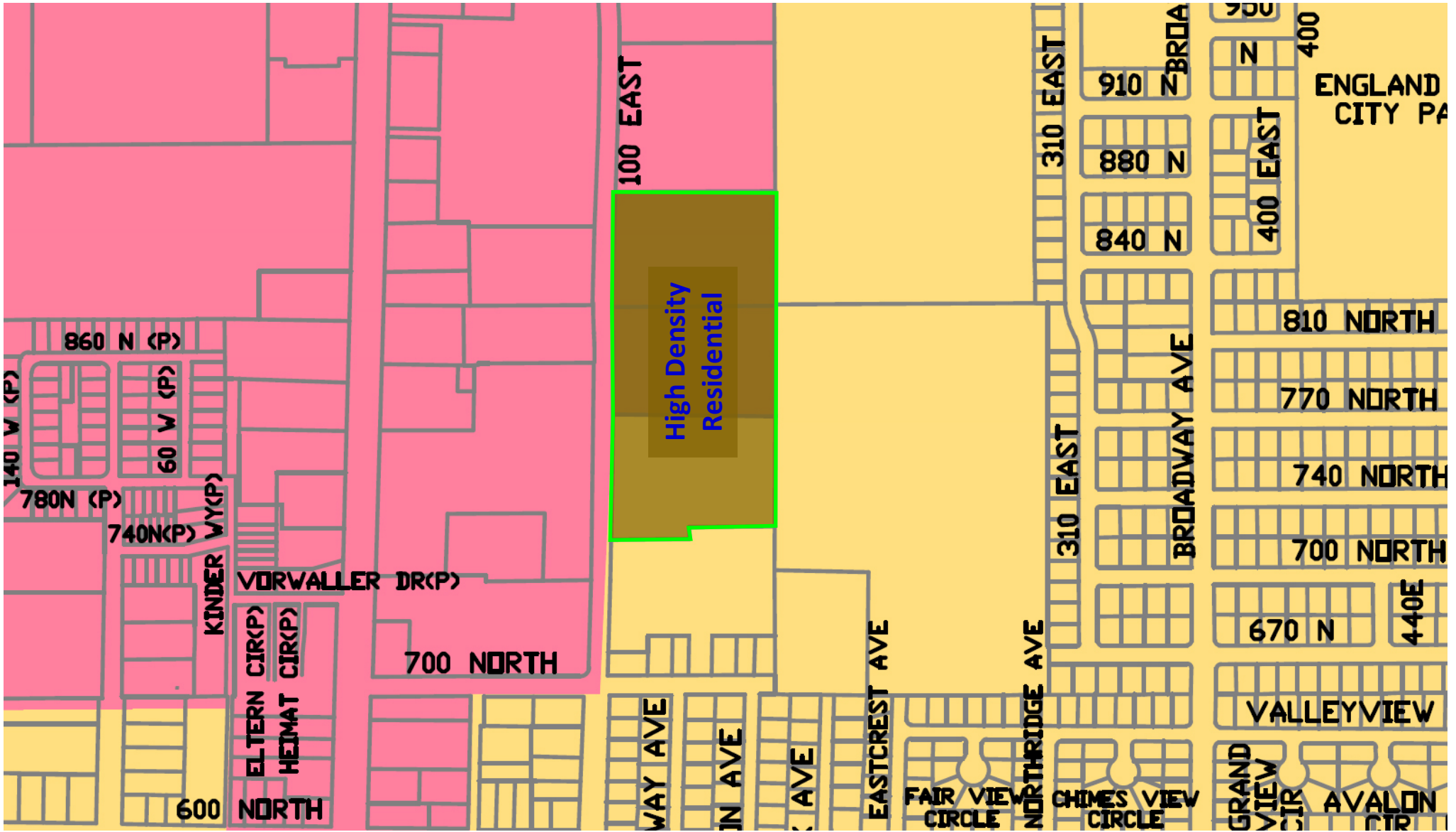
LAND USE MAP REVISED:

- MAY 17, 2000
- OCTOBER 18, 2000
- MAY 02, 2001
- MAY 2004
- FEBRUARY 2006
- OCTOBER 2006
- MARCH 7, 2007
- MAY 16, 2008
- JUNE 4, 2008
- NOV 3, 2010
- JAN 6, 2011
- NOV 6, 2013
- *CORRECTIONS
- *JAN 29, 2014
- *NOV 9, 2016
- JAN 4, 2017
- MAY 17, 2017

LAND USE ELEMENT LEGEND

- OPEN SPACE
OS
- RURAL RESIDENTIAL
RR-1, RR-5, RR-20 & MU-160
- LOW DENSITY RESIDENTIAL
R1-12, R1-14, R1-30
- MEDIUM DENSITY RESIDENTIAL
MDR, R1-7, R1-8, R1-10
- HIGH DENSITY RESIDENTIAL
HDR
- OVERLAKE PLANNED DISTRICT
P-OVERLAKE
- MIXED USE
MU-G, MU-B
- COMMERCIAL
CN, CG, RD
- REGIONAL COMMERCIAL
RC
- LIGHT INDUSTRIAL
LI
- INDUSTRIAL
I





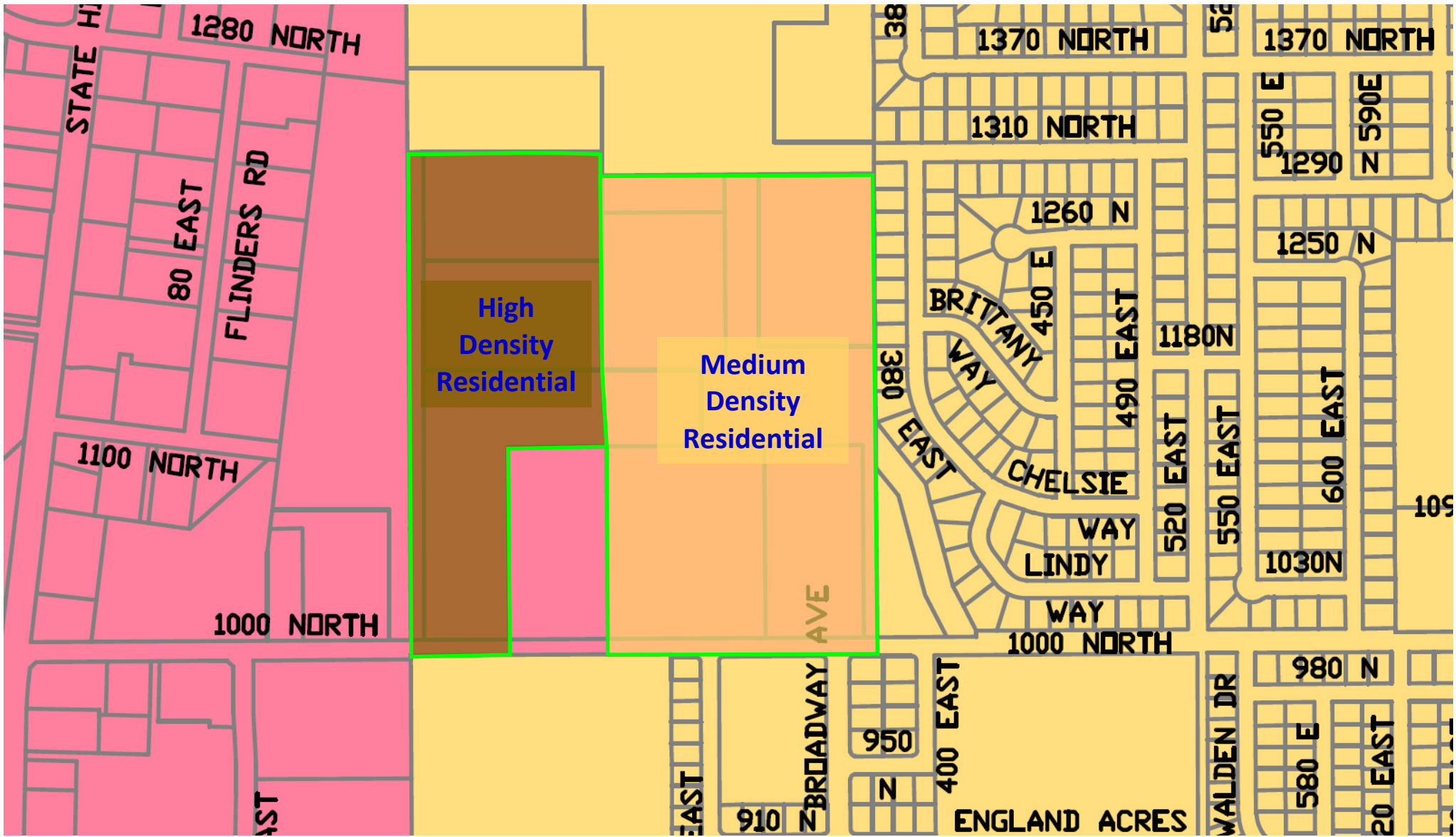


Exhibit B

Planning Commission Minutes

STAFF REPORT

April 4, 2019

To: Tooele City Planning Commission
Business Date: April 10, 2019

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Multi-Family Residential – General Plan Land Use Map Amendment Request

Application No.: P19-226

Applicant: Tooele City

Zoning: Various Zones

Request: Request for approval of a General Plan Land Use Map Amendment in various zones regarding the reassignment of land use designations to coincide with the reassignment of properties to the newly adopted multi-family zoning residential classifications.

BACKGROUND

This application is a request for approval of a General Plan Land Use Map Amendment to coincide with a Zoning Map Amendment to reassign certain properties around the city to the newly developed multi-family residential zoning districts. On March 20, 2019 the Tooele City Council approved Ordinance 2019-08 which amended the terms of nine chapters of Title 7 of the City Code regarding multi-family residential zoning districts, their allowable uses, design standards, supplemental provisions, and associated technical revisions. In adopting that ordinance, the terms of the City Code were revised, but the newly developed zoning districts were not yet applied to properties in the community on the official Zoning Map. Similarly, the Land Use Map of the General Plan was not amended to coordinate the assigned land uses to the for those same properties with the new zoning designations.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the various land use designations for the properties potentially involved in this proposed amendment. The various properties have also been assigned various zoning classifications. During the discussion and review of the Ordinance 2019-08, the Planning Commission discussed certain properties as an initial suggestion for reassignment. Mapping of those properties as well as the overall Land Use Map for the city can be found in Exhibit "A" to this report. As a part of this proposed revision, there is proposed a series of automatic land use designation amendments. First, all properties currently assigned the MR-8 Multi-Family Residential zoning district, previously the MDR Medium Density Residential zoning district, are proposed to automatically be reassigned to the Medium Density Land Use category. Second, all properties currently assigned the MR-16 Multi-Family Residential zoning district, previously the HDR High Density Residential zoning district, are proposed to automatically be reassigned to the High Density Land Use category. The Planning Commission, through recommendation to the City Council, will need to identify other properties to be reassigned to these land use categories districts to correspond to zoning assignment recommendations, including the assignment of the newly created MR-25 Multi-Family

Residential zoning district.

Criteria For Approval. The criteria for review and potential approval of a General Plan Land Use Map 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.

Noticing. The City has expressed their desire to amend the General Plan Land Use Map 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 Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-3 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 amendments may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed amendments 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 amendments 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 amendments is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed amendments on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed amendments 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 amendments may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed amendments may effect the uses or potential uses for

- adjoining and nearby properties.
9. The overall community benefit of the proposed amendments.
 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 Multi-Family Residential General Plan Land Use Map Amendment Request by Tooele City, application number P19-226, 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 the Multi-Family Residential General Plan Land Use Map Amendment Request by Tooele City, application number P19-226, based on the following findings and conditions:”

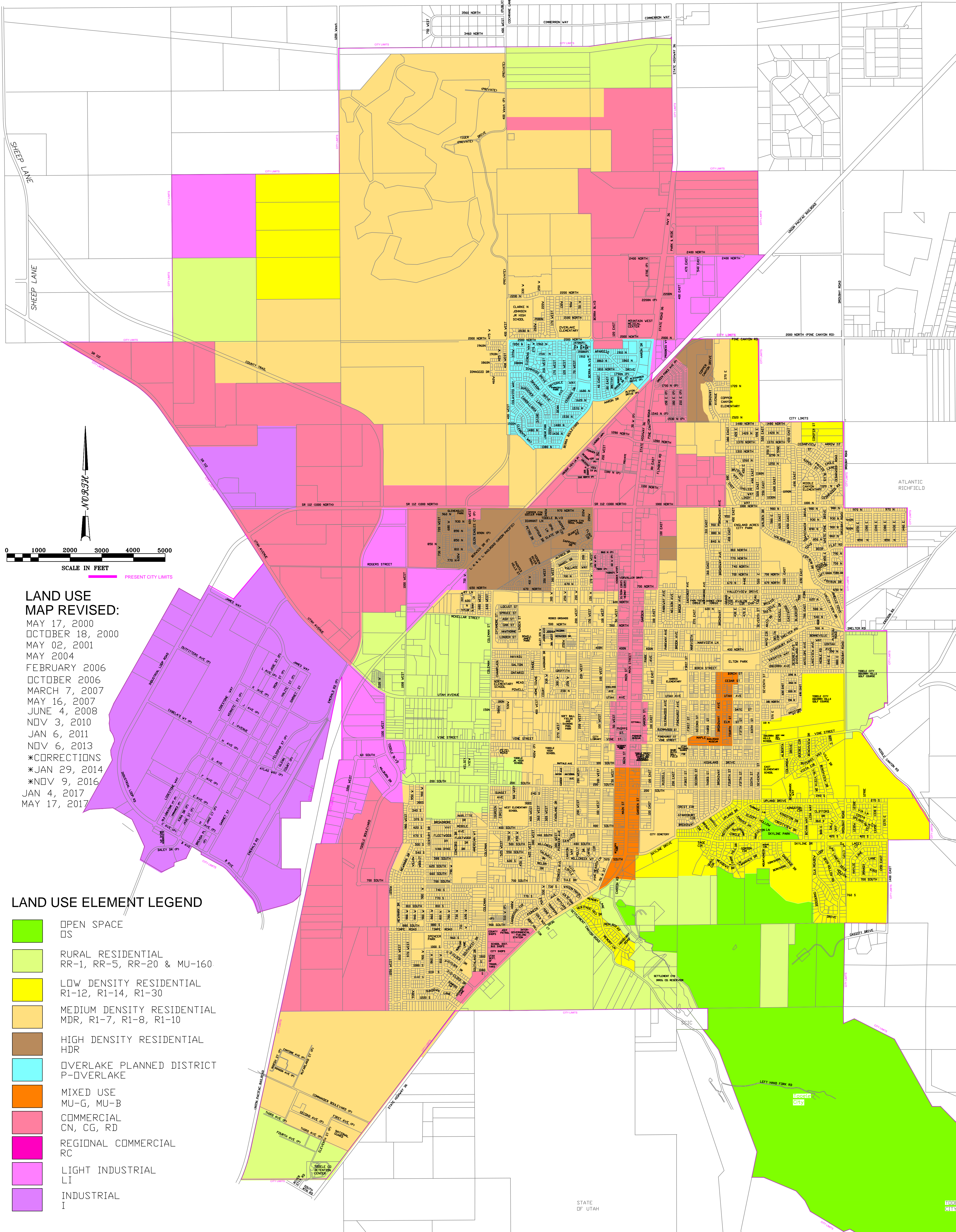
1. List findings and conditions ...

EXHIBIT A

**MAPPING PERTINENT TO THE
MULTI-FAMILY RESIDENTIAL GENERAL PLAN LAND USE MAP AMENDMENT**

TOOELE CITY MAP

GENERAL PLAN - LAND USE ELEMENT

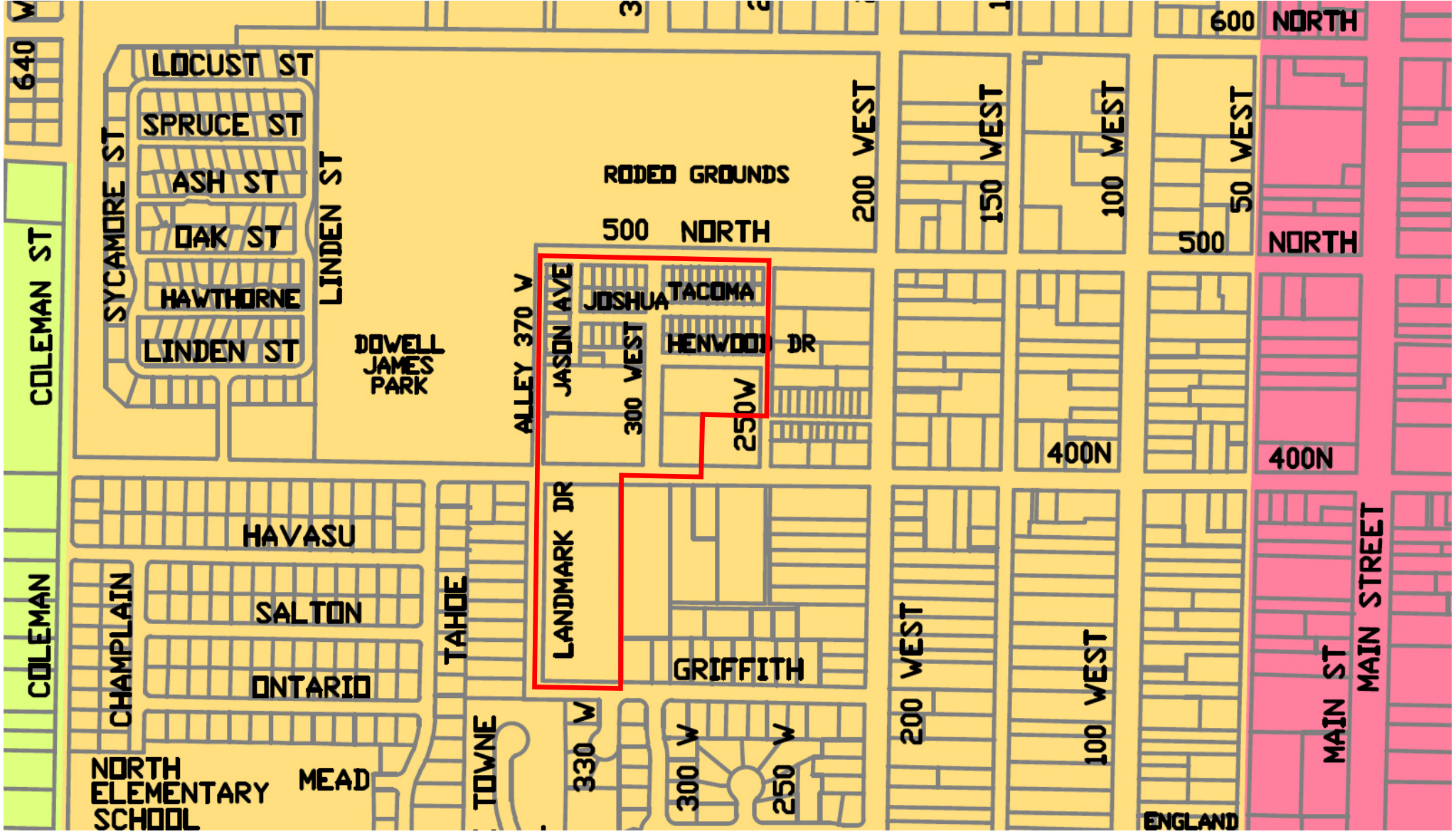


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MU-G, MU-B
- COMMERCIAL
CN, CG, RD
- REGIONAL COMMERCIAL
RC
- LIGHT INDUSTRIAL
LI
- INDUSTRIAL
I



640 W

COLEMAN ST

COLEMAN

SYCAMORE ST
LOCUST ST
SPRUCE ST
ASH ST
OAK ST
HAWTHORNE
LINDEN ST

LINDEN ST

DOVELL
JAMES
PARK

ALLEY 370 W

JASON AVE

300 WEST

JOSHUA

TACOMA

HENWOOD DR

250W

500 NORTH

RODED GROUNDS

200 WEST

150 WEST

100 WEST

50 WEST

600

NORTH

500

NORTH

400N

400N

HAVASU

SALTON

ONTARIO

TAHOE

TOWNE

330 W

300 W

250 W

GRIFFITH

200 WEST

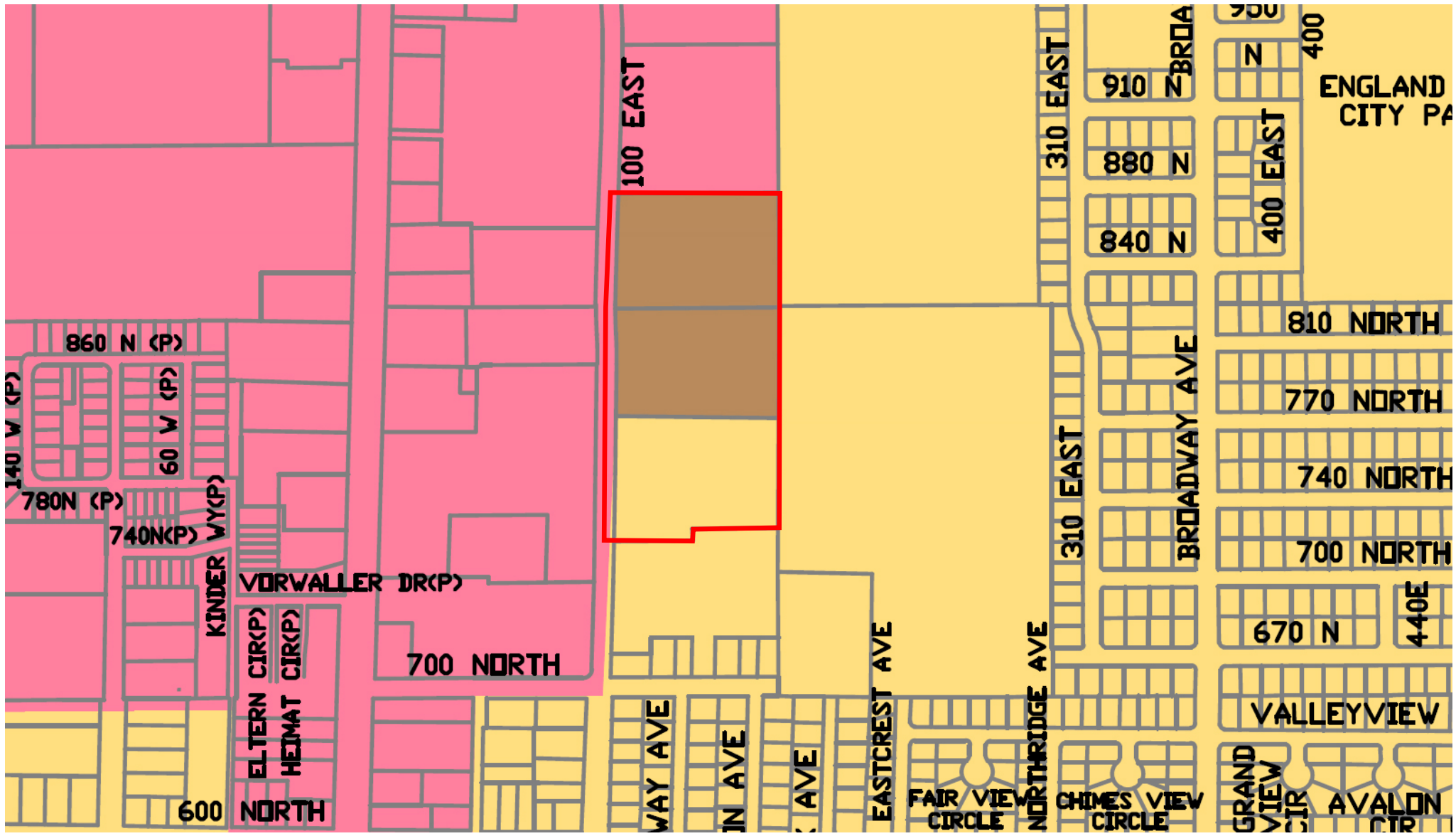
100 WEST

ENGLAND

MAIN ST
MAIN STREET

NORTH
ELEMENTARY
SCHOOL

MEAD



100 EAST

310 EAST

910 N BROADWAY AVE

880 N

840 N

400 EAST

ENGLAND CITY PARK

810 NORTH

770 NORTH

740 NORTH

700 NORTH

670 N

440E

VALLEYVIEW

GRAND VIEW CIR

AVALON CIR

140 W (P)

860 N (P)

60 W (P)

780N (P)

740N(P)

KINDER WY(P)

VORWALLER DR(P)

ELTERN CIR(P)
HEIMAT CIR(P)

700 NORTH

600

NORTH

WAY AVE

IN AVE

AVE

EASTCREST AVE

FAIR VIEW CIRCLE

NORTHBRIDGE AVE

CHIMES VIEW CIRCLE

310 EAST

BROADWAY AVE

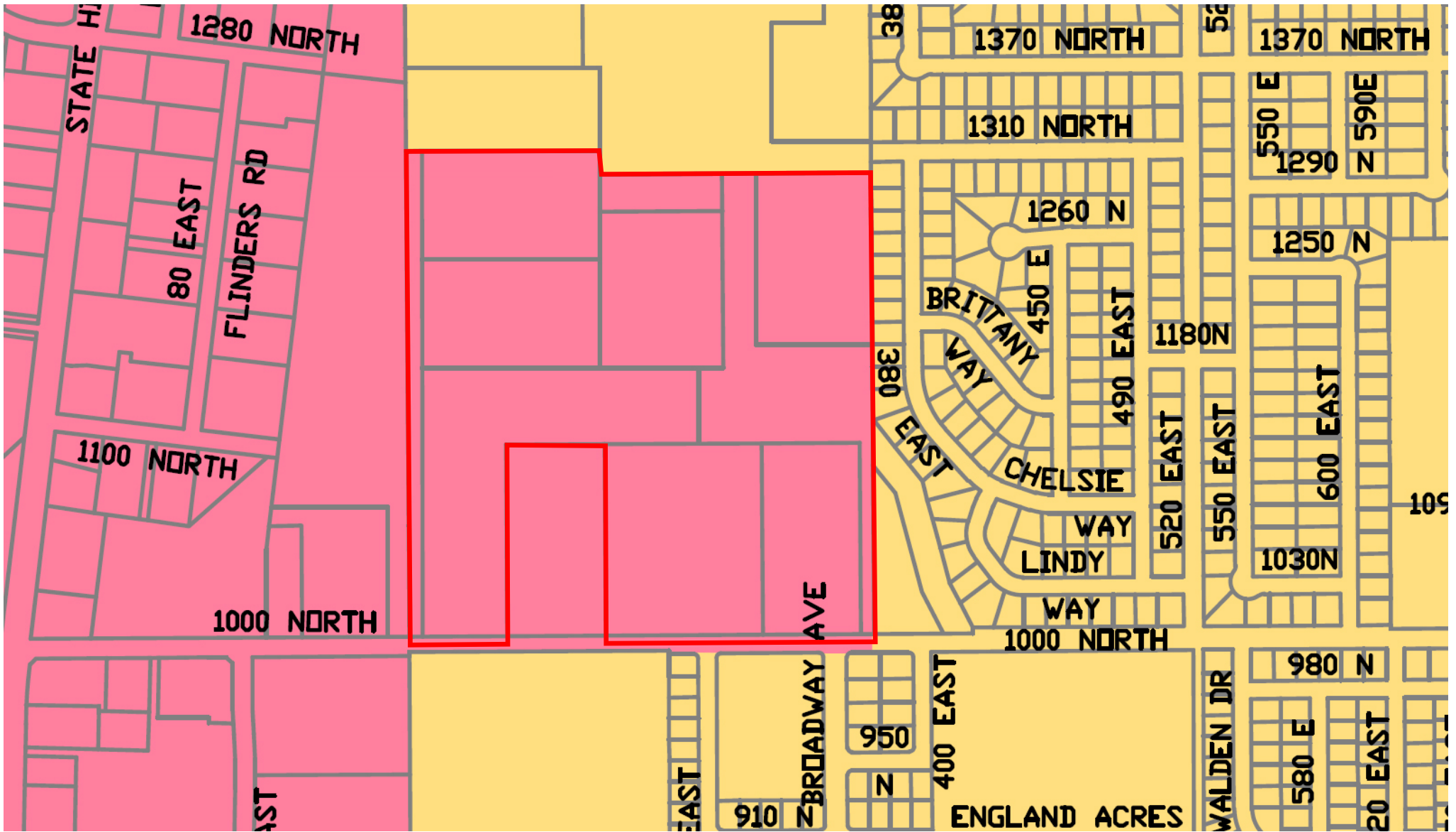


EXHIBIT B

PROPOSED ORDINANCE 2019-09

TOOELE CITY CORPORATION

ORDINANCE 2019-10

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY ZONING MAP FOR VARIOUS PROPERTIES LOCATED THROUGHOUT THE CITY TO THE MR-8 MULTI-FAMILY RESIDENTIAL, MR-16 MULTI-FAMILY RESIDENTIAL, AND MR-25 MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS.

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

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

WHEREAS, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 1998-39 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, 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, on March 20, 2019, the City Council approved Ordinance 2019-08 which made significant changes to the terms of the Tooele City Code regarding multi-family residential zoning districts and land uses; and,

WHEREAS, Ordinance 2019-08, in part, changed the title of existing multi-family residential zoning districts and created an additional multi-family residential zoning district; and,

WHEREAS, Ordinance 2019-08 addressed revisions to the terms of the City Code but did not address the renaming or reassignment of properties to those zoning districts on the Zoning Map or the corresponding land use categories on the General Plan Land Use Map; and,

WHEREAS, Ordinance 2019-08 provides opportunities to address affordable housing needs within the community that can now be applied to various areas of the community through this General Plan Land Use Map; and,

WHEREAS, Ordinance 2019-08 provides opportunities to provide diverse housing opportunities within the community that can now be applied to various areas of the community through this General Plan Land Use Map; and,

WHEREAS, the City has initiated an amendment to the official Zoning Map to apply the changes resulting from the adoption of Ordinance 2019-08 to the map; and,

WHEREAS, the City has initiated an amendment to the official Zoning Map to apply the changes resulting from the adoption of Ordinance 2019-08 to the map as shown in the attached **Exhibit A**; and,

WHEREAS, on April 10, 2019, 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 B**); and,

WHEREAS, on _____, the City Council convened a duly-advertised public hearing:

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

1. this Ordinance and the Zoning Map amendments proposed herein are in the best interest of the City in that they will further the potential for desirable and most-reasonable development of or existing land uses on the properties, are consistent with the desires of the affected property owners, and are consistent with the General Plan; and,
2. the Zoning Map is hereby amended for all properties currently assigned the MDR zoning district, to the MR-8 zoning district, as illustrated in **Exhibit A**, attached.
3. the Land Use Plan and Map are hereby amended for all properties currently assigned the HDR zoning district, MR-16 zoning district, as illustrated in **Exhibit A**, attached.
4. the Land Use Plan and Map are hereby amended for the property located near 300 East 1000 North as illustrated in **Exhibit A**, attached.
5. the Land Use Plan and Map are hereby amended for the property located near 800 North 100 East as illustrated in **Exhibit A**, attached.
6. the Land Use Plan and Map are hereby amended for the property located near 350 West 400 North as illustrated in **Exhibit A**, attached.

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

IN WITNESS WHEREOF, THIS ORDINANCE IS PASSED BY THE TOOELE CITY COUNCIL THIS ____ DAY OF _____, 2019.

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:

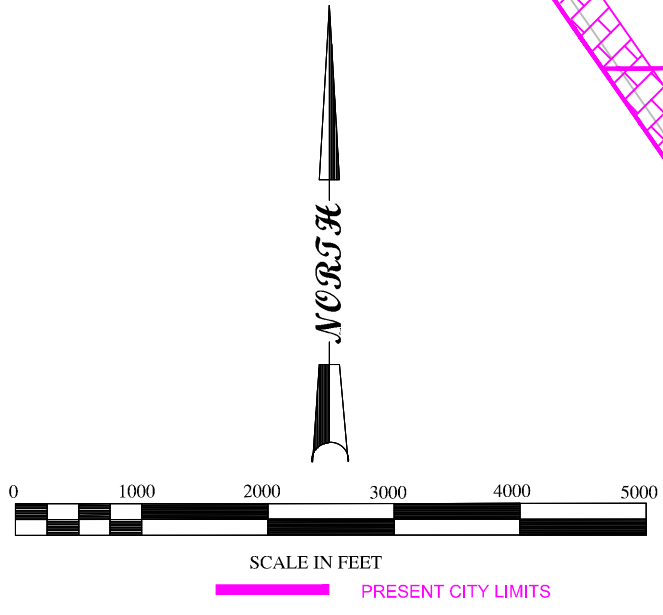
Roger Baker, Tooele City Attorney

Exhibit A

Application for Zoning Amendment

TOOELE CITY ZONING

-  NORTH GATEWAY OVERLAY ZONE
BETTER LANDSCAPING, LESS PARKING IN FRONT
BETTER BUILDING VIEW TO MAIN STREET
-  WEST GATEWAY OVERLAY ZONE
BETTER LANDSCAPING, LESS PARKING IN FRONT
BETTER BUILDING VIEW TO MAIN ROAD
-  SOUTH GATEWAY OVERLAY ZONE
BETTER LANDSCAPING, LESS PARKING IN FRONT
BETTER BUILDING VIEW TO MAIN STREET
-  DOWNTOWN OVERLAY ZONE
LESSEN RESTRICTIONS TO PROMOTE BUSINESS
LESS PARKING, MORE USE ALLOWED, LIVE AND STYLE



MAP REVISIONS LISTED CHANGES STARTING NOV 2013

- ORDINANCE 2013-08 11/06/13
- ORDINANCE 2013-19 11/06/13
- ORDINANCE 2014-01 01/15/14
- ORDINANCE 2014-04 02/04/14
- ORDINANCE 2014-08 08/17/14
- ORDINANCE 2014-21 01/04/14
- ORDINANCE 2014-29 05/17/14
- MAP CORRECTION 08-24-2017
- ORDINANCE 2014-01 02/18/14
- ORDINANCE 2014-14 09/04/14
- ORDINANCE 2014-25 10/03/14
- ORDINANCE 2014-26 12/19/14
- ORDINANCE 2014-29 03/07/14

TOOELE CITY COMMUNITY DEVELOPMENT DEPARTMENT
90 NORTH MAIN STREET
TOOELE, UTAH 84074-2191
VOICE (435) 865-2190
FAX (435) 843-2139

TOOELE CITY AREA = 24.0 SQUARE MILES
1990 US CENSUS POPULATION = 13,987
2000 US CENSUS POPULATION = 22,502
2010 US CENSUS POPULATION = 31,605
2013 US CENSUS ESTIMATE = 34,628
ELEVATION AT CITY HALL = 5040 FEET ABOVE SEA LEVEL

THIS MAP MAY CONTAIN ERRORS. VERIFY BEFORE USING.
MAP PRINTED MARCH 8, 2015
(P) AFTER STREET NAME = PRIVATE OR NOT CITY MAINTAINED

- MU-G** MIXED USE DISTRICTS
TO PROVIDE AN AREA FOR APPROPRIATE MIX OF
COMPATIBLE RESIDENTIAL, LIMITED COMMERCIAL &
CORPORATE BUSINESS & PROFESSIONAL OFFICES.
- MU-B** NEIGHBORHOOD COMMERCIAL DISTRICT
CONVENIENCE RETAIL & SERVICES
SMALL SCALE ON-DUTY BUSINESSES
CONVENIENCE STORE, GAS, CAR WASH, ETC.
- NC** GENERAL COMMERCIAL DISTRICT
WIDE VARIETY OF RETAIL, COMMERCIAL USES,
SERVICE COMMERCIAL ACTIVITIES, ENTERTAINMENT
AND OTHER SERVICES AND ACTIVITIES MEETING
THE NEEDS OF THE CITY.
- GC** REGIONAL COMMERCIAL DISTRICT
TO PROVIDE AREAS FOR REGIONAL
COMMERCIAL AND OTHER USES THAT HAVE A
REGIONAL INFLUENCE AND MAY GENERATE HIGH
TRAFFIC AND RELATED NOISE.
- RC** RESEARCH & DEVELOPMENT DISTRICT
PROFESSIONAL, BUSINESS OFFICES WITH
A MIX OF CERTAIN SMALL COMMERCIAL AND
LIGHT INDUSTRIAL USES.
- RD** LIGHT INDUSTRIAL DISTRICT
LIGHT INDUSTRIAL ASSEMBLY & MANUFACTURING
USES THAT PRODUCE NO APPRECIABLE NEGATIVE
IMPACT TO ADJACENT PROPERTIES.
- LI** INDUSTRIAL DISTRICT
HEAVY MANUFACTURING, WAREHOUSING
AND INDUSTRIAL PROCESSES
MAY IMPACT ADJACENT PROPERTIES.
- I** PETROBRON INDUSTRIAL DEPOT (PID)
AREAS OF OLD MILITARY DEPOT BUILDINGS
HEAVY MANUFACTURING, WAREHOUSING
AND INDUSTRIAL PROCESSES
MAY IMPACT ADJACENT PROPERTIES.
REDUCED SETBACKS FROM ZONE.
- PID**
- PUD**

TOOELE CITY MUST FOLLOW THE STATE REQUIREMENTS FOR ANNEXATIONS. THE CITY
ANNEXATION/GROWTH ELEMENT, PART OF THE CITY MASTER PLAN SHOWS AREAS
WHERE ANNEXATIONS MAY BE ACCEPTED. NOT ALL ANNEXATIONS GET FINAL APPROVAL.
THE CITY MASTER PLAN HAS A LAND USE ELEMENT WHICH GUIDES ZONING REQUESTS.
IF A ZONING APPLICATION DOES NOT CONFORM WITH THE LAND USE ELEMENT, IT CAN
NOT BE APPROVED BY THE PLANNING COMMISSION OR THE CITY COUNCIL.
ANNEXATIONS IF APPROVED BY THE CITY COUNCIL CAN TAKE 180 TO 360 DAYS.
ZONING AND LAND USE ELEMENT CHANGES CAN TAKE FROM 90 TO 180 DAYS.
SUBDIVISION PRELIMINARY AND FINAL APPROVALS CAN TAKE FROM 90 TO 180 DAYS.
A SUBDIVISION MUST BE CONSTRUCTED AND ACCEPTED WITHIN ONE YEAR FROM
THE CITY COUNCIL FINAL APPROVAL DATE.

R1-30 HIGH DENSITY RURAL RESIDENTIAL
MIN. 20,000 SQUARE FOOT LOT
MIN. 100 FOOT FRONTAGE, 1 LOT/30,000 SF
MIN. 1000 SF HOUSE W/2 CAR GARAGE
SINGLE FAMILY, LIMITED LIVESTOCK PERMITTED

RR-1 MODERATE DENSITY RURAL RESIDENTIAL
MIN. 1 ACRE LOT (43,560 SF)
MIN. 200 FOOT ROAD FRONTAGE
SINGLE FAMILY, LIVESTOCK PERMITTED

RR-5 LOW DENSITY RURAL RESIDENTIAL
MIN. 1 ACRE LOT (43,560 SF)
MIN. 200 FOOT ROAD FRONTAGE
SINGLE FAMILY, LIVESTOCK PERMITTED

RR-20 VERY LOW DENSITY RURAL RESIDENTIAL
MIN. 20 ACRE LOT (871,200 SF)
MIN. 200 FOOT ROAD FRONTAGE
SINGLE FAMILY, LIVESTOCK PERMITTED

MU160 MULTIPLE USE DISTRICT
MIN. 160 ACRES PER LOT
MIN. 100 FOOT ROAD FRONTAGE
SINGLE FAMILY, LIVESTOCK PERMITTED

OS OPEN SPACE ZONE
LARGE AREAS ESTABLISHED FOR PARKS,
SCHOOLS, OPEN AIR THEATERS, GYMNASIUMS,
FAIR GROUNDS, PUBLIC SERVICES, HISTORIC
SITES

RR-1 (PRIVATE) BENEFIT'S AREA OVERLAY
HILLSIDE AND CANYON AREAS
MIN. STANDARDS FOR DEVELOPMENT
TO MINIMIZE ENVIRONMENTAL IMPACTS

R1-7 NONCONFORMING USES FOR LIVESTOCK. THE LIVESTOCK MUST
BE KEPT ON THE LAND FOR A MINIMUM OF 90 DAYS
CALENDAR YEAR TO MAINTAIN THE NONCONFORMING USE.

R1-7 *MIN. SINGLE FAMILY DESIGN STANDARDS SHOWN
MIN. 2,000 SQUARE FOOT LOT
MIN. 200 FT FRONTAGE, 25,000 SQ FT MIN.
MIN. 100 FT FRONTAGE, 4 LOTSIACRE MAX.
MIN. 1100 SF HOUSE W/2 CAR GARAGE

R1-8 MEDIUM DENSITY RESIDENTIAL
MIN. 8,000 SQUARE FOOT LOT
MIN. 75 FOOT FRONTAGE, 4 LOTSIACRE MAX.
MIN. 1100 SF HOUSE W/2 CAR GARAGE

R1-10 MEDIUM DENSITY RESIDENTIAL
MIN. 8,000 SQUARE FOOT LOT
MIN. 85 FOOT FRONTAGE, 3.5 LOTSIACRE MAX.
MIN. 1000 SF HOUSE W/2 CAR GARAGE

R1-12 LOW DENSITY RESIDENTIAL
MIN. 12,000 SQUARE FOOT LOT, 3 LOTSIACRE MAX.
MIN. 85 FOOT FRONTAGE
MIN. 1300 SF HOUSE W/2 CAR GARAGE

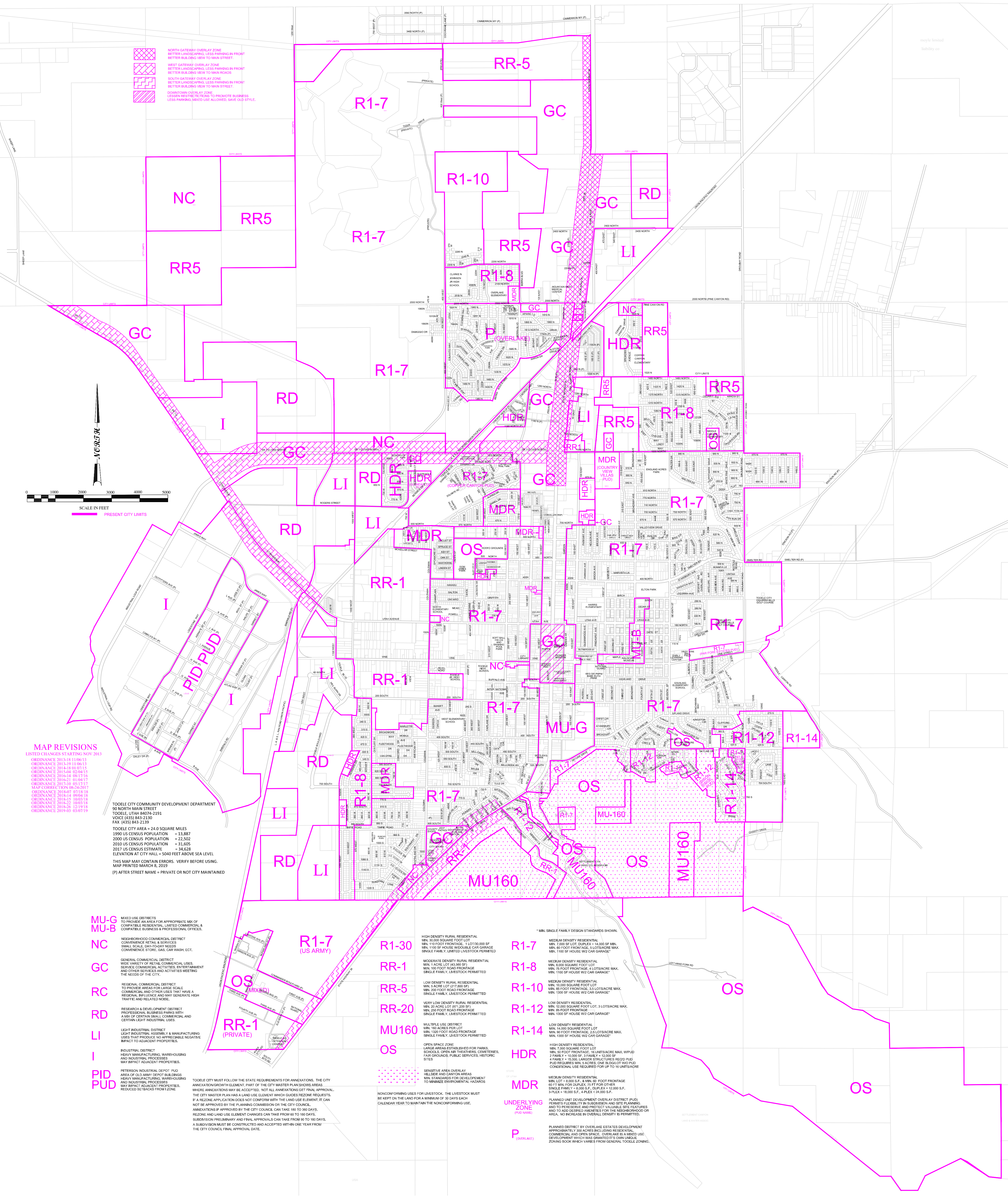
R1-14 LOW DENSITY RESIDENTIAL
MIN. 20 ACRE LOT (871,200 SF)
MIN. 100 FOOT FRONTAGE, 25 LOTSIACRE MAX.
MIN. 1000 SF HOUSE W/2 CAR GARAGE

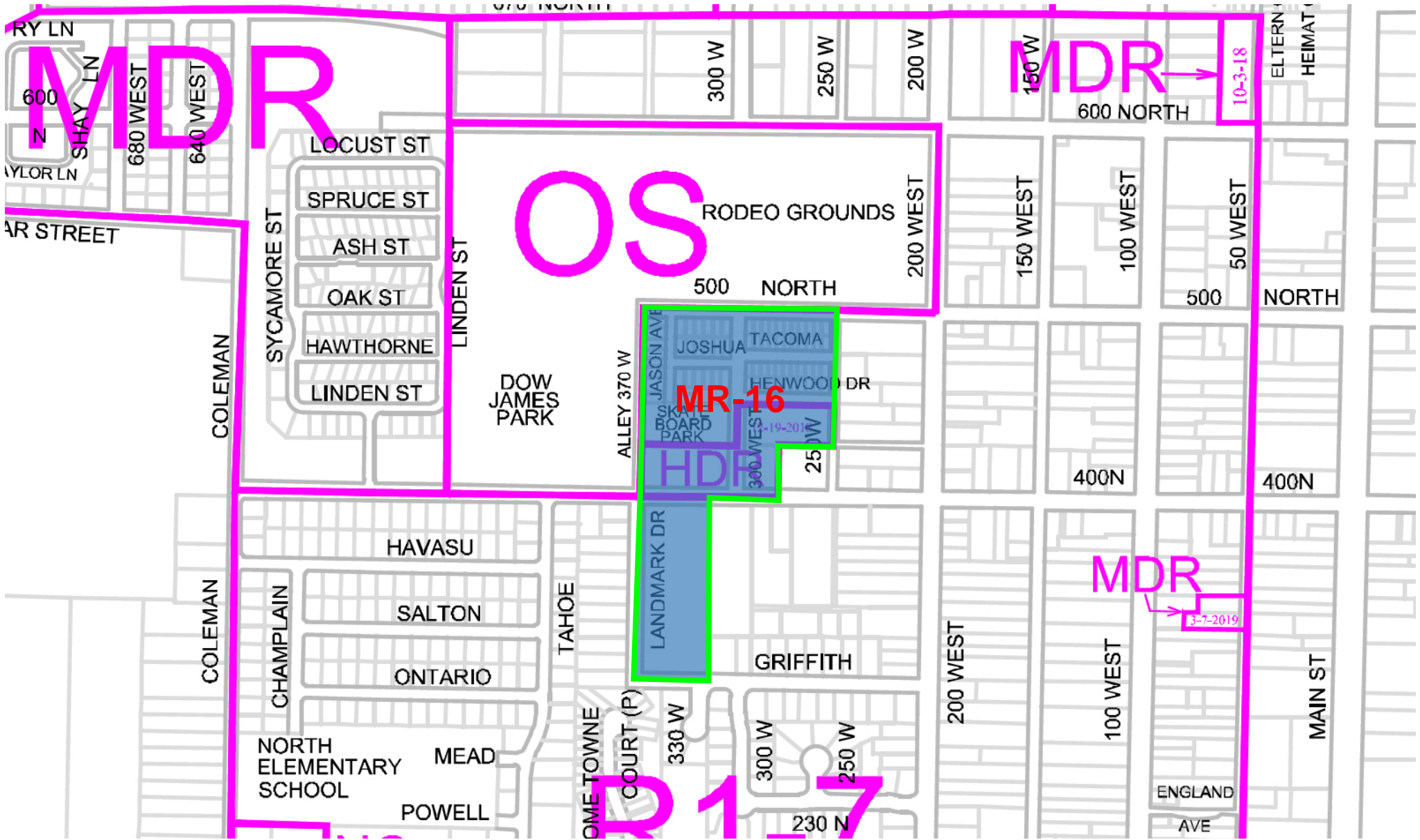
HDR HIGH DENSITY RESIDENTIAL
MIN. 2,000 SQUARE FOOT LOT
MIN. 75 FOOT FRONTAGE, 4 LOTSIACRE MAX.
MIN. 1100 SF HOUSE W/2 CAR GARAGE

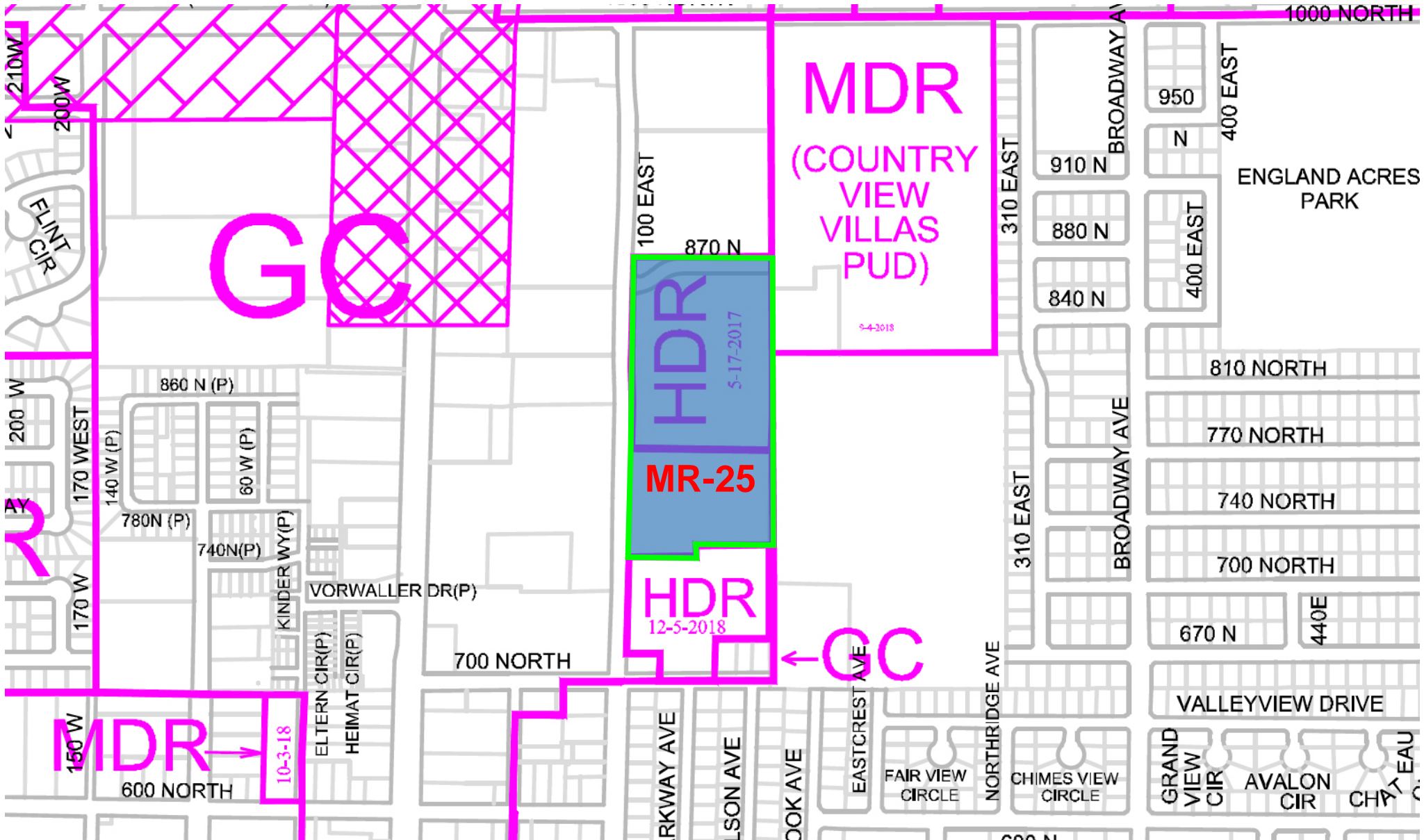
MDR MEDIUM DENSITY RESIDENTIAL
MIN. 8,000 SQUARE FOOT LOT
MIN. 75 FOOT FRONTAGE, 4 LOTSIACRE MAX.
MIN. 1100 SF HOUSE W/2 CAR GARAGE

UNDERLYING ZONE (PUD NAME) PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD)
PERMITS FLEXIBILITY IN SUBDIVISION AND SITE PLANNING
AND TO PRESERVE AND PROTECT VALUABLE SITE FEATURES
AND TO ADD DESIRED AMENITIES FOR THE NEIGHBORHOOD OR
AREA. NO HOUSING IN OVERLAY DISTRICT IS PERMITTED.

P (OVERLAY) PLANNED DISTRICT BY OVERLAP ESTABLISHES DEVELOPMENT
APPROXIMATELY 500 ACRES AND USUALLY PRESERVES NATURAL
RESOURCES AND OPEN SPACE. OVERLAY IS A 600-FOOT
DEVELOPMENT WHICH WAS GRANTED ITS OWN UNIQUE
ZONING BOOK WHICH VARIES FROM GENERAL TOOELE ZONING.







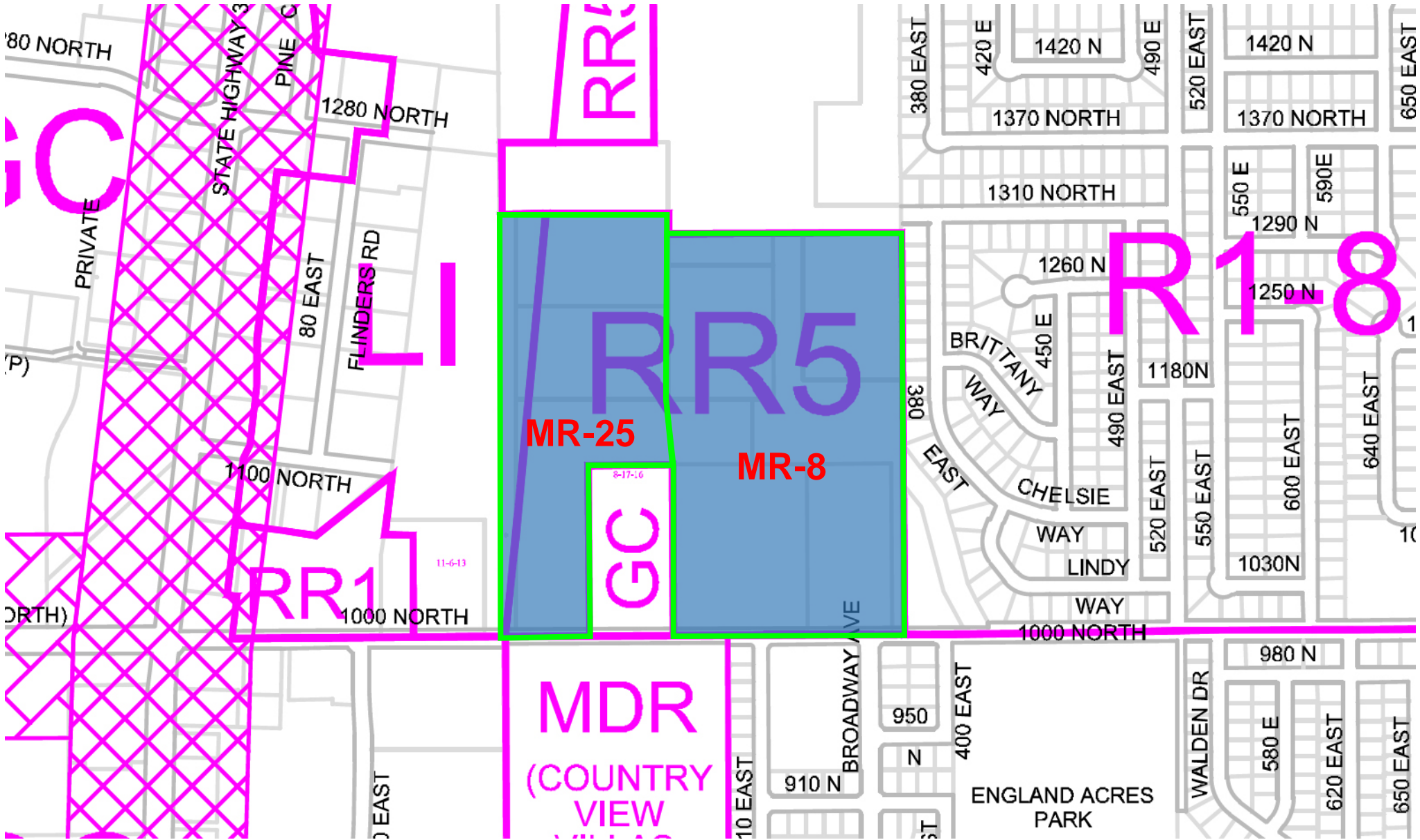


Exhibit B

Planning Commission Minutes

STAFF REPORT

April 4, 2019

To: Tooele City Planning Commission
Business Date: April 10, 2019

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Multi-Family Residential – Zoning Map Amendment Request

Application No.: P19-227
Applicant: Tooele City
Zoning: Various Zones
Request: Request for approval of a Zoning Map Amendment in various zoning districts regarding the reassignment of zoning districts for certain properties to utilize the newly adopted multi-family zoning residential classifications.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment to coincide with a Land Use Map Amendment to reassign certain properties around the city to the newly developed multi-family residential zoning districts. On March 20, 2019 the Tooele City Council approved Ordinance 2019-08 which amended the terms of nine chapters of Title 7 of the City Code regarding multi-family residential zoning districts, their allowable uses, design standards, supplemental provisions, and associated technical revisions. In adopting that ordinance, the terms of the City Code were revised, but the newly developed zoning districts were not yet applied to properties in the community on the official Zoning Map.

ANALYSIS

General Plan and Zoning. The official Zoning Map calls for the various zoning designations for the properties potentially involved in this proposed amendment. During the discussion and review of the Ordinance 2019-08, the Planning Commission discussed certain properties as an initial suggestion for reassignment. Mapping of those specific properties as well as the overall Zoning Map for the city can be found in Exhibit “A” to this report. As a part of this proposed revision, there is proposed a series of automatic zoning district amendments. First, all properties currently assigned the MDR Medium Density Residential zoning district are proposed to automatically be reassigned to MR-8 Multi-Family Residential zoning district as the latter directly replaced the former. Second, all properties currently assigned the HDR High Density Residential zoning district are proposed to automatically be reassigned to MR-16 Multi-Family Residential zoning district as the latter directly replaced the former. The Planning Commission, through recommendation to the City Council, will need to identify other properties to be reassigned to these zoning districts or to the newly created MR-25 Multi-Family Residential zoning district.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map 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.

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

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Zoning 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 the amendments may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed amendments 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 amendments 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 amendments is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed amendments on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed amendments 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 amendments may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed amendments may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendments.
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 Multi-Family Residential Zoning Map Amendment Request Tooele City, application number P19-227, based on the following findings and conditions:”

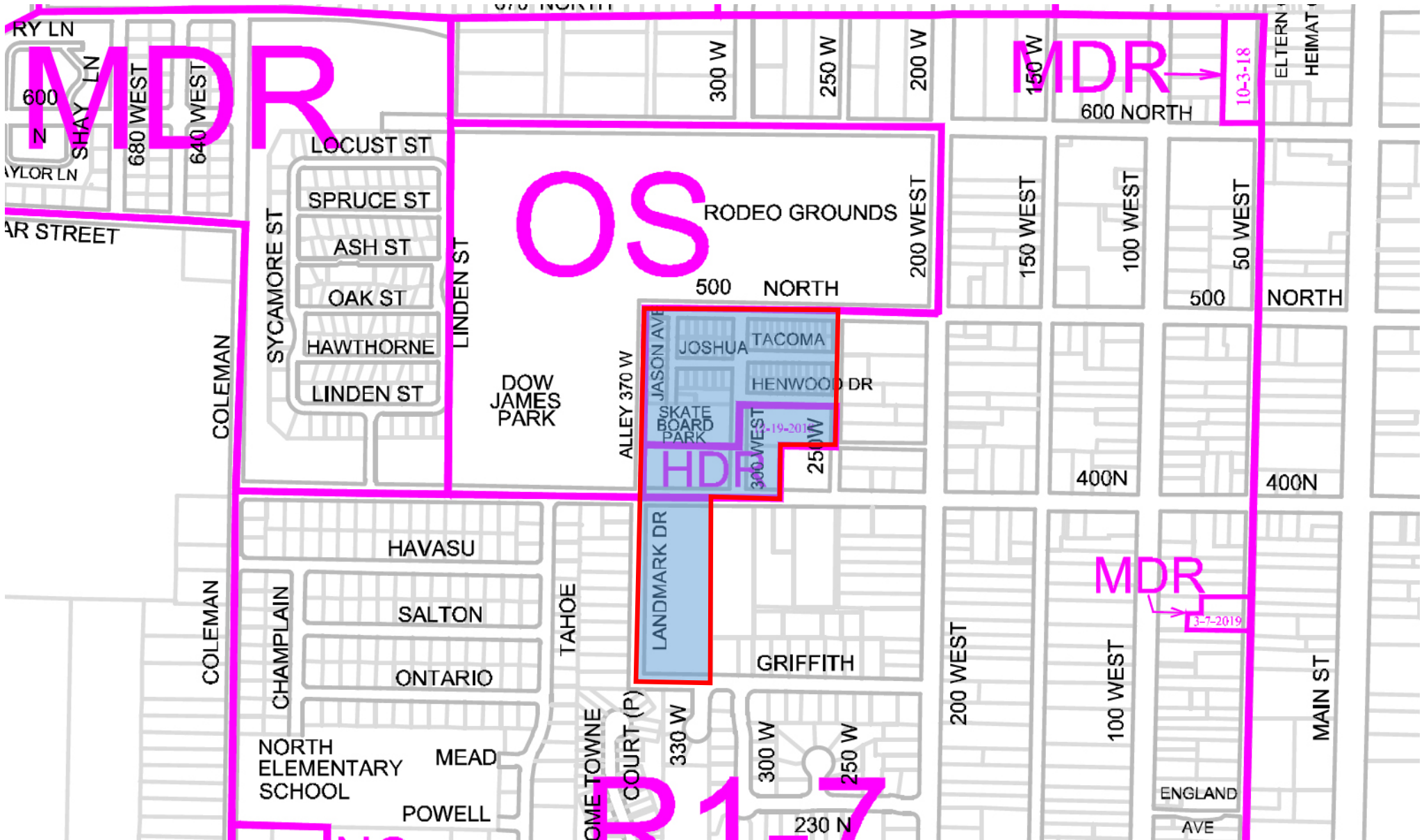
1. List findings and conditions...

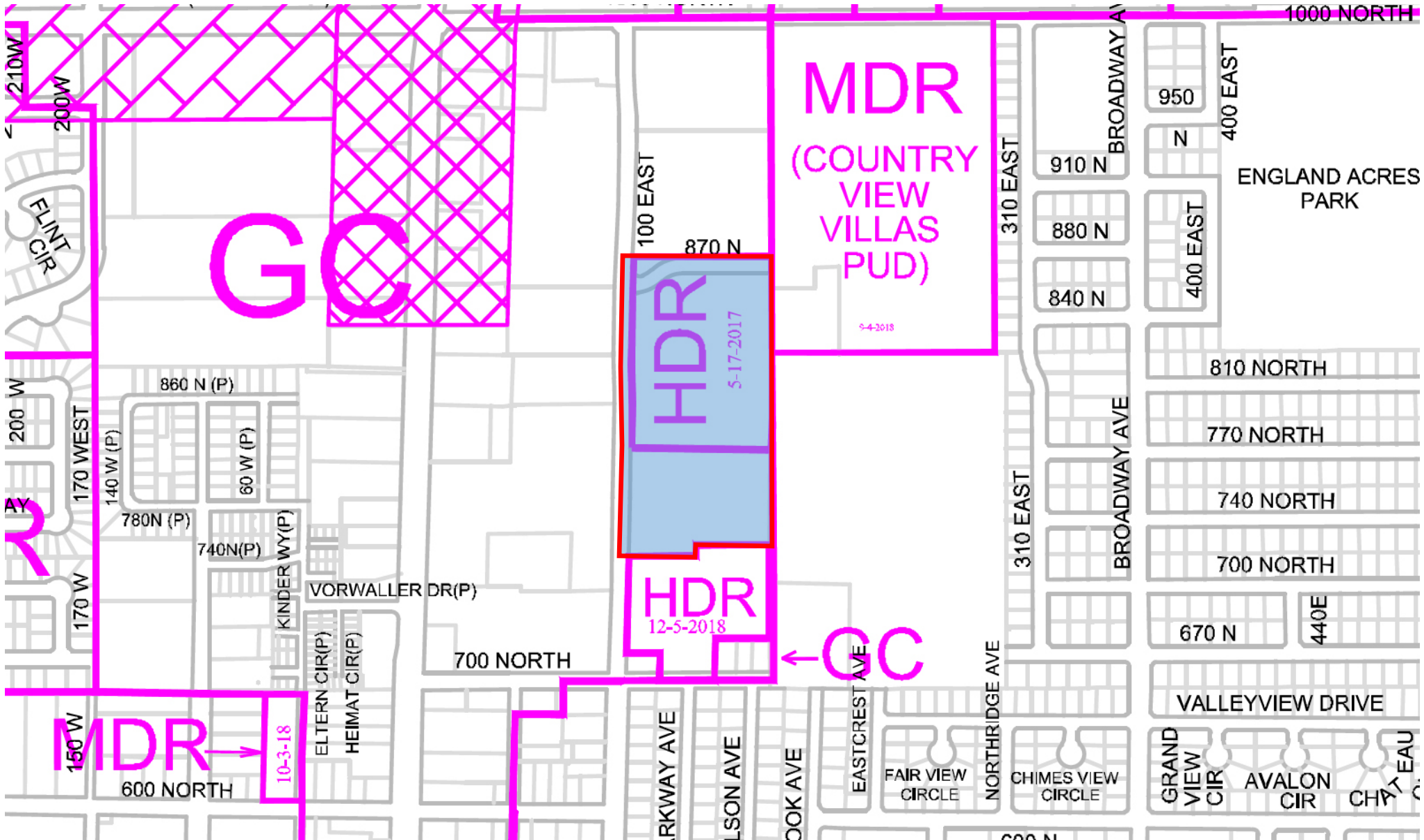
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Multi-Family Residential Zoning Map Amendment Request by Tooele City, application number P19-227, based on the following findings and conditions:”

1. List findings and conditions ...

EXHIBIT A

**MAPPING PERTINENT TO THE
MULTI-FAMILY RESIDENTIAL ZONING MAP AMENDMENT**





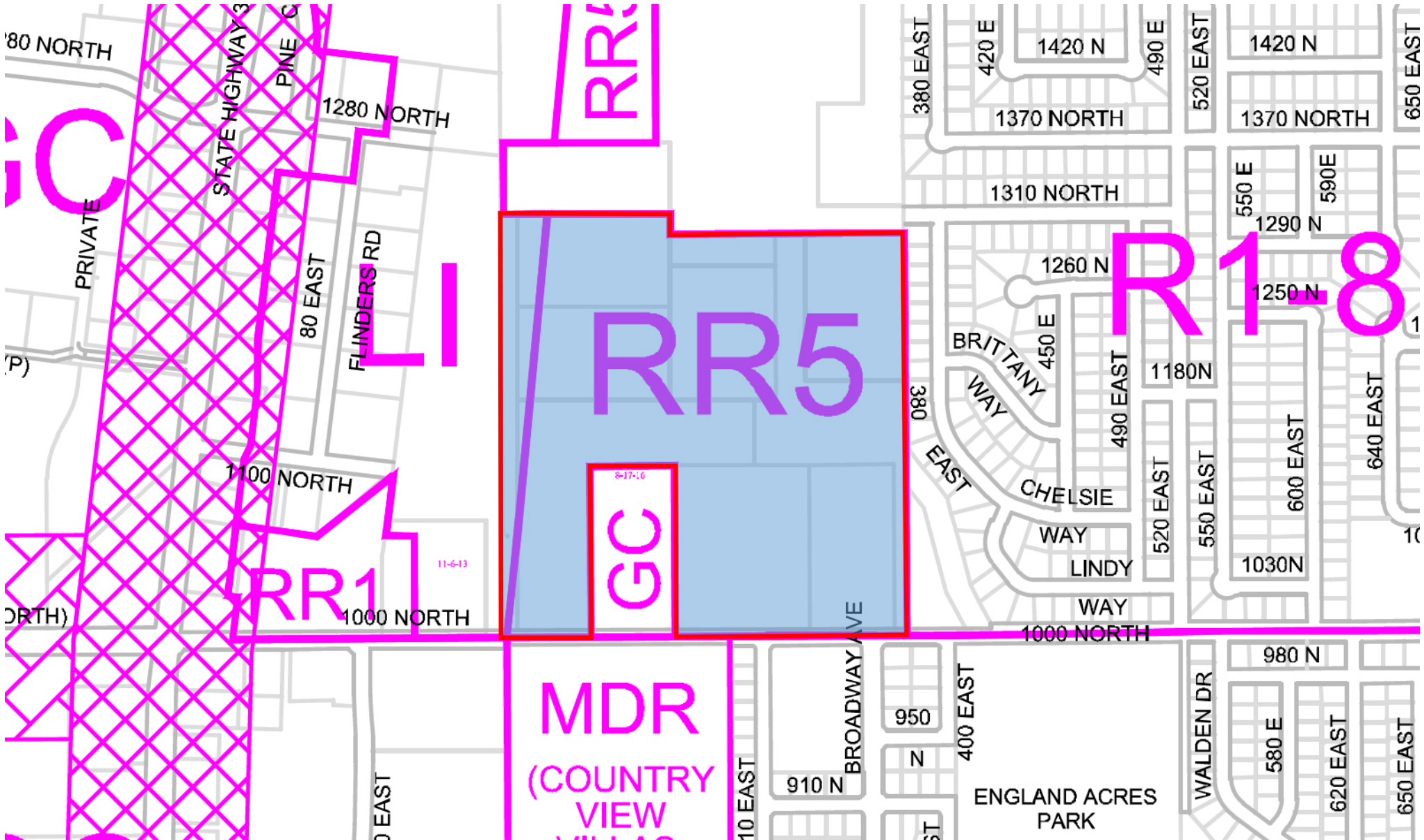


EXHIBIT B

PROPOSED ORDINANCE 2019-10

STAFF REPORT

April 4, 2019

To: Tooele City Planning Commission
Business Date: April 10, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Mountain View Meadows – Minor Subdivision Request

Application No.: P18-621
Applicant: Laramie Dunn, representing Eagle Point Homes
Project Location: 560 South 50 West
Zoning: R1-7 Residential Zone
Acreage: 2.35 Acres (Approximately 102,622 ft²)
Request: Request for approval of a Minor Subdivision in the R1-7 Residential zone regarding the creation of 4 new single-family residential lots.

BACKGROUND

This application is a request for approval of a Minor Subdivision for approximately 2.35 acres located at approximately 560 South 50 West. The property is currently zoned R1-7 Residential. The applicant is requesting that a Minor Subdivision be approved to allow for the subdivision of a 2.35 acre lot into 4 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the north, west and south are also zoned R1-7 Residential. Properties to the east, on the adjacent side of 50 West, are zoned MU-G Mixed Use General. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The existing 2.35 acre parcel exists west of 50th West and north of SR-36. The application proposes to split the parcel into 4 lots ranging in size from 9,939 square feet at the smallest up to 59,647 square feet at the largest. Each lot will front onto and have access to 50th West. All lots in the subdivision meet or exceed all requirements for lot size, lot width and lot frontages as required by the R1-7 Residential zoning district.

Lot #4 is the largest lot in the proposed subdivision and is shaped in the form of an “L.” The northern

portion of the lot will be encumbered by a permanent drainage and storm water retention easement for and in behalf of all lots within the subdivision.

It should be noted for information purposes that this subdivision is located within the In-Fill Area Overlay, geographic area B. The In-Fill area overlay provides some exemptions to some typical development standards, water rights, setbacks and so forth.

Criteria For Approval. The criteria for review and potential approval of a Minor Subdivision request is found in Section 7-19-35 of the Tooele City Code. This section provides an exemption of a minor subdivision from Preliminary Plan requirements. Minor subdivisions are then required to follow the standards as required in sections 7-19-10 and 11 of the Tooele City Code. These sections detail the process and requirements of a Subdivision Final Plat.

REVIEWS

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

1. All lots within the proposed minor subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request with the following comments:

1. Tooele City's in-fill overlay zone provides some exemptions to standard right-of-way improvements that would typically be required of new development, such as curb, gutter and sidewalk. This subdivision rests in the in-fill overlay and has been allowed to develop with minimal roadway criteria as demonstrated on the plans.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Minor Subdivision by Laramie Dunn, representing Eagle Point Homes, application number P18-621, subject to the following conditions:

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

This recommendation is based on the following findings:

1. All lots within the proposed minor subdivision meet or exceed minimum lot standards

- regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
 3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
 4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
 5. The proposed development conforms to the general aesthetic and physical development of the area.
 6. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Mountain View Meadows Minor Subdivision Request by Laramie Dunn, representing Eagle Point Homes to create 4 single-family residential lots at 560 South 50 West, application number P18-621, based on the findings and subject to the conditions listed in the Staff Report dated April 4, 2019:”

1. List any additional findings and conditions...

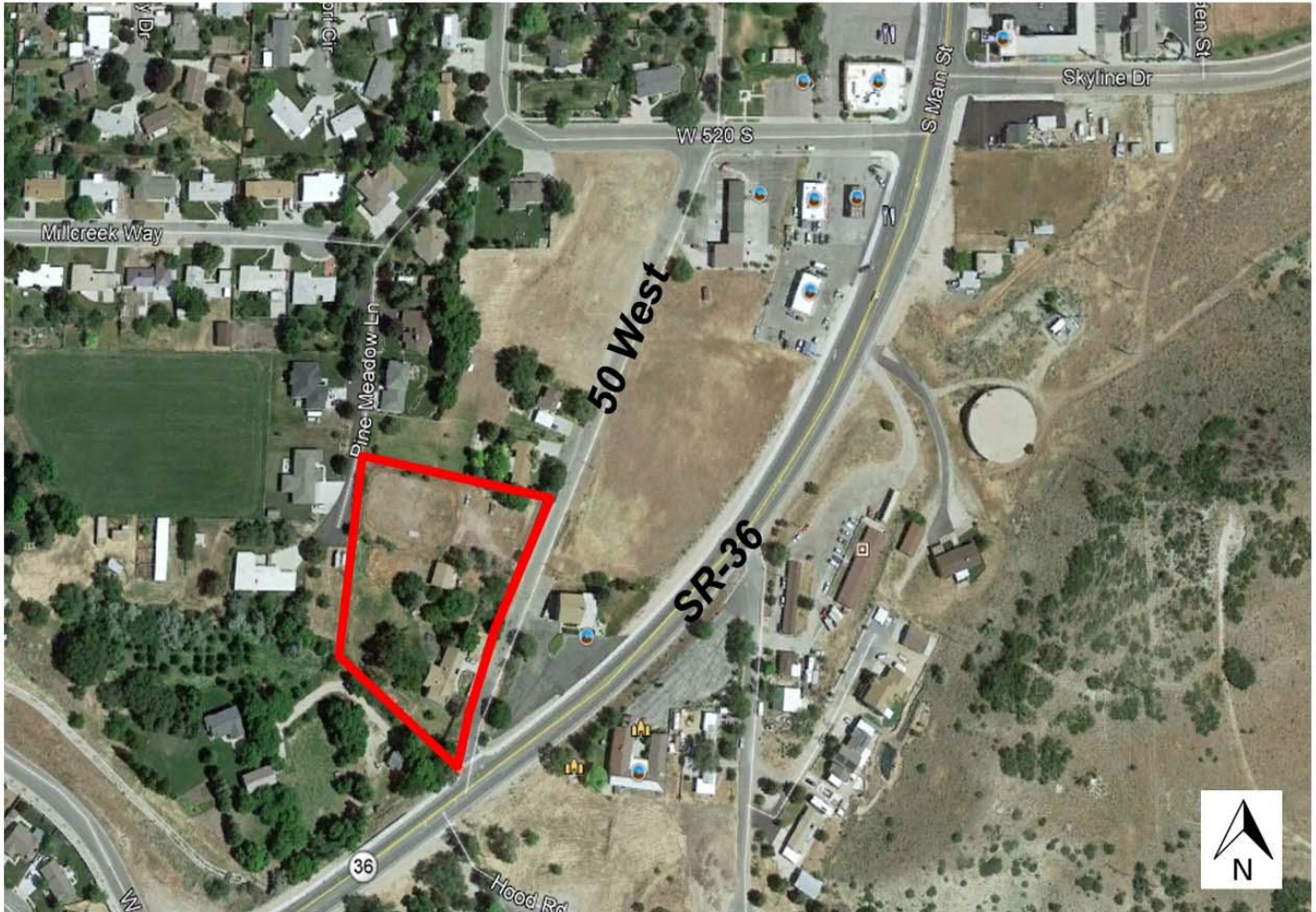
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Mountain View Meadows Minor Subdivision Request by Laramie Dunn, representing Eagle Point Homes to create 4 single-family residential lots at 560 South 50 West,, application number P18-621, based on the following findings:”

1. List any additional findings...

EXHIBIT A

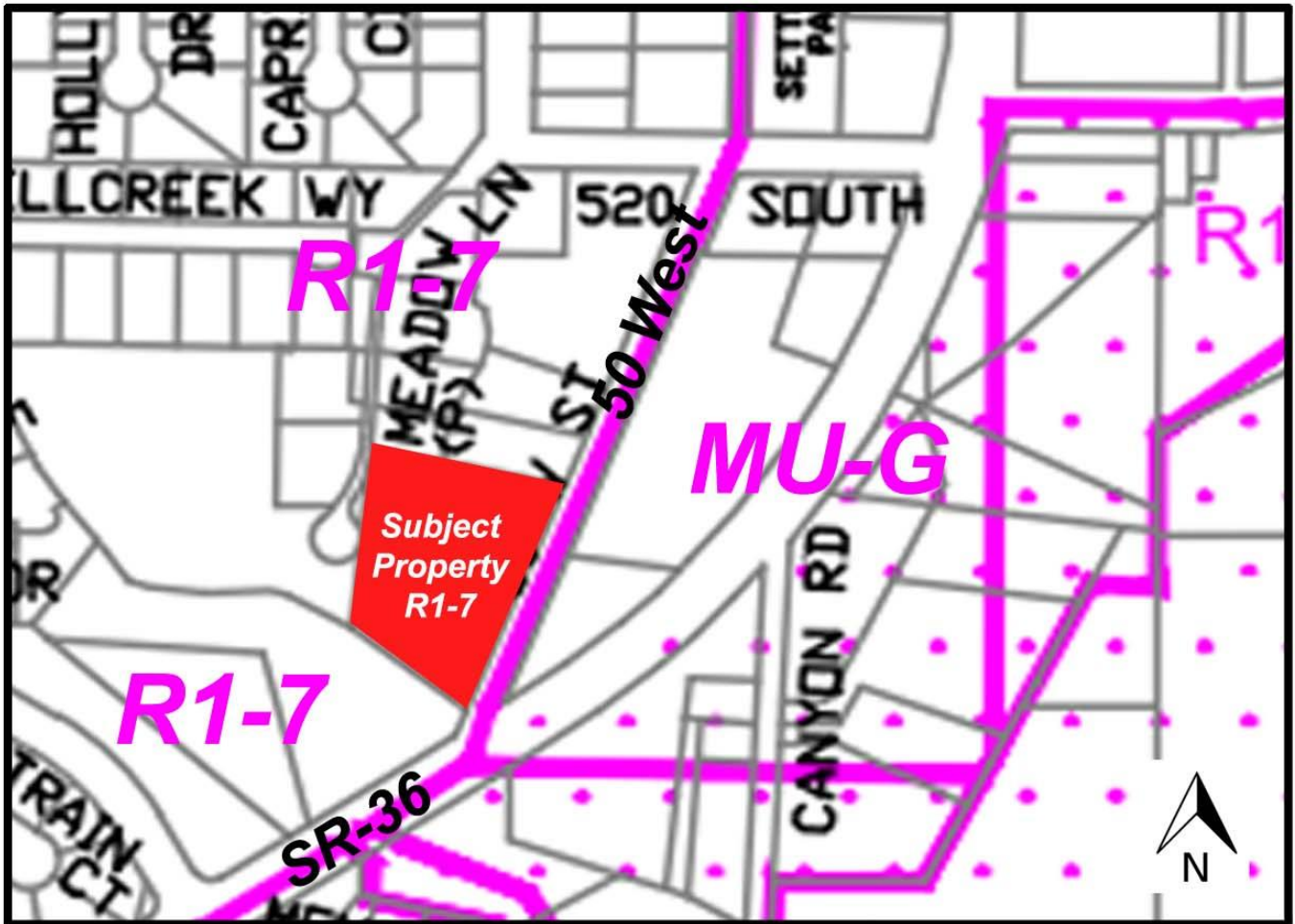
**MAPPING PERTINENT TO THE MOUNTAIN VIEW MEADOWS MINOR
SUBDIVISION**

Mountain View Meadows Minor Subdivision



Aerial View

Mountain View Meadows Minor Subdivision



Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS

**FINAL PLAT
TOOELE CITY
MOUNTAIN VIEW MEADOWS MINOR SUBDIVISION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
CITY OF TOOELE, TOOELE COUNTY, UTAH

UNMARKED POSITION OF THE NORTH
QUARTER CORNER OF SECTION 33, TOWNSHIP
3 SOUTH, RANGE 4 WEST, SALT LAKE BASE
AND MERIDIAN DETERMINED FROM WITNESS
MONUMENT.

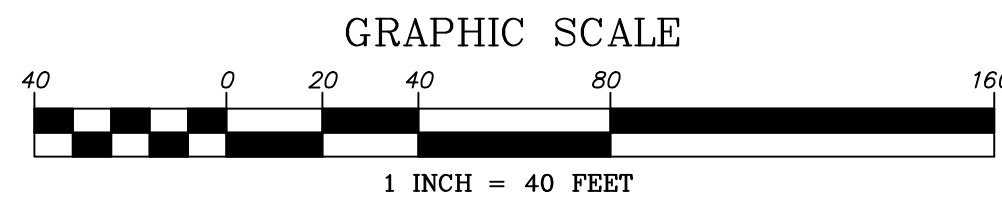
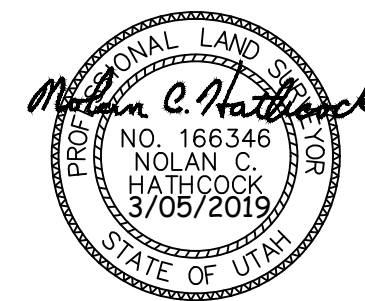
FOUND WITNESS MONUMENT TO THE NORTH
QUARTER CORNER OF SECTION 33, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND
MERIDIAN, ESTABLISHED BY THE TOOELE COUNTY
DEPENDENT RESURVEY IN 1982.

FOUND TOOELE COUNTY DEPENDENT RESURVEY
MONUMENT REPRESENTING THE NORTHEAST
CORNER OF SECTION 33, TOWNSHIP 3 SOUTH,
RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
ESTABLISHED IN 1982.



VICINITY MAP

SCALE: 1" = 500'



LEGEND



FOUND SECTION CORNER MONUMENT PLACED BY
THE TOOELE COUNTY DEPENDENT RESURVEY IN 1982
(UNLESS OTHERWISE NOTED HEREON)



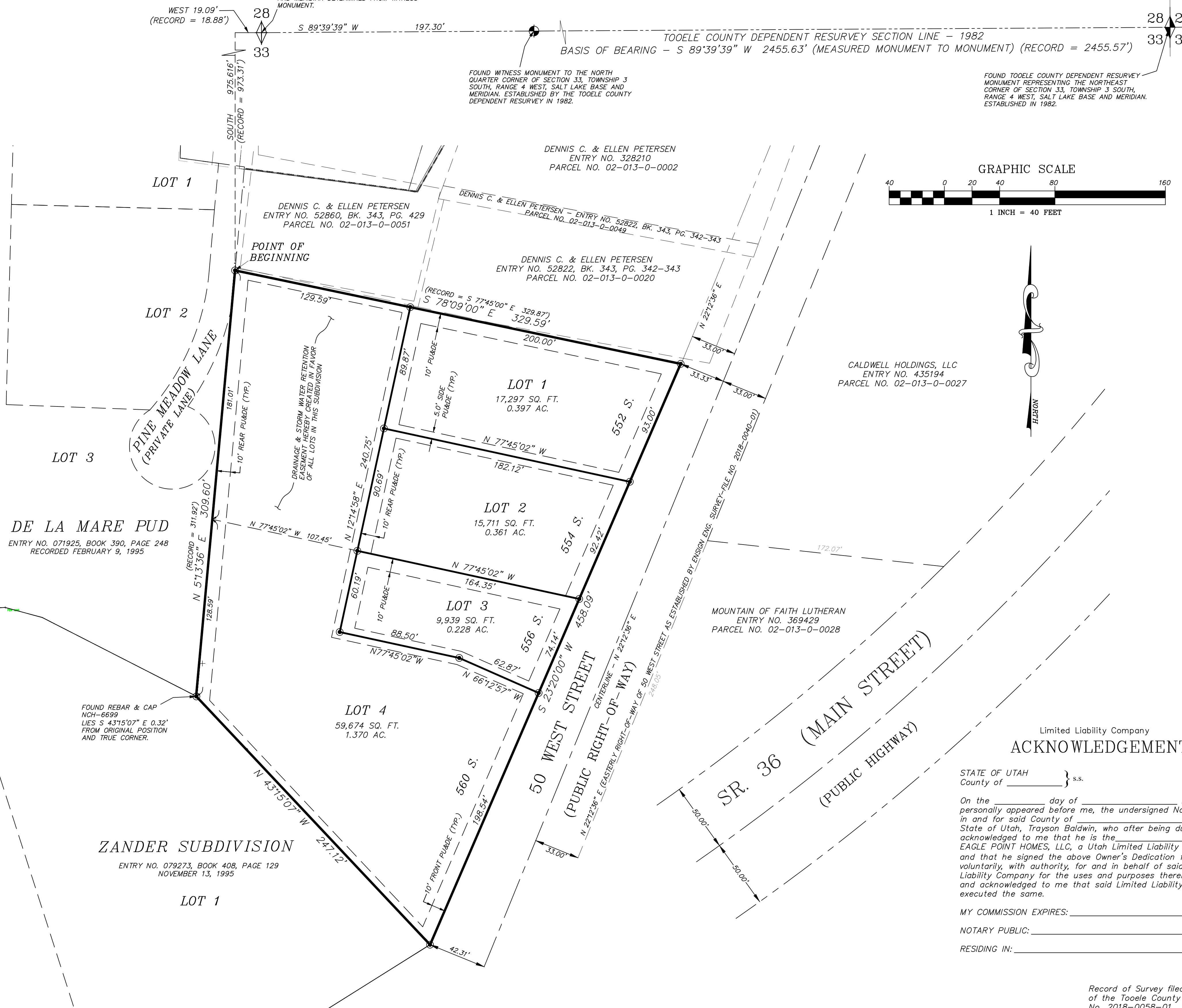
FOUND TOOELE COUNTY DEPENDENT RESURVEY
WITNESS MONUMENT (3" BRASS CAP)



SET $\frac{3}{8}$ " X 24" REBAR WITH YELLOW PLASTIC CAP
MARKED "HATHCOCK - LS 166346"

PU&DE

PUBLIC UTILITY & DRAINAGE EASEMENT



ROCKY MOUNTAIN POWER
1. Pursuant to Utah Code Ann. s 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann s 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the p.u.e. as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that rocky mountain power has under:
(1) a recorded easement or right-of-way
(2) the law applicable to prescriptive rights
(3) Title 54, Chapter 8a Damage to Underground Utility facilities or
(4) an other provision of law
Approved by Rocky Mountain Power this _____ day of _____, 201____.
By: _____
Title: _____

DOMINION ENERGY
Dominion Energy approves this plat solely for the purpose of confirming that the plat contains Public Utility Easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the Plat, including those set forth in the Owner's Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion Energy's Right of Way Department at 1-800-366-8532.
Approved this _____ day of _____, 201____.
Dominion Energy
By: _____
Title: _____

TOOELE CITY COUNCIL
APPROVED THIS _____ DAY OF _____, 201____ BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

ACKNOWLEDGEMENT
Limited Liability Company
STATE OF UTAH _____ } s.s.
County of _____ }
On the _____ day of _____ A.D., 201____, personally appeared before me, the undersigned Notary Public, in and for said County of _____ in the State of Utah, Trayson Baldwin, who after being duly sworn, acknowledged to me that he is the _____ of EAGLE POINT HOMES, LLC, a Utah Limited Liability Company and that he signed the above Owner's Dedication freely and voluntarily, with authority, for and in behalf of said Limited Liability Company for the uses and purposes therein mentioned and acknowledged to me that said Limited Liability Company executed the same.
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC: _____
RESIDING IN: _____

SURVEYOR'S CERTIFICATE
I, Nolan C. Hathcock, do hereby certify that I am a Professional Land Surveyor holding License No. 166346 as prescribed by the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into four (4) lots, hereafter to be known as
MOUNTAIN VIEW MEADOWS MINOR SUBDIVISION
and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION
A parcel of land located in the Northeast Quarter of Section 33, Township 3 South, Range 4 West, Salt Lake Base and Meridian, in the city of Tooele, Tooele County, Utah described by survey as follows:
Beginning at a point in an established chain link fence line, said point lies West 19.09 feet (record = 18.88') and South 975.616 feet (record = 973.31' feet) from the unmarked location of the North Quarter Corner of Section 33, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said North Quarter Corner location lies South 89°39'39" West 197.30 feet from a Tooele County Surveyor brass monument, Witness Monument to said North Quarter Corner established in 1982, and said Witness Monument lies South 89°39'39" West 2455.63 feet from a Tooele County Surveyor brass monument also established in 1982, representing the Northeast Corner of said Section 33;
thence from said Point of Beginning, generally along established fence lines, South 78°09'00" East 329.59 feet (record = 329.87' feet) to a rebar and cap survey monument marked NCH 6699;
thence along the westerly right-of-way line of 50 West Street, South 23°20'00" West 458.09 feet to a rebar and cap survey monument marked NCH 6699, marking the most easterly corner of ZANDER SUBDIVISION, recorded November 13, 1995 as Entry No. 079273 in Book 408 at Page 129 in the office of the Tooele County Recorder;
thence along a northeasterly boundary of said ZANDER SUBDIVISION, North 43°15'07" West 247.12 feet;
thence along an established fence line and an easterly boundary of DE LA MARE PUD, recorded February 9, 1995 as Entry No. 071925 in Book 390 at Page 248 in the office of said Tooele County Recorder, North 51°33'36" East 309.60 feet (record = 311.92' feet) to the Point of Beginning.

The above-described parcel of land contains approximately 102,622 square feet in area or 2.356 acres divided into four (4) lots..

OWNER'S DEDICATION AND CONSENT TO RECORD
Know all men by these presents that the undersigned is the owner of the hereon described tract of land and hereby causes the same to be divided into lots together with easements as set forth, hereafter to be known as:
MOUNTAIN VIEW MEADOWS MINOR SUBDIVISION

The undersigned owner hereby dedicates to Tooele City all those parts or portions of said tract of land depicted herein designated herein as streets or portions of streets, the same to be used as public thoroughfares forever. The undersigned owner also hereby conveys to any and all public utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for drainage and installation, maintenance and operation of public utility service lines and facilities. The undersigned owners also hereby convey any other easements as shown or noted on this plat to the parties indicated and for the purposes shown herein.
In witness whereof said owner has hereunto set his hand this _____ day of _____ A.D., 201____.

EAGLE POINT HOMES, LLC
BY: TRAYSON BALDWIN, Manager
OWNER OF RECORD
EAGLE POINT HOMES, LLC
1031 TAYLORS MEADOW COURT
TAYLORSVILLE, UTAH 84123
PARCEL NO. 02-014-0-0031

AUGUST 10, 2018
FINAL PLAT
MOUNTAIN VIEW MEADOWS MINOR SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
CITY OF TOOELE, TOOELE COUNTY, UTAH

PREPARED BY: NOLAN C. HATHCOCK PROFESSIONAL LAND SURVEYOR LICENSE NO. 166346 9592 STORNOWAY CIRCLE SOUTH JORDAN, UTAH 84095 PHONE 801-557-5398	TOOELE CITY ENGINEER APPROVED AS TO FORM THIS _____ DAY OF _____, 201____ BY THE TOOELE CITY ENGINEER. CITY ENGINEER	TOOELE COUNTY HEALTH DEPARTMENT APPROVED THIS _____ DAY OF _____, 201____ BY THE TOOELE COUNTY HEALTH DEPARTMENT. TOOELE CO. HEALTH DEPARTMENT	TOOELE CITY ATTORNEY APPROVED AS TO FORM THIS _____ DAY OF _____, 201____ BY THE TOOELE CITY ATTORNEY. TOOELE CITY ATTORNEY	TOOELE COUNTY TREASURER APPROVED THIS _____ DAY OF _____, 201____ BY THE TOOELE COUNTY TREASURER. TOOELE COUNTY TREASURER	TOOELE CITY COMMUNITY DEVELOPMENT APPROVED AS TO FORM THIS _____ DAY OF _____, 201____ BY THE TOOELE CITY COMMUNITY DEVELOPMENT. TOOELE CITY COMMUNITY DEVELOPMENT	TOOELE COUNTY SURVEY DEPT. APPROVED THIS _____ DAY OF _____, 201____ BY THE TOOELE COUNTY SURVEY DEPT. DIRECTOR COUNTY SURVEY DEPT. DIRECTOR	TOOELE CITY PLANNING COMMISSION APPROVED THIS _____ DAY OF _____, 201____ BY THE TOOELE CITY PLANNING COMMISSION. CHAIR, TOOELE CITY PLANNING COMM.	RECORDED # _____ STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ FEE \$ _____ TOOELE COUNTY RECORDER
--	--	--	---	---	--	--	---	---

STAFF REPORT

April 4, 2019

To: Tooele City Planning Commission
Business Date: April 10, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Hunter's Meadow – Preliminary Plan Subdivision Request

Application No.: P18-825
Applicant: Kameron Spencer representing MW Brown Engineering
Project Location: 760 West 700 South
Zoning: R1-7 Residential Zone
Acreage: 14 Acres (Approximately 609,840 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-7 Residential zone regarding the creation of 54 new single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 14 acres located at approximately 760 West 700 South. The property is currently zoned R1-7 Residential. The applicant is requesting preliminary plan approval in order to subdivide 14 acres into 54 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the north and east are zoned R1-7 Residential. Properties to the south and west are zoned MDR Medium Density Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The proposed subdivision rests north of 700 South and west of Coleman Street. Currently there are 14 acres and the request is to divide the 14 acres into 54 single-family residential lots ranging in size from 7100 square feet up to 12,400 square feet. Each lot within the subdivision meets or exceeds all minimum lot development standards for lot size, lot width and lot frontage as required by the R1-7 Residential zoning district.

You will note that the subdivision plat actually displays 54 lots. Lot 54 is a bit of an anomaly and even though this subdivision plat creates the lot the lot will actually be part of the Porter's Place subdivision. Currently, Porter's Place subdivision includes lots 40, 41, 42 and 54. This subdivision plat will amend creates lot 54 which will ultimately be part of the Porter's Place Subdivision.

There are three connections into the subdivision. Connections will be from 700 South, from an existing stub at 680 South at the north west corner and to the north at American Way into the Westland Mobile Estates. The connection to American Way will cross a drainage / irrigation easement that runs the entire length of the subdivision. This easement will remain in place and will be unaffected by the subdivision.

Lot #45 is a flag lot. Tooele City's Subdivision ordinance permits flag lots when there are no other alternatives available to develop property. After many design iterations it was determined that in order to provide the safest and most efficient interior roads that a flag lot is necessary for that hard to reach corner. The flag lot and flag staff do meet ordinance requirements. The staff portion of the flag lot does need to be paved in either asphalt or concrete.

There is a storm water detention basin at the north west corner of the subdivision that will be dedicated to Tooele City for future ownership and maintenance. The applicant has submitted a landscape and irrigation plan for this basin. The landscape and irrigation plan will be reviewed in greater detail as part of the final plat application.

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

REVIEWS

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

1. All lots within the proposed minor subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.
2. The staff portion of the flag lot, lot #45, will need to be paved in either concrete or asphalt as per Tooele City code requirements.
3. The applicant will need to submit a full landscape and irrigation plan for official review as part of the final plat subdivision application.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by Kameron Spencer, representing MW Brown Engineering, application number P18-825, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.

2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. The staff portion of lot #45 shall be paved in either concrete or asphalt as required by Tooele City Code.
6. The applicant shall submit a full landscape and irrigation plan for the storm water detention basin for City review as part of the final plat subdivision application.

This recommendation is based on the following findings:

1. All lots within the proposed Preliminary Plan subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Hunter’s Meadow Preliminary Plan subdivision request by Kameron Spencer, representing MW Brown Engineering to create 54 single-family residential lots at approximately 760 West 700 South, application number P18-285, based on the findings and subject to the conditions listed in the Staff Report dated April 4, 2019.”

1. List any additional findings and conditions...

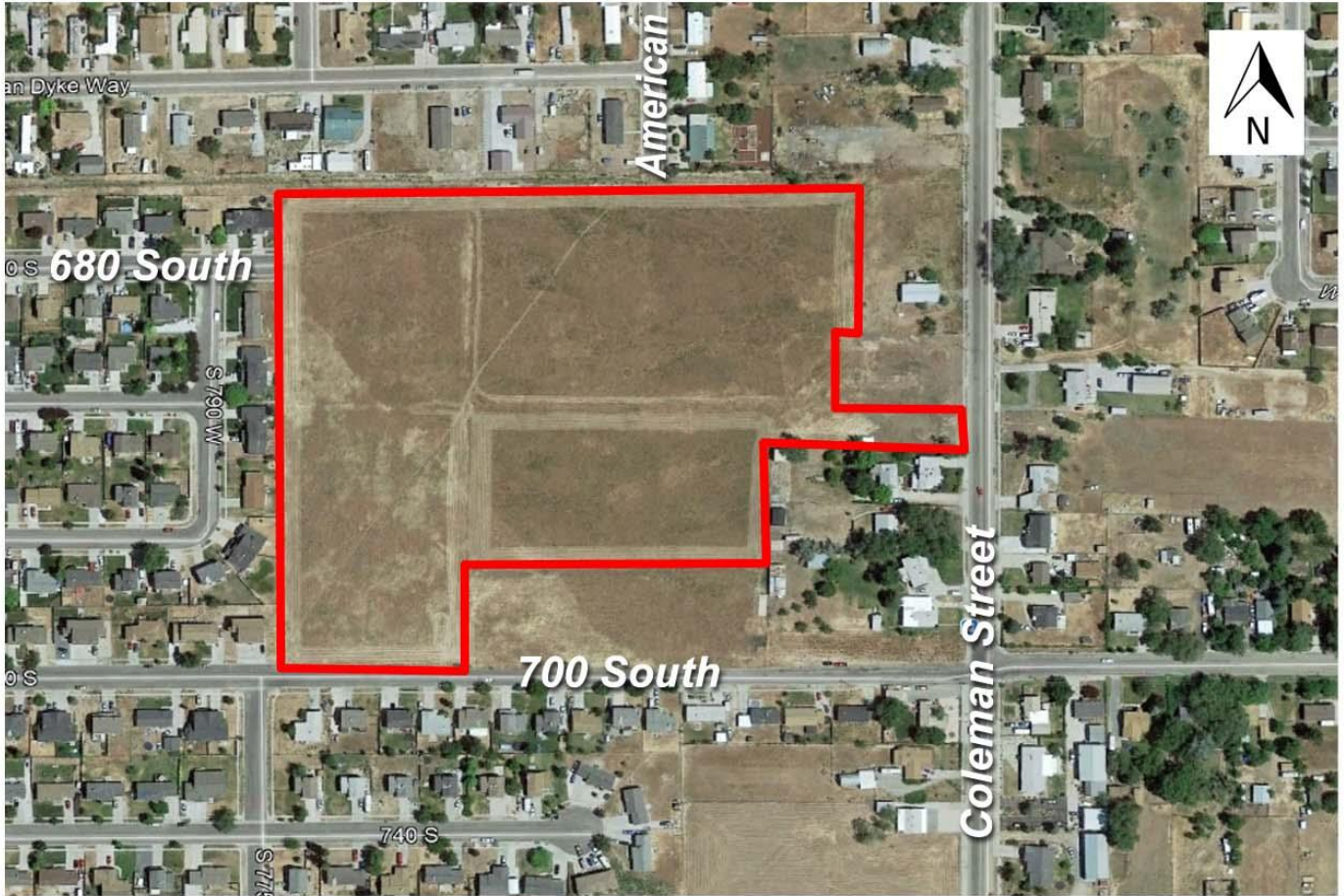
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Hunter’s Meadow Preliminary Plan subdivision request by Kameron Spencer, representing MW Brown Engineering to create 54 single-family residential lots at approximately 760 West 700 South, application number P18-285, based on the following findings.”

1. List any findings...

EXHIBIT A

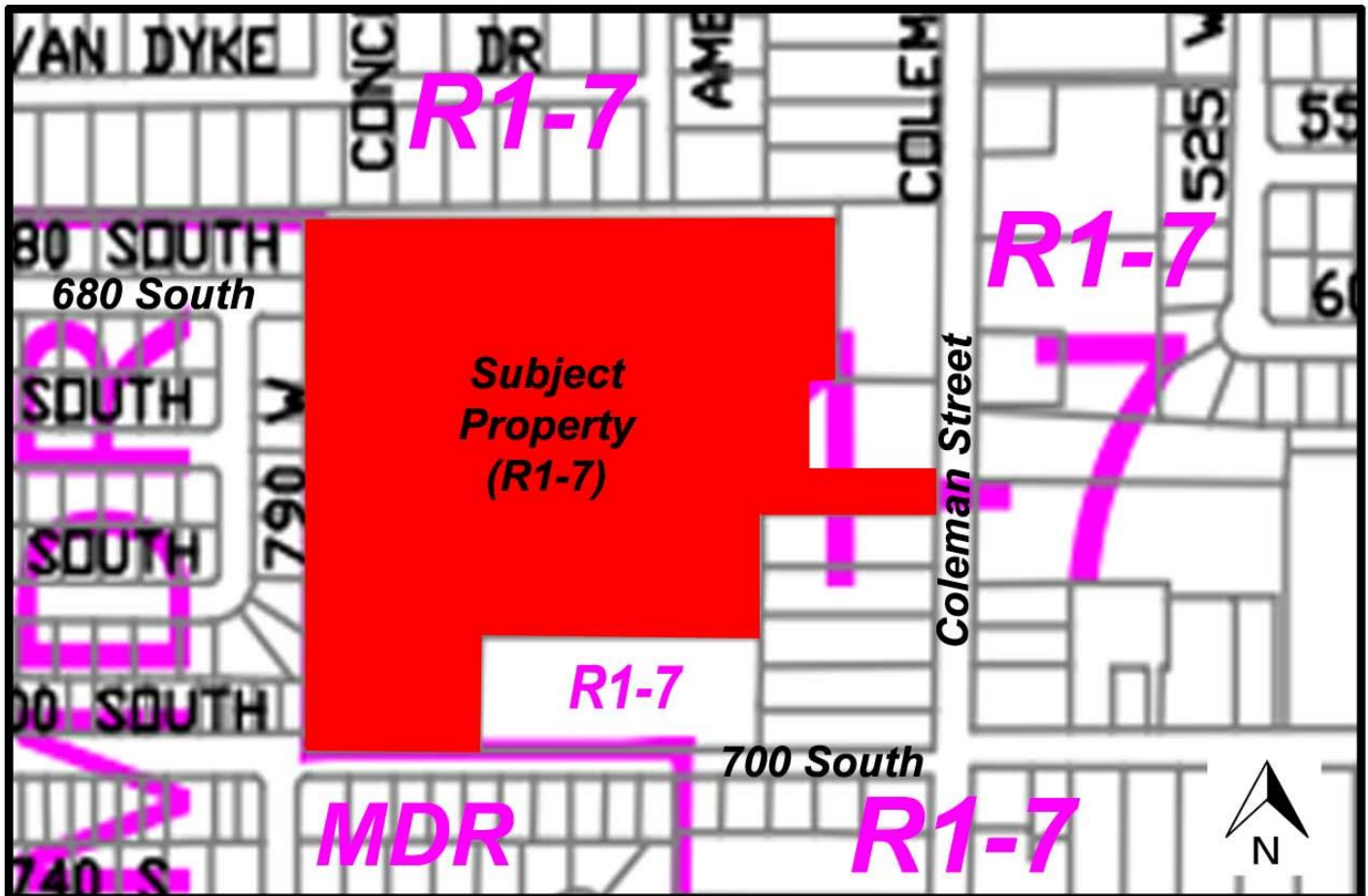
**MAPPING PERTINENT TO THE HUNTER'S MEADOW PRELIMINARY PLAN
SUBDIVISION**

Hunter's Meadow Preliminary Plan Subdivision



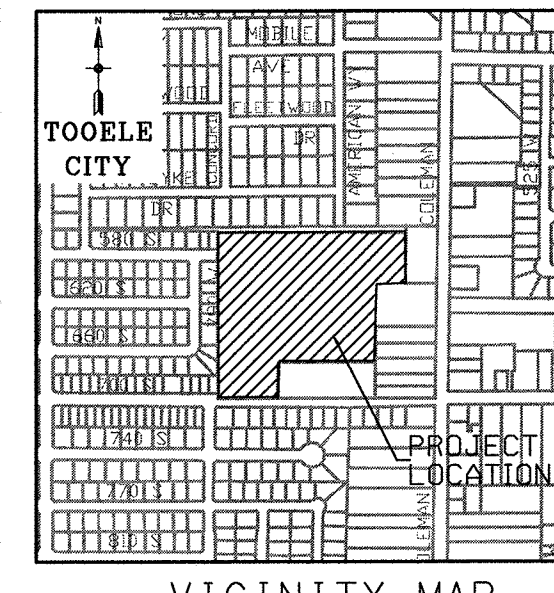
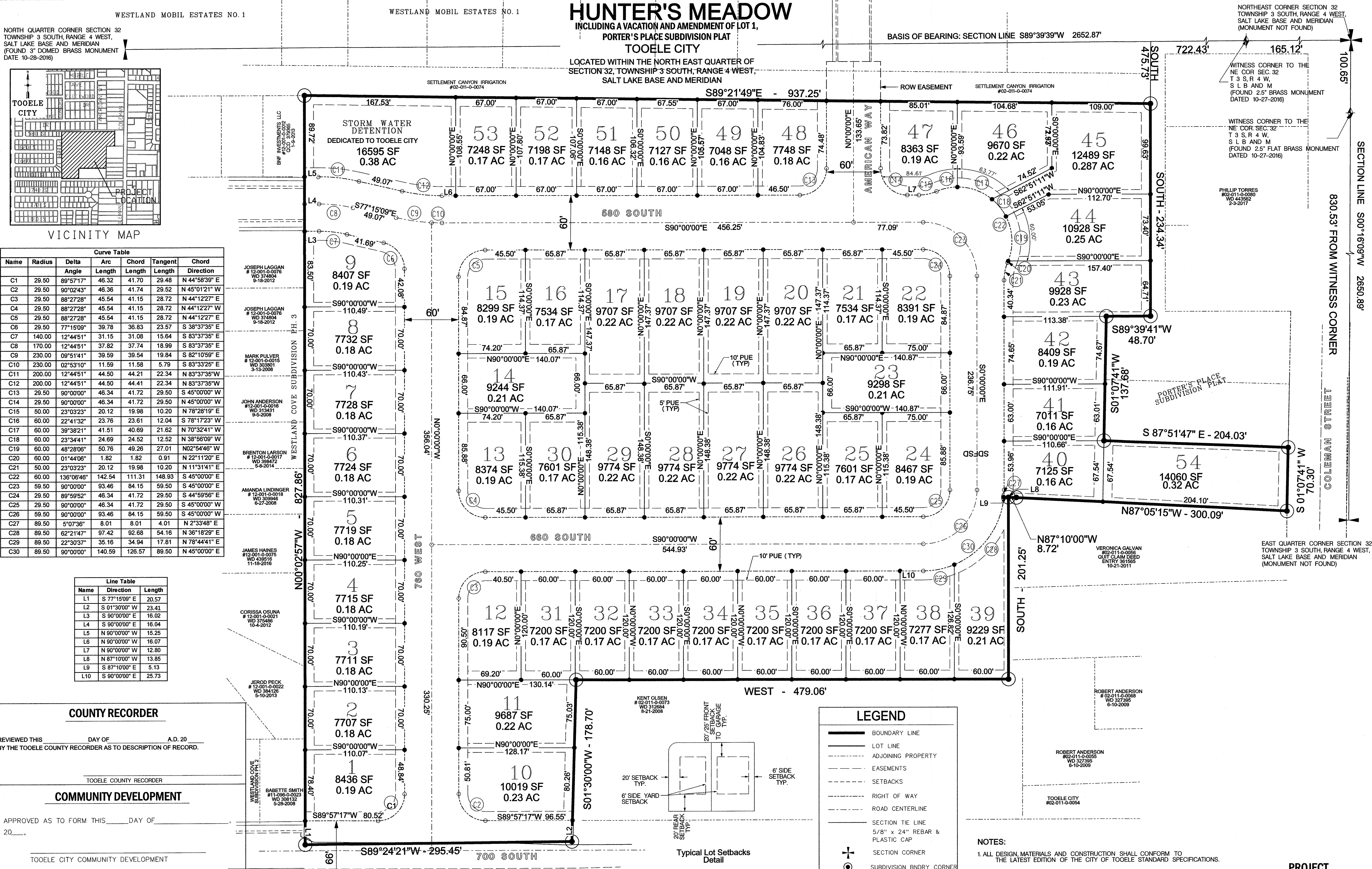
Aerial View

Hunter's Meadow Preliminary Plan Subdivision



Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS



Curve Table

Name	Radius	Delta	Arc Length	Chord Length	Tangent Length	Direction
C1	29.50	89°51'17"	46.32	41.70	29.48	N 44°58'39" E
C2	29.50	90°02'43"	46.36	41.74	29.52	N 45°01'21" W
C3	29.50	88°27'28"	45.54	41.15	28.72	N 44°12'27" W
C4	29.50	88°27'28"	45.54	41.15	28.72	N 44°12'27" W
C5	29.50	88°27'28"	45.54	41.15	28.72	N 44°12'27" W
C6	29.50	77°15'09"	39.78	36.83	23.57	S 38°37'35" E
C7	140.00	12°44'51"	31.15	31.08	15.64	S 83°37'35" E
C8	170.00	12°44'51"	37.82	37.74	18.99	S 83°37'35" E
C9	230.00	09°51'41"	39.59	39.54	19.84	S 82°10'59" E
C10	200.00	02°53'10"	11.59	11.58	5.79	S 83°33'25" E
C11	200.00	12°44'51"	44.50	44.21	22.34	N 83°37'35" W
C12	200.00	12°44'51"	44.50	44.21	22.34	N 83°37'35" W
C13	29.50	90°00'00"	46.34	41.72	29.50	S 45°00'00" W
C14	29.50	90°00'00"	46.34	41.72	29.50	S 45°00'00" W
C15	50.00	23°03'23"	20.12	19.98	10.20	N 78°28'19" E
C16	60.00	22°41'32"	23.76	23.61	12.04	S 78°17'23" W
C17	60.00	39°38'21"	41.51	40.69	21.62	N 70°32'41" W
C18	60.00	23°34'41"	24.69	24.52	12.52	N 38°56'09" W
C19	60.00	48°28'06"	50.76	49.26	27.01	N02°54'46" E
C20	60.00	01°44'06"	1.82	1.82	0.91	N 22°11'20" E
C21	50.00	23°03'23"	20.12	19.98	10.20	N 11°31'41" E
C22	60.00	136°06'46"	142.54	111.31	148.93	S 45°00'00" E
C23	59.50	90°00'00"	93.46	84.15	59.50	S 45°00'00" E
C24	29.50	89°59'52"	46.34	41.72	29.50	S 44°59'56" E
C25	29.50	90°00'00"	46.34	41.72	29.50	S 45°00'00" W
C26	59.50	90°00'00"	93.46	84.15	59.50	S 45°00'00" W
C27	89.50	5°07'36"	8.01	8.01	4.01	N 2°33'48" E
C28	89.50	62°21'47"	97.42	92.68	54.16	N 36°18'29" E
C29	89.50	22°30'37"	35.16	34.94	17.81	N 78°44'41" E
C30	89.50	90°00'00"	140.59	126.57	89.50	N 45°00'00" E

Line Table

Name	Direction	Length
L1	S 77°15'09" E	20.57
L2	S 01°30'00" W	23.41
L3	S 90°00'00" E	16.02
L4	S 90°00'00" E	16.04
L5	N 90°00'00" W	15.25
L6	N 90°00'00" W	16.07
L7	N 90°00'00" W	12.80
L8	N 87°10'00" W	13.85
L9	S 87°10'00" E	5.13
L10	S 90°00'00" E	25.73

County Recorder

REVIEWED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.

Community Development

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY COMMUNITY DEVELOPMENT

Parks Department

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY PARKS DEPARTMENT

Dominion Energy

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE. APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION'S RIGHT-OF-WAY DEPARTMENT AT 1-800-368-8832.

APPROVED THIS _____ DAY OF _____ 20____ BY: _____ TITLE: _____

Rocky Mountain Power

1. PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER (S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. 17-27a-603 (4) (c) (i) (ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT-OF-WAY.
 (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 (3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR,
 (4) ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____ 20____ BY: _____ TITLE: _____

Health Department

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

City Council

APPROVED THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY COUNCIL

City Engineer

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY CHIEF OF POLICE

City Attorney

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY ATTORNEY

Comcast

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY COMCAST CABLE

School District

APPROVED THIS _____ DAY OF _____ 20____ BY THE TOOELE COUNTY SCHOOL DISTRICT

Fire Chief

APPROVED THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY FIRE DEPARTMENT

Chief of Police

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY CHIEF OF POLICE

Century Link

APPROVED THIS _____ DAY OF _____ 20____ BY CENTURY LINK

Post Master

APPROVED THIS _____ DAY OF _____ 20____ BY THE POST MASTER

TOOELE COUNTY SURVEY DEPARTMENT

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____ BY THE TOOELE COUNTY SURVEY DEPARTMENT. RECORD OF SURVEY FILE NO. _____

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY PLANNING COMMISSION.

ATTEST: _____

DOMINION ENERGY

BY: _____ TITLE: _____

HUNTER'S MEADOW

INCLUDING A VACATION AND AMENDMENT OF LOT 1, PORTER'S PLACE SUBDIVISION PLAT TOOELE CITY

LOCATED WITHIN THE NORTH EAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING: SECTION LINE S89°39'39"W 2652.87'

NORTHEAST CORNER SECTION 32 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN (MONUMENT NOT FOUND)

WITNESS CORNER TO THE NE COR. SEC. 32 T 3 S. R. 4 W. S. L. B. AND M. (FOUND 2 1/2" FLAT BRASS MONUMENT DATED 10-27-2016)

PHILIP TORRES #22-011-0-0089 WD 33286 2-3-2017

EAST QUARTER CORNER SECTION 32 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN (MONUMENT NOT FOUND)

SURVEYOR'S CERTIFICATE

I, BARRY ANDREASON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD A LICENSE, CERTIFICATE NO. 166572, IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT FOUND IN TITLE 58, CHAPTER 22 OF THE UTAH CODE. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAN IN ACCORDANCE WITH UTAH CODE SECTION 17-29-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN UTAH CODE SECTION 54-8a-2, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAN, AND THAT THIS PLAN IS TRUE AND CORRECT. I ALSO CERTIFY THAT I HAVE FILED, OR WILL FILE WITHIN 90 DAYS OF THE RECORDATION OF THIS PLAT, A MAP OF THE SURVEY I HAVE COMPLETED WITH THE TOOELE COUNTY SURVEYOR.

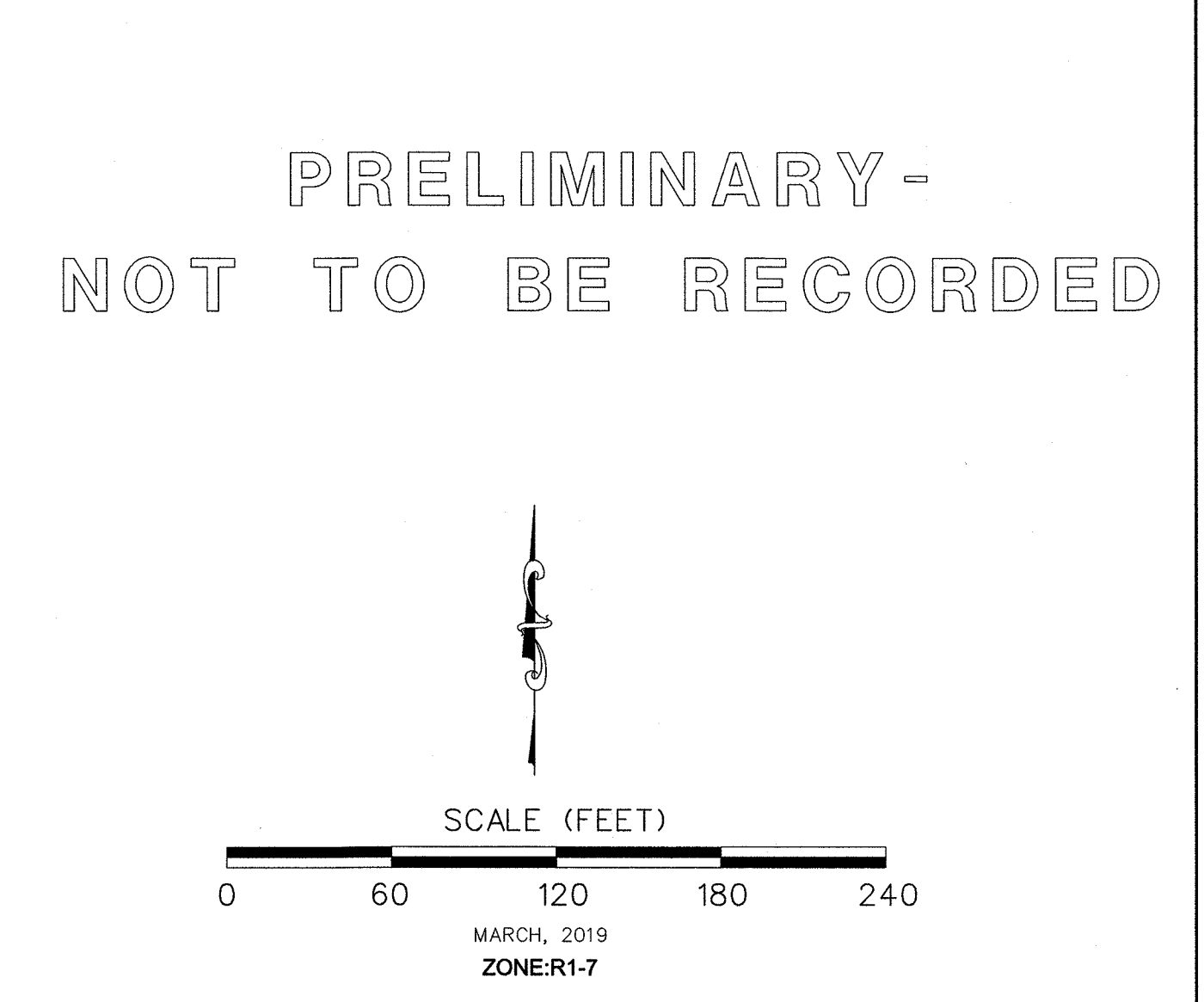
BOUNDARY DESCRIPTION

Beginning at a point which is South 89°39'39" West along the section line 722.43 feet and South 475.73 feet from the West Witness Corner to the Northeast Corner of Section 32, Township 3 South, Range 4 West, Salt Lake Base and Meridian; thence South 234.34 feet to the northerly line of the Lazarus Investments, LLC property; thence South 89°39'41" West along said northerly line 48.70 feet to the northwest corner of said property; thence South 1°07'41" West along the west line of said property 137.68 feet; thence South 87°51'47" East 204.03 feet; thence South 01°07'41" West along the westerly line of Coleman Street 70.30 feet; thence North 87°05'15" West 300.09 feet; thence North 87°10'00" West 8.72 feet; thence South 201.25 feet to a fence line; thence West along said fence line 479.06 feet; thence South 1°30'00" West 178.70 feet; thence South 89°24'21" West 295.45 feet to the easterly boundary of the Westland Cove Subdivision Phase 2; thence North 0°02'57" West along Westland Cove Phase 2 and Phase 3 boundary line 827.86 feet; thence S 89°21'49" E 937.25 feet to the point of beginning.

Area = 14.388 acres (626,726 sq. ft.)

DIVIDED INTO 54 LOTS

Barry Andreason
 Barry Andreason
 MARCH 15, 2019
 Date _____



NOTE:

LOT 1 OF PORTER'S PLACE SUBDIVISION TO BE AMENDED TO LOT 54 HUNTER'S MEADOW SUBDIVISION.

PROJECT

ADDRESS: 760 W. 700 S. TOOELE, UTAH
 PARCEL NUMBER: # 02-011-0-0092
DEVELOPER
 MIKE WATSON 801-636-0100
ENGINEER / SURVEYOR
 M.W. BROWN ENGINEERING
 578 EAST 770 NORTH OREM, UTAH 84058 (801) 377-1790

HUNTER'S MEADOW

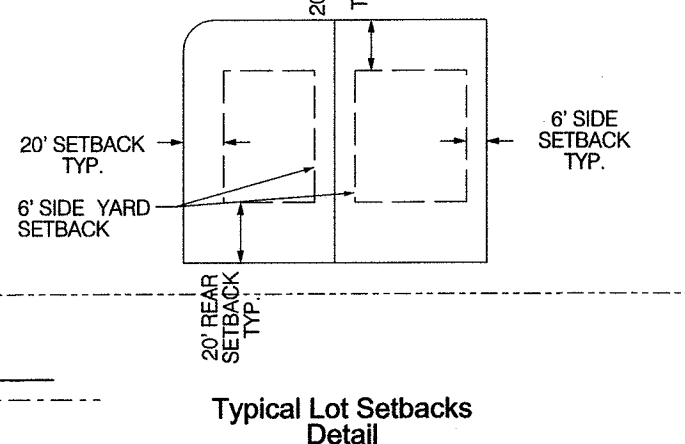
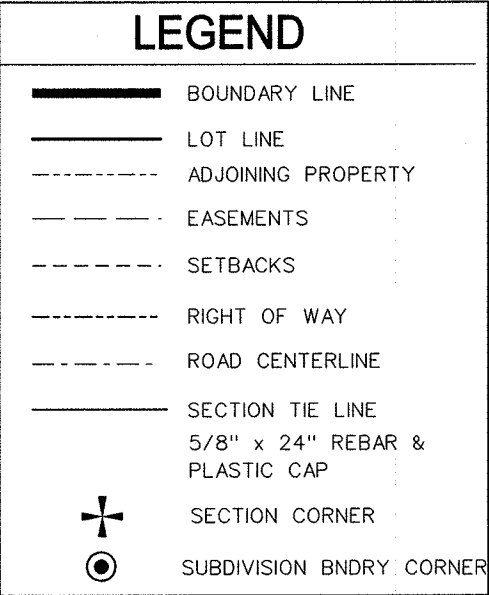
SUBDIVISION PLAT

INCLUDING A VACATION AND AMENDMENT OF LOT 1, PORTER'S PLACE SUBDIVISION PLAT

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ 20____ BY THE TOOELE CITY PLANNING COMMISSION.

ATTEST: _____



NOTES:

1. ALL DESIGN MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE CITY OF TOOELE STANDARD SPECIFICATIONS.

TOOELE CITY CORPORATION

RESOLUTION 2019-30

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING FENCING ON 2000 NORTH STREET AND 400 WEST STREET AS A PUBLIC IMPROVEMENT OWNED BY TOOELE CITY AND MAINTAINED BY THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.

WHEREAS, by Resolution 2014-38 the City Council accepted the public improvements in Overlake subdivisions 1B, 1C, 1D, 1E, 1F, and 1G; and,

WHEREAS, by Resolution 2001-61 the City Council accepted the public improvements in Overlake subdivision 1A; and,

WHEREAS, by Resolution 2008-21 the City Council accepted the public improvements in Overlake subdivision 1J; and,

WHEREAS, many of the public improvements accepted in the above-referenced resolutions were designed and installed, and are now maintained by the North Tooele City Special Service District ("District"), in accordance with design standards established by the developer ("Developer") of the above-referenced subdivisions (collectively "Subdivisions"), which design standards were adopted and perpetuated by Tooele City and the District; and,

WHEREAS, the public improvements in the Subdivisions were itemized by the Developer, which itemization ("Itemization") was approved by Tooele City and attached to the public improvement bond agreements for the Subdivisions; and,

WHEREAS, the perimeter fencing ("Fencing") for the Developments, located on 2000 North Street and 400 West Street, was included in the Developer's public improvements itemization attached to the bond agreements, but was not included in the bond amount established in the bond agreements, and was not bonded for as a public improvement; and,

WHEREAS, the Fencing is an important element of the District design standards, establishing a uniform and unique streetscape and visual corridor in the Subdivisions, which Tooele City and the District Board desire to maintain in recognition of the policies established with the creation of the District, the approval of the Subdivisions, and the implementation of the public improvement design standards established for the District; and,

WHEREAS, the District has understood the Fencing to be a Tooele City-owned public improvements peculiar to the Subdivisions, to be maintained by the District, the District has maintained the Fencing at District expense (meaning, at the expense of the residents of the Subdivisions through taxation), and the District Board has formally

requested that Tooele City accept the Fencing as a Tooele City-owned and District-maintained public improvement; and,

WHEREAS, the Fencing functions as a critical element of the streetscape for 2000 North Street and 400 West Street, and the City Council desires to see the Fencing, and the policies behind its installation and maintenance, maintained, preserved, and perpetuated; and,

WHEREAS, the City Council believes and finds that the Fencing was intended to be, and to function as, a public improvement critical to the establishment and preservation of the design standards for the 2000 North Street and 400 West Street rights-of-way within the District; and,

WHEREAS, other subdivisions have been annexed into the District and have complied with the District public improvement standards, including the fencing standard, which subdivisions include the Sunset Estates subdivisions and the Providence at Overlake subdivisions, and which subdivisions are hereby included in the defined term Subdivisions, and whose perimeter fencing on 2000 North Street and 400 West Street is hereby included in the defined term Fencing; and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council; and,

WHEREAS, acceptance of public improvements by resolution of the City Council denotes acceptance and acknowledgment of City ownership of the public improvements, by dedication, and of City maintenance responsibility for those public improvements; and,

WHEREAS, the City Council finds that the Fencing was intended to be and is required to be a public improvement owned by Tooele City and maintained by the District, in order to preserve the integrity of the uniform and unique streetscape and visual corridor of the District on 2000 North Street and 400 West Street; and,

WHEREAS, the City Council finds that the Fencing was included in the right-of-way public improvements for 2000 North Street and 400 West Street and were dedicated by the Developer to Tooele City through the approval of construction plan and the approval and recordation of subdivision plats for the Subdivisions; and,

WHEREAS, the City Council finds that failure to accept the Fencing as a City-owned and District-maintained public improvement will result in the deterioration of the Fencing and the unique and uniform design standards of the Subdivisions and the District for the 2000 North Street and 400 West Street rights-of-way, which design standards are also the design standards of Tooele City for the Subdivisions and the District; and,

WHEREAS, the City is unaware of the Developer and other developers having conveyed the Fencing or any portion thereof to any owner of property adjacent to the

Fencing, and is unaware of any indicia of private ownership of the Fencing; and,

WHEREAS, attached as Exhibit A is an illustration of the Fencing being accepted by this Resolution as a City-owned and District-maintained public improvement:

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

1. the perimeter Fencing on 2000 North Street and 400 West Street, as illustrated in Exhibit A, is hereby accepted as a Tooele City-owned and District-maintained public improvement; and,
2. the City Administration is encouraged to develop a written protocol for the installation and maintenance of the Fencing.

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

Approved this ____ day of _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)


_____	_____
-------	-------

ATTEST:

Michelle Y. Pitt
Tooele City Recorder

S E A L

Approved as to Form:



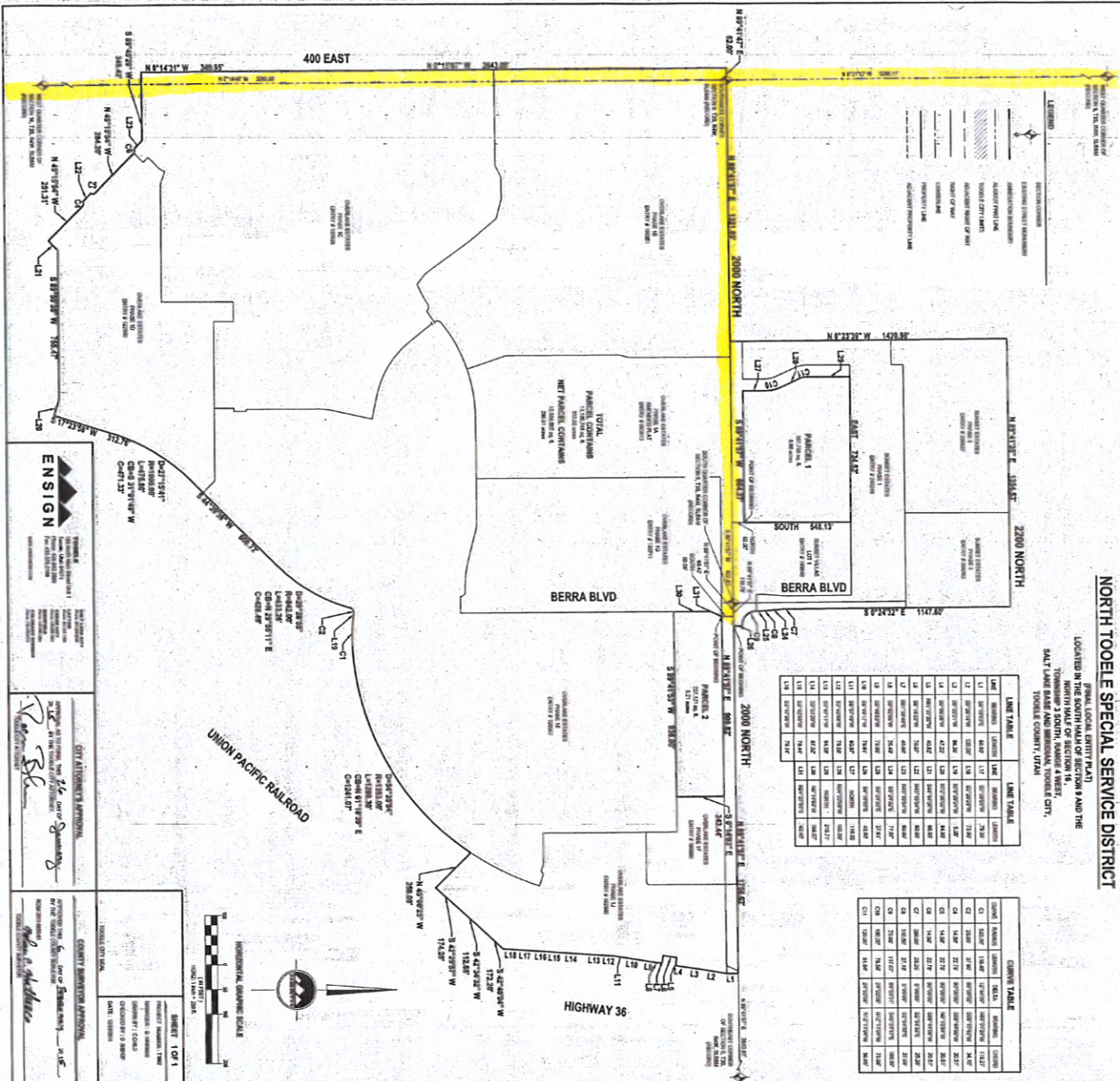
Roger Evans Baker, Tooele City Attorney

Exhibit A

Illustration of the Fencing

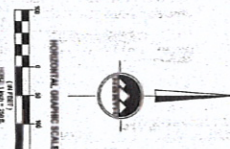
NORTH TOOLE SPECIAL SERVICE DISTRICT

FINAL LOCAL ENTRY PLAN
NORTH HALF OF SECTION 18,
RANGE 14N, TOWNSHIP 20N,
RANGE 14E, TOWNSHIP 20N,
TOOLE COUNTY, UTAH



UNIT	SECTION	AREA	ACRES	OWNER
1	18	1.0000	1.0000	TOOLE COUNTY
2	18	1.0000	1.0000	TOOLE COUNTY
3	18	1.0000	1.0000	TOOLE COUNTY
4	18	1.0000	1.0000	TOOLE COUNTY
5	18	1.0000	1.0000	TOOLE COUNTY
6	18	1.0000	1.0000	TOOLE COUNTY
7	18	1.0000	1.0000	TOOLE COUNTY
8	18	1.0000	1.0000	TOOLE COUNTY
9	18	1.0000	1.0000	TOOLE COUNTY
10	18	1.0000	1.0000	TOOLE COUNTY
11	18	1.0000	1.0000	TOOLE COUNTY
12	18	1.0000	1.0000	TOOLE COUNTY
13	18	1.0000	1.0000	TOOLE COUNTY
14	18	1.0000	1.0000	TOOLE COUNTY
15	18	1.0000	1.0000	TOOLE COUNTY
16	18	1.0000	1.0000	TOOLE COUNTY
17	18	1.0000	1.0000	TOOLE COUNTY
18	18	1.0000	1.0000	TOOLE COUNTY

OWNER	SECTION	AREA	ACRES	OWNER
1	18	1.0000	1.0000	TOOLE COUNTY
2	18	1.0000	1.0000	TOOLE COUNTY
3	18	1.0000	1.0000	TOOLE COUNTY
4	18	1.0000	1.0000	TOOLE COUNTY
5	18	1.0000	1.0000	TOOLE COUNTY
6	18	1.0000	1.0000	TOOLE COUNTY
7	18	1.0000	1.0000	TOOLE COUNTY
8	18	1.0000	1.0000	TOOLE COUNTY
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18	18	1.0000	1.0000	TOOLE COUNTY



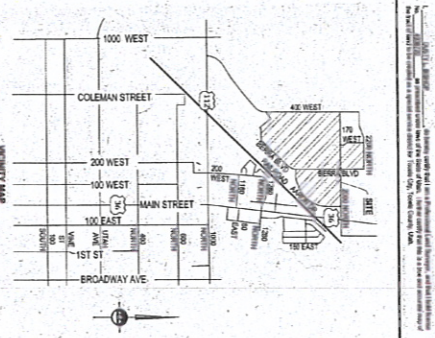
ENSIGN
SURVEYING & ENGINEERING
1000 WEST 1000 SOUTH
SALT LAKE CITY, UTAH 84119
PHONE: 325-1111
FAX: 325-1112
WWW.ENSIGNSURVEYING.COM

UNIT ATTORNEYS APPROVAL:
I, _____, Attorney General of the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the County Clerk of Toole County, Utah, on this _____ day of _____, 20____.

COUNTY ATTORNEYS APPROVAL:
I, _____, County Clerk of Toole County, Utah, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the County Clerk of Toole County, Utah, on this _____ day of _____, 20____.

ACCEPTANCE BY PLANNING COMMISSION:
I, _____, Planning Commission Chairman, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the Planning Commission of Toole County, Utah, on this _____ day of _____, 20____.

ACCEPTANCE BY CITY COUNCIL:
I, _____, Mayor, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the City Council of Toole County, Utah, on this _____ day of _____, 20____.



ACCEPTANCE BY PLANNING COMMISSION:
I, _____, Planning Commission Chairman, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the Planning Commission of Toole County, Utah, on this _____ day of _____, 20____.

ACCEPTANCE BY CITY COUNCIL:
I, _____, Mayor, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the City Council of Toole County, Utah, on this _____ day of _____, 20____.

LOCATED IN THE SOUTH HALF OF SECTION 9 AND THE NORTH HALF OF SECTION 18, RANGE 14N, TOWNSHIP 20N, RANGE 14E, TOWNSHIP 20N, TOOLE COUNTY, UTAH

NORTH TOOLE SPECIAL SERVICE DISTRICT

TOOLE COUNTY RECORDER:
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as filed in the office of the County Clerk of Toole County, Utah, on this _____ day of _____, 20____.

TOOELE CITY CORPORATION

ORDINANCE 2019-11

**AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE
CHAPTER 10-3 REGARDING PARKING IN THE PUBLIC RIGHTS-OF-WAY.**

WHEREAS, it is in the public interest to clarify codifications of city policy from time to time through amendments to the Tooele City Code; and,

WHEREAS, Tooele City Code Chapter 10-3 governs parking in the public rights-of-way, including enforcement; and,

WHEREAS, Chapter 10-3 is intended to protect the public health, safety, welfare, and good order of the community; and,

WHEREAS, most of Chapter 10-3 has not been amended since 1990, and Chapter 10-3 requires modernization, including new definitions and other revisions; and,

WHEREAS, the current civil penalty for illegal parking in the public rights-of-way is \$25, reduced to \$10 if paid within 20 days; and,

WHEREAS, the City Administration suggests that the current civil penalty is an inadequate deterrent to illegal parking in the public rights-of-way, and recommends that the civil penalty for illegal parking be increased to \$100, reduced to \$50 if paid within 15 calendar days; and,

WHEREAS, the increased civil penalty is not intended to be a source of revenue to the general fund, but to be an adequate realistic deterrent to illegal parking; in any event, the increased civil penalty will not cover fully the City's costs to enforce the illegal parking provisions in Chapter 10-3:

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

1. Tooele City Code Chapter 10-3 is hereby amended to read in its entirety as shown in redline in Exhibit A; and,
2. The Tooele City Fee Schedule is hereby amended to include the updated civil penalties.

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this _____ day of _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

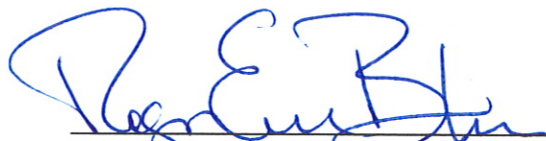
(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:



Roger Evans Baker, City Attorney

Exhibit A

TCC Chapter 10-3 (Amended)

CHAPTER 3. STOPPING, STANDING AND PARKING

- 10-3-1. Regulation of parking - Definitions.
- 10-3-2. Signs and color markings.
- 10-3-3. Angle parking.
- 10-3-4. Parallel parking.
- 10-3-5. Parking not to obstruct traffic.
- 10-3-6. All night parking.
- 10-3-7. Parking for certain purposes prohibited.
- 10-3-8. Parking at Tooele High School.
- 10-3-9. Application of provisions.
- 10-3-10. Provisions not exclusive.
- 10-3-11. Vehicles - Registration and plates.
- 10-3-12. Parking signs required.
- 10-3-13. Approaching a parking space.
- 10-3-14. Procedure for leaving vehicle unattended.
- 10-3-15. Lights on parked vehicles.
- 10-3-16. Handicap parking - Public property.
- 10-3-17. Handicap parking - Private property.
- 10-3-18. Parking lots owned by the city.
- 10-3-19. Loading zones and restricted parking - Designation and signs.
- 10-3-20. Freight curb loading zones.
- 10-3-21. Restricted parking zones.
- 10-3-22. Parking in alleys.
- 10-3-23. Double parking, standing or stopping.
- 10-3-24. Stopping or parking - Roadways without curb.
- 10-3-25. Stopping standing or parking prohibited in certain areas.
- 10-3-26. Parking between curb and property line prohibited.
- 10-3-27. Using streets for storage prohibited.
- 10-3-28. Presumption of liability.
- 10-3-29. Parking violation - Owner's responsibility.
- 10-3-30. Moving illegally parked vehicles - Police authority.
- 10-3-31. Violations - Penalties.
- 10-3-32. Parking violations - Appeal procedure.
- 10-3-33. Using parking lots and vacant lots to display used vehicles for sale.

10-3-1. Regulation of pParking - Definitions.

(1) The chief of police is authorized to ~~may~~ prohibit, restrict, or regulate the parking, stopping, and standing of vehicles, including towing authority as set forth herein:

- (a) on any public right-of-way;
- (b) on any off-street parking facility or property which Tooele City owns or operates; and,
- (c) as otherwise authorized by federal, state, or local law.

(2) Definitions.

"Emergency use" areas means: those areas:

- (a) designated by red curb markings (also known as "red zones");
- (b) designated as ambulance zones, fire hydrant zones, or fire lanes, whether on public or private property; and,
- (c) any other designated area of the city posted as restricted for emergency vehicles or emergency use.

"Park" "stand" and "stop" (as well as their variants), for purposes of this Chapter, shall have the same meaning, and mean a vehicle's complete cessation of movement upon or within a public right-of-way.

"Public right-of-way" means the surface of, and the space above and below, any public street, sidewalk, alley, curb and gutter, park strip, shoulder, or other public way of any type whatsoever, now or hereafter existing as such within Tooele City.

"Street" means the portion of a public right-of-way paved and utilized for vehicular traffic.

"Vehicle" means any motorized device for the transportation of people or goods containing two or more wheels.

(Ord. 1990-08, 06-14-1990)

10-3-2. Signs and ~~c~~Color ~~m~~Markings.

The ~~c~~City is authorized, subject to the provisions and limitations of this ~~t~~itle, to place ~~and when required herein shall place~~ and maintain ~~appropriate~~ signs or traffic markings to indicate stopping, standing, or parking regulations. The following traffic markings shall designate zones and have the following meanings:

(1) Red ~~-~~curb means no stopping, standing, or parking at any time.

(2) Yellow curb means no stopping, standing, or parking except as designated by ~~appropriate~~ signs or traffic markings.

(Ord. 1990-08, 06-14-1990)

10-3-3. Angle ~~p~~Parking.

The chief of police shall determine on what ~~public rights-of-way and streets~~ ~~roadways~~ angle parking shall be permitted and shall mark or sign ~~them~~ ~~such~~ ~~roadways~~. Angle parking shall not be permitted upon any federal-aid or state highway unless the Utah Department of Transportation has determined that the roadway is of sufficient ~~configuration~~ ~~width~~ to permit angle parking without interfering with the free movement of ~~vehicular~~ traffic.

(Ord. 1990-08, 06-14-1990)

10-3-4. Parallel ~~p~~Parking.

No person shall ~~stop~~, stand, or park a vehicle in a roadway provided with curb other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the right-hand wheels of the vehicle within eighteen inches of the curb ~~or edge of the roadway~~, except as otherwise provided in this ~~c~~Chapter.

(Ord. 1990-08, 06-14-1990)

10-3-5. Parking ~~n~~Not ~~t~~To ~~o~~Obstruct ~~t~~Traffic.

No person shall stop, stand, or park a vehicle upon a street in such a manner as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic.—

(Ord. 1990-08, 06-14-1990)

10-3-6. All ~~n~~Night ~~p~~Parking.

No person shall park a vehicle on any street between the hours of 2:00 a.m. and 6:00 a.m. of any day from November 1 through March 31. This provision does not

apply to authorized emergency vehicles in the performance of official duties.

(Ord. 1990-08, 06-14-1990)

10-3-7. Parking for ~~c~~Certain ~~p~~Purposes ~~p~~Prohibited.

No person shall park a vehicle upon any street for any of the following purposes:

- (1) displaying ~~the such~~ vehicle for sale;
- (2) washing, greasing, or repairing ~~the such~~ vehicle except repairs necessitated by an emergency;
- (3) displaying advertising; or,
- (4) selling food or other merchandise ~~in any commercial district.~~

(Ord. 1990-08, 06-14-1990)

10-3-8. Parking at Tooele High School.

The parking regulations of the current Student-Parent Manual of Tooele High School are hereby adopted and shall be enforced upon the premises of Tooele High School only.

(Ord. 1990-08, 06-14-1990)

10-3-9. Application of ~~p~~Provisions.

The provisions of this ~~c~~Chapter shall apply at all times, or at those times specified in this ~~c~~Chapter, or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or ~~a~~ official traffic-control device.

(Ord. 1990-08, 06-14-1990)

10-3-10. Provisions ~~n~~Not ~~e~~Exclusive.

The provisions of this ~~c~~Chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

(Ord. 1990-08, 06-14-1990)

10-3-11. Vehicles - Registration and ~~p~~Plates.

(1) Every vehicle at all times while standing or being stopped or parked upon the streets or alleys of this city shall:

(a) be registered in the name of the owner thereof in accordance with the laws of the state, unless ~~the such~~ vehicle is not required by the laws of Utah to be registered in this state;

(b) display in proper position two valid, unexpired registration plates, one on the front and one on the rear of ~~the such~~ vehicle;

(c) when required, bear current validation or indicia of registration attached to the rear plate and in a manner complying with the laws of the state of Utah, which registration shall be free from defacement, mutilation, grease, dirt, and other obscuring ~~items~~ matters, so as to be plainly visible and legible at all times.

(2) If ~~the such~~ vehicle is not required to be registered in this state, and the indicia of registration issued by another state, territory, possession, or district of the United States, or of a foreign country, substantially complies with the provisions hereof, such registration shall be considered as in compliance with this ~~s~~Section.

(Ord. 1990-08, 06-14-1990)

10-3-12. Parking ~~s~~Signs ~~r~~Required.

(1) When the City desires to implement any site-specific parking regulation that imposes a parking time limit or parking prohibition in a specific location, the City shall install and maintain ~~appropriate~~ signs and/or pavement markings that provide notice of the regulation at the location where enforcement is sought.

(2) This section shall not apply to the following:

(a) general parking regulations that apply city-wide;

(b) general parking regulations that apply under specified circumstances or to places in general that meet specified criteria without identifying specific places by address, street name, or other specific place description;

(c) any provision of the Tooele City Code listed below:

- i. §10-3-6
- ii. §10-3-11
- iii. §10-3-14
- iv. §10-3-22
- v. §10-3-23
- vi. §10-3-24
- vii. §10-3-25(1)
- viii. §10-3-26
- ix. §10-3-27; and,

(d) any State Code parking regulation of general application.

(3) When signs or pavement markings are erected or placed by direction of the ~~c~~City, it shall be a violation for any person to park a vehicle or allow ~~a such~~ vehicle to remain parked upon any street for longer than the time specified or contrary to the signs or markings.

(Ord. 2007-31, 12-19-2007) (Ord. 1990-08, 06-14-1990)

10-3-13. Approaching a ~~p~~Parking ~~s~~Space.

(1) No person shall move a vehicle in any manner or leave a parking space and then reenter it to avoid the intent of this ~~c~~Chapter.

(2) Every driver about to enter a parking space being vacated shall stop the vehicle and wait to the rear of the vehicle in the actual process of vacating the parking space, and having so waited shall have prior right to the parking space over all other drivers.

(3) No driver shall stop a vehicle ahead of a parking space being vacated and attempt to interfere with a driver who has waited properly to the rear of a parking space being vacated.

(4) No driver shall stop and wait for a parking space unless the vehicle vacating the space is actually in motion in the process of vacating.

(Ord. 1990-08, 06-14-1990)

10-3-14. Procedure for ~~f~~Leaving ~~r~~Vehicle ~~n~~Unattended.

No driver or person in charge of a ~~motor~~ vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key and, when ~~the such motor~~ vehicle is standing, parked, or stopped upon any perceptible grade, without effectively setting the brakes thereon and turning ~~of~~ the front wheels

to the curb or side of the street.-
(Ord. 1990-08, 06-14-1990)

10-3-15. Lights on ~~p~~Parked ~~v~~Vehicles.

(1) Whenever a vehicle is lawfully parked upon any street, no lights need be displayed upon ~~the such~~ parked vehicle.

(2) Any lighted headlamp upon a parked vehicle, except official emergency vehicles ~~in the performance of official duties while in official use~~, shall be depressed or dimmed.

(Ord. 1990-08, 06-14-1990)

10-3-16. Handicap ~~p~~Parking - Public ~~p~~Property.

(1) Handicap Parking in Restricted Areas.

(a) A ~~disabled handicapped~~ person whose automobile has affixed thereto, as provided by law, the handicap license plate or a transferable motor vehicle identification card issued by the state of Utah, shall be entitled to park in the following identified restricted parking areas without charge, notwithstanding any other state or municipal parking restriction:-

- (i) freight loading zones;,-
- (ii) passenger loading zones; and,
- (iii) time-limited parking zones.

(b) It is unlawful for a ~~disabled such handicapped~~ person to park for longer than the maximum designated time at restricted parking areas.

(2) The ~~c~~City is hereby authorized, at its discretion, to reserve by appropriate ~~signage signing~~; various public areas or property for handicap parking. It is unlawful for:

(a) any ~~disabled handicapped~~ person to park longer than the time shown on the sign designating the area as "handicap parking"; or,

(b) any vehicle to be parked in an area designated as handicapped parking, unless ~~the such~~ vehicle has displayed upon it the handicap parking plate or transferable identification card issued by the state.

(3) It is unlawful for any person using a vehicle with a handicap license plate or transferable motor vehicle identification card who is not ~~disabled handicapped~~ to use handicap parking.

(4) Restricted Areas Not Authorized for Special Handicap Parking. Nothing herein shall be construed to permit parking by any individual, contrary to or as an exception to the limited purpose of any of the following designated areas:

(a) any area where official signs or traffic markings absolutely prohibit stopping, standing, or parking;

(b) areas reserved for emergency use;

(c) on a sidewalk ~~area~~;

(d) in front of or within five feet of a private driveway;

(e) within five feet of a fire hydrant, as measured in both directions along the street or highway curblin, from a line extending from the center of the hydrant to the curblin at its nearest point;

(f) within 20 feet of a crosswalk at an intersection;

(g) within 30 feet of ~~upon~~ the approach to any

flashing beacon or traffic-control device located at the side of a roadway;

(h) between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless ~~official authorized~~ signs or markings indicate a different length;

(i) within 50 feet of the nearest rail of a railroad crossing;

(j) within 20 feet of the driveway entrance to any fire station, and on the side of a street opposite the entrance when properly signposted;

(k) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct or be hazardous to traffic;

(l) upon any bridge or other elevated structure upon a street;

(m) at any place in any public park, playground, or grounds of any public building other than on the roads or parking lots provided for public parking in accordance with provisions of any officially installed signs;

(n) on any footpath ~~or trail~~ in any park, ~~recreational area~~, or playground; ~~or~~,

(o) taxi and bus stands or stops.

(Ord. 1990-08, 06-14-1990)

10-3-17. Handicap ~~p~~Parking - Private ~~p~~Property.

Only those vehicles displaying a handicap license plate or transferable identification card issued by the state may park in any parking spot designated for the parking of handicapped ~~or disabled~~ persons. This restriction shall apply to and be enforceable upon public property and private property where parking is open to the general public, whether parking is provided to the general public for free or for a fee.

(Ord. 1990-08, 06-14-1990)

10-3-18. Parking ~~l~~ots ~~o~~wned by the ~~c~~City.

(1) No person, on the premises of any parking lot owned by the ~~c~~City where a sign or signs are posted designating such parking lot as a parking lot of Tooele City, shall do any of the following:

(a) park any vehicle continuously in excess of ~~48 72~~ hours;

(b) park any boat, trailer, or ~~recreational vehicle~~ ~~motor home~~;

(c) park any vehicle over 18 feet in length or eight feet wide;

(d) abandon any vehicle;

(e) make repairs on any vehicle; ~~or~~,

(f) park any vehicle thereon which does not bear a valid license plate ~~and current registration~~.

(2) Any vehicle found in violation of Subsection (1) is hereby declared to be a nuisance and may be summarily abated by removing any such vehicle by, or under the direction of, or at the request of a police officer or other officer charged with enforcing the parking laws of the ~~c~~City to a place of storage within the city by means of towing.

(Ord. 1990-08, 06-14-1990)

10-3-19. Loading ~~z~~Zones and ~~r~~Restricted ~~p~~Parking - Designation and ~~s~~Signs.

The ~~c~~City is hereby authorized to determine the location of passenger and freight curb loading zones and restricted parking zones. The ~~c~~City shall place and maintain ~~appropriate~~ signs or markings indicating the same and stating the hours during which the provisions of this ~~s~~Section are applicable.
(Ord. 1990-08, 06-14-1990)

10-3-20. Freight ~~c~~Curb ~~t~~Loading ~~z~~Zones.

(1) No person shall stop ~~or park~~ a vehicle or permit the same to remain stopped ~~or parked~~ for any purpose or length of time other than for the expeditious loading or unloading of materials in any place marked as a freight curb loading zone during the hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading or unloading of materials exceed 30 minutes.

(2) The driver of a passenger vehicle may stop ~~and park~~ at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers provided that the driver must remain with the vehicle.
(Ord. 1990-08, 06-14-1990)

10-3-21. Restricted ~~p~~Parking ~~z~~Zones.

No person shall stop, stand, or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in ~~the such~~ zone is restricted, except that a driver of a passenger vehicle may stop ~~or park~~ temporarily in ~~the such~~ zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purposes to which parking is restricted. The driver must remain ~~with in the vehicle~~.
(Ord. 1990-08, 06-14-1990)

10-3-22. Parking in ~~r~~Alleys.

No person shall park a vehicle within an alley except during the necessary and expeditious loading and unloading of merchandise. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance ~~of or~~ any abutting property, or interfere with the free movement of traffic through the alley.
(Ord. 1990-08, 06-14-1990)

10-3-23. Double ~~p~~Parking, ~~s~~Standing or ~~s~~Stopping.

No person shall park, stand, or stop a vehicle upon the roadway side of another vehicle which is parked, standing, or stopped except while actually engaged in loading or unloading passengers, or in compliance with directions of a police officer or traffic-control device, or when necessary to avoid other traffic.
(Ord. 1990-08, 06-14-1990)

10-3-24. Stopping or ~~p~~Parking - Roadways without ~~c~~Curb.

(1) No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon any ~~roadway constructed street~~ without a curb, when it is

practical to stop, park, or so leave such vehicle off ~~the streetsuch roadway~~. In every event, any ~~such~~ parked vehicle shall be parked in the direction of lawful traffic movement with an unobstructed width of the ~~street roadway~~ opposite the standing vehicle left for the free passage of other vehicles, and a clear view of such stopped vehicles shall be available.

(2) This ~~s~~Section shall not apply to the driver of any vehicle which is disabled while on the main traveled portion of a street in such ~~a~~ manner and to such an extent that it is impossible to avoid stopping and temporarily leaving ~~the such~~ disabled vehicle in ~~that such~~ position.
(Ord. 1990-08, 06-14-1990)

10-3-25. Stopping ~~s~~Standing or ~~p~~Parking ~~p~~Prohibited in ~~c~~Certain ~~r~~Areas.

(1) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

- (a) on a sidewalk ~~or curb area~~;
- (b) in front or within five feet of a private driveway;
- (c) within an intersection;
- (d) within five feet of a fire hydrant, as measured in both directions along the street or highway curbline from the line extending from the center of the hydrant to the curbline at its nearest point;
- (e) on a crosswalk;
- (f) within 20 feet of a crosswalk at an intersection;
- (g) within 30 feet upon the approach of any flashing beacon or traffic-control device located at the side of a roadway;
- (h) between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless authorized signs or markings indicate a different length;
- (i) within 50 feet of the nearest rail of a railroad crossing;
- (j) within 20 feet of the driveway entrance to any fire station, and on the side of a street opposite the entrance when properly signposted;
- (k) alongside or opposite any street excavation or obstruction, when stopping, standing, or parking would obstruct or be hazardous to traffic;
- (l) upon any bridge or other elevated structure upon a street;
- (m) where official signs or traffic markings prohibit stopping, standing, or parking;
- (n) in any public park, playground, ~~recreational area~~, or grounds of any public buildings other than on the roads or parking lots provided for public parking and then only in accordance with provisions of any signs, officially installed by direction of the city;
- (o) on any footpath ~~or trail~~ in any park, ~~recreational area~~, or playground;
- (p) within a fire lane, as designated by Tooele City, whether on public or private property;
- (q) on any median or island, or on any dividing section of a ~~streetroadway~~;

(r) on any public street or alley ~~where the width of the roadway is less than 20 feet wide; or,~~

(s) on the south or east side of any public street or alley where the width ~~of the roadway is over 20 feet,~~ but less than 30 feet, unless otherwise directed by traffic-control devices.

(2) No person shall stop, stand, or park a vehicle in any manner or position contrary to any sign or marking officially placed by direction of the ~~City.~~

(3) No person shall move a vehicle under such person's control into any such prohibited area, or upon any area not designated for vehicular travel or parking. (Ord. 1990-08, 06-14-1990)

10-3-26. Parking between ~~Curbs~~ and ~~Property~~ ~~Prohibited.~~

No person shall leave or cause to be left, or parked, any vehicle upon any portion of a street or highway between the curb lines or, ~~if there is no curb, between the later lines of a roadway edge of pavement,~~ and the adjacent property lines.

(Ord. 1990-08, 06-14-1990)

10-3-27. Using ~~Streets~~ for ~~Storage~~ ~~Prohibited.~~

No person shall park a vehicle, boat, trailer, motor home, camper, ~~recreational vehicle,~~ motorcycle, or other item upon any ~~public right-of-way street~~ for a period of time longer than 48 hours.

(Ord. 1990-08, 06-14-1990)

10-3-28. Presumption of ~~Liability.~~

The fact that a ~~vehicle an automobile~~ which is illegally parked is registered in the name of a person shall be sufficient to constitute a presumption that such person was in control of the ~~vehicle automobile~~ at the time of its ~~such~~ parking.

(Ord. 1990-08, 06-14-1990)

10-3-29. Parking ~~Violation~~ - Owner's ~~Responsibility.~~

Whenever any vehicle ~~is shall have been~~ parked in violation of any of the provisions of this ~~Chapter,~~ the person in whose name ~~the such~~ vehicle is registered shall be prima facie responsible and strictly liable for the ~~such~~ violation and ~~associated the~~ penalty ~~therefor.~~

(Ord. 1990-08, 06-14-1990)

10-3-30. Moving ~~illegally~~ ~~Parked~~ ~~Vehicles~~ - Police ~~Authority.~~

A police officer is hereby authorized to remove or caused to be removed to a place of safety any unattended vehicle stopped, parked, or left standing on a street or public right-of-way in a position or under circumstances as follows:

(1) the vehicle obstructs the normal and safe movement of vehicular, bicycle, or pedestrian traffic;

(2) the vehicle obstructs the normal and safe movement of authorized emergency vehicles and City service vehicles, including snow plows, in the performance of official duties;

(3) the vehicle otherwise creates a risk of danger to persons or damage to property; and,

(4) the vehicle is abandoned or displays common

~~indicia of abandonment. Whenever any police officer finds a vehicle parked or standing upon a street and such vehicle is creating a danger to persons or property, such officer is hereby authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same, to a position off the main-traveled part of such street.~~

(Ord. 1990-08, 06-14-1990)

10-3-31. Violations - Penalties.

(1) A violation of this Chapter shall be a civil offense.

(2) Any person violating a provision of this ~~Chapter~~ shall be liable for a \$100 ~~25~~-civil penalty. Any penalty assessed under this ~~Chapter~~ may be in addition to such other penalties as may be provided in this ~~Title.~~

~~(3) Any penalty that is paid within 15 calendar 20~~ days from the date of receipt of notice shall be reduced to \$50 ~~by \$10.~~

~~(3) Any penalty that remains unpaid beyond 30 days from date of receipt of notice shall be increased by \$10.~~

~~(4) Any penalty that remains unpaid beyond 60 days from the date of receipt of notice shall be increased by an additional \$15.~~

~~(45) As used in this Chapter, "receipt of notice" means the affixing of a notice to the vehicle alleged to have been employed in such violation, or by delivery of such notice to the owner or driver of the vehicle in violation thereof.~~

(Ord. 1990-08, 06-14-1990)

10-3-32. Parking ~~Violations~~ - Appeal ~~Procedure.~~

Appeal of civil penalties imposed under this Chapter shall be to the Administrative Hearing Officer ~~under Chapter 1-28 of this Code.~~

(Ord. 2013-07, 04-17-2013) (Ord. 2006-02, 01-04-2006)

(Ord. 1990-08, 06-14-1990)

10-3-33. Using ~~Parking~~ ~~lots~~ and ~~Vacant~~ ~~lots~~ to ~~Display~~ ~~Used~~ ~~Vehicles~~ for ~~Sale.~~

~~(1) It shall be unlawful for the owner of a motor vehicle, trailer or boat, or for any other person, to park, cause to be parked, or allow to be parked the motor vehicle, trailer or boat on a vacant lot or parking lot owned by another person for the purpose of displaying the motor vehicle, trailer or boat for sale unless the owner or lessee of the property on which it is parked has given authorization for the vehicle or boat to be so parked. a city business license to sell motor vehicles, trailers or boats at that location. (2) It shall be unlawful for the owner or lessee of real property to allow another person to park a motor vehicle, trailer or boat on the property for the purpose of displaying the motor vehicle, trailer or boat for sale unless the owner or lessee of the real property is duly licensed to engage in the business of selling motor vehicles, trailers or boats at that location.~~

~~(3) Law enforcement personnel shall cause a notice of violation to be placed upon vehicles, trailers or boats parked in violation of this Section. If the vehicle, trailer or boat is not removed within 24 hours thereafter, and if the property owner or lessee indicates that the vehicle was left on the property without permission of the owner or~~

~~lessee, the vehicle shall be impounded as a nuisance to be
released to the owner or responsible party.~~
(Ord. 1994-29, 07-06-1994)

TOOELE CITY CORPORATION

RESOLUTION 2019-34

A RESOLUTION OF THE TOOELE CITY COUNCIL RE-APPROVING AND RE-ADOPTING RESOLUTION 2017-18 APPROVING THE ANNEXATION OF 49 ACRES OF ADDITIONAL SUNSET ESTATES PROPERTY INTO THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.

WHEREAS, on April 6, 2017, the City Council voted to approve Resolution 2017-18 annexing into the North Tooele City Special Service District certain land comprising the Sunset Estates existing and future subdivisions; and,

WHEREAS, Utah Code Section 17D-1-403 provides that within 30 days of the City Council passing a resolution to annex area into a special service district, the City must provide to the Lieutenant Governor a copy of the final local entity plan showing and describing the annexed area; and,

WHEREAS, Tooele City had only recently received the local entity plat for annexation of the Additional Property (see below; consisting of Sunset Estates phase 7+ subdivision property); therefore, it is necessary to readopt Resolution 2017-18 so that both the local entity plat and the annexation resolution can be submitted to the Lieutenant Governor; and,

WHEREAS, the creation of special service districts is governed by U.C.A. Chapter 17D-1 Part 2; the procedure for annexing additional property into an existing special service district is the same as for the existing special service district's original creation; and,

WHEREAS, on June 16, 1999, the City Council approved Resolution 1999-29 for the creation of the North Tooele City Special Service District ("District") for the purpose of maintaining several unique public amenity features of the Overlake subdivisions; and,

WHEREAS, on December 17, 2003, the City Council approved Resolution 2003-62 for the annexation into the District of 30.69 acres, which comprised portions of the Sunset Estates subdivisions; and,

WHEREAS, on January 7, 2015, the City Council approved Resolution 2015-06 for annexation into the District of an additional 5.42 acres into the District, which comprised Sunset Estates phase 5 subdivision; and,

WHEREAS, on August 19, 2015, the City Council approved Resolution 2015-36 for annexation into the District of an additional 10.31 acres into the District, which comprised Sunset Estates phase 6 subdivision; and,

WHEREAS, Tooele City has received a Petition from the Tom Nixon Family Partnership (“Petitioner”) to annex an additional 48.69 acres into the District, which comprise Sunset Estates phase 7 and future Sunset Estates phases (“Additional Property”); and,

WHEREAS, because the Additional Property is held in common ownership by Petitioner, Tooele City and the Petitioner are relieved of complying with the Notice, Protest, and Public Hearing requirements of U.C.A. Sections 17D-1-205, 206, and 207, and the annexation may be approved simply by approving this Resolution, obtaining a Certificate of Incorporation from the Utah Lt. Governor, and recording the required documents with the Office of the Tooele County Recorder; and,

WHEREAS, the annexation of additional Sunset Estates property into the District, as proposed by this Resolution, has been requested not only by the Petitioner, but also by current and former members of the City Council, the Planning Commission, and the District’s Administrative Control Board; and,

WHEREAS, the purpose of the District in annexing the Additional Property will be to maintain within the Additional Property special features and amenities related to the unique design of public street lighting, public signage, public drainage and flood control, public recreation properties, public street design and traffic calming features, and associated and integral public landscaping (the “Amenities”); and,

WHEREAS, in addition to the above purposes, annexation into the District will also allow Tooele City to impose upon and enforce with the Additional Property the construction and maintenance of Amenities design standards common to the District, including the privately-owned and privately-maintained privacy fence along 400 West Street right-of-way property line, rather than defaulting to Tooele City’s regular design standards for such features and Amenities; and,

WHEREAS, the District will maintain only those Amenities formally accepted by and dedicated to Tooele City in the land use approval process; and,

WHEREAS, the City Council finds that it is in the best interest of the City in general and of District residents in particular, including the future residents of the Additional Property, to annex the Additional Property into the District; and,

WHEREAS, to the best of the City’s knowledge, all requirements of the law precedent to the approval of this Resolution have been fully met:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that Resolution 2017-18 regarding the annexation of the Additional Property into the District is hereby re-approved and re-adopted, and that the City Recorder is hereby instructed to file and record the necessary documents with the Utah Lt. Governor and the Tooele County Recorder.

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 _____, 2019.

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 Council
Business Meeting Minutes**

Date: Wednesday, April 3, 2019

Time: 7:00 p.m.

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

City Council Members Present:

Steve Pruden

Brad Pratt

Dave McCall

Scott Wardle

Melodi Gochis

City Employees Present:

Mayor Debbie E. Winn

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glen Caldwell, Finance Director

Paul Hansen, City Engineer

Stephen Evans, Public Works Director

Chief Rick Harrison, Fire Department

Darwin Cook, Parks Department Director

Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Scout Colby Cook.

2. Roll Call

Steve Pruden, Present

Dave McCall, Present

Scott Wardle, Present

Brad Pratt, Present

Melodi Gochis, Present

Chairman Pruden asked Ms. Darlene Dixon to present the Boys and Girls Club agenda item prior to the Mayor's Youth Recognition.

3. Mayor's Youth Recognition Awards

Presented by Mayor Winn, Stacy Smart, and Police Chief Ron Kirby.

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Police Chief Ron Kirby and thanked him for his collaboration. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Ms. Smart, Chief Kirby, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- Aiyana Tso
- Taylor Scott
- Sage Wimmer
- Alan Armas
- Kenneth Torres
- Mason Delaney

4. Public Comment Period.

Chairman Pruden invited comments from the public, there were none.

Chairman Pruden closed the public comment period.

5. Boys & Girls Club of Greater Salt Lake – Tooele Club Update and Boys & Girls Club Week Proclamation.

Presented by Darlene Dixon and Mayor Debbie Winn

Ms. Dixon thanked the community in attendance. Ms. Dixon gave an update of what has been happening at the club over the past year. When the Boys and Girls Club ended their year, they ended with 422 club members and those members hit the goal for the year. For 2019 the goal is 430. The club is currently on track to exceed that goal. The ADA between the two club sites, Dow James and the Teen Center have a goal of 65 club members. That goal has been exceeded with an average of 67 club members. Lastly Bridgestone and Firestone donated a new van to the Boys and Girls Club. It was very exciting and the donors will be highlighted at the upcoming open house.

Ms. Dixon stated that a survey was just completed with all of the club members, the NYOI, National Youth Outcome Initiative. This is a way for Boys and Girls Clubs of America to rate clubs. Tooele is number 6 of 7 Boys and Girls Club of the Greater Salt Lake. The results of the study in 2018, the club ranked 73% in kids bonding with the staff. The club beat the national average by 4%. Tooele's club hit the highest national average in the whole Pacific Region. It

makes a huge and exciting bubble for the staff to live up to. This year's survey has been taken and the results will be in around mid-summer. Ms. Dixon stated that she does believe they will exceed their goal. In the survey it was determined that kids felt a little unsafe in the buildings. The club has added a Club Hall of Fame and the project has taken away the scariness of the hall. Ms. Dixon stated that the other thing that was scary was the walk from Northlake Elementary to the Dow James Facility. In walking to the club, the kids felt they were getting harassed and bullied on the way to the club. A staff member was hired to walk with the children from Northlake to the club. The staffer walks with the kids and relationship with Northlake Elementary has improved and the kids feel safe.

Ms. Dixon stated that the last thing that the club is working on is emergency preparedness. The club runs drills, but had not thought about what happens after the drill. Tooele Club developed a group, called the Parents Advisory Council, with teen and junior member parents, as well as a grandparent. The parents have been working with staffers to develop a relationship with the EOC for trainings for reunification and go bags. It opened the eyes of the staffers on how the kids get back to their families if there was an emergency situation. This will be rolled out to the public in the following year.

Ms. Dixon stated that lastly the club members are amazingly talented. The club has been doing a family play for the last two years. This last year the play was Hansel and Gretel. The play is run by a teen club member. The teen volunteers her time to teach the younger kids the play. There were over 250 club members families that attended the play. Also, during that time there was a junior club member that taught other junior club members a dance and presented it during the play evening. The teen club members also received dance instruction and performed. The event was in January, but it will probably be moved to the spring in future years.

Ms. Dixon stated that over the holidays the club helped 60 families with Thanksgiving dinners. There were 50 teens and 30 juniors who received Christmas help. 15 children received shoes and the club joined forces with Eyecare for Kids, where 30 children were tested and 20 received glasses. The club has summer camp fast approaching. It starts June 3 and runs through August 8 for six to 12-year old's who are not in junior high. The annual dinner and auction for the Boys and Girls Club of the Greater Salt Lake is fast approaching. It is the biggest fundraiser of the year. On June 21 the club was chosen as the recipients of the Mayor's golf tournament.

Lastly Ms. Dixon stated that the week of April 8- 12 is the National Boys and Girls Week. It is a week to open the doors to the public and encourage community members to join the club. Monday is a day to celebrate dance. There is a dance party at both clubs. Tuesday is the anti-bullying day and all the clubs will be doing team building activities and learning skills to combat bullying. Wednesday is the Open House at the Teen Center at 102 North 7th Street, between 4-5:30pm. The club will be honoring Bridgestone and Firestone for the donation of the new van. The theme is triple play which is taking care of our bodies. There will be healthy activities and snacks. On Thursday is design a future club. All club members will think of themselves 20 years

in the future and what they would like the Boys and Girls Club to look like. On Friday is the giant game day.

Mayor Winn read Proclamation for the Boys and Girls Club Week in Tooele City, Utah April 9-13th. The full Proclamation can be read in Attachment A.

Ms. Dixon introduced Angela Gorringer, Program Director. Ms. Gorringer introduced members of the Torch Club. The Torch club is a leadership and fundraising club. The club helps clean up parks, make things to donate to the nursing home and animal shelter. The Torch Club presented the Council and City staff with treat plates.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

6. **Resolution 2019-08 A Resolution of the Tooele City Council Approving an Interlocal Agreement for Tax Increment Participation with the Redevelopment Agency of Tooele City, Utah, "RDA" for the Broadway Community Development Project Area, and Authorizing the Mayor to Sign the Same.**

Presented by Mayor Debbie Winn

Mayor Debbie Winn stated that the Resolution is an interlocal agreement between the City Council and Redevelopment Agency. It is for tax increment participation for the Broadway Community Development Project Area. The project area is on Broadway in part of the new town area. A developer is interested in redoing the hotel and building some adjacent units for affordable housing. The tax increment participation is 75% for 10-year period.

Chairman Pruden asked if the Council had any questions or comments, there were none.

Council Member Pratt motioned to approve Resolution 2019-08. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

7. **Resolution 2018-31 A Resolution of the Tooele City Approving an Agreement with Tooele County for Dispatch Services for Fiscal Year 2019-2020.**

Presented by Chief Ron Kirby

Chief Kirby stated that this is an ongoing agreement with Tooele County for dispatch services. The County does an excellent job. The amount for the agreement has gone down to \$316,327.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Wardle thanked the County Sherriff who was in attendance, for the transparency and answering the Council's questions.

Council Member Wardle motioned to approve Resolution 2018-31. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

8. Resolution 2019-29 A Resolution of the Tooele City Council Appointing Kari Scribner to the Administrative Control Board of the North Tooele City Special Service District.

Presented by Council Member Melodi Gochis

Council Member Gochis stated that the North Tooele Service District has a vacancy and they have recommended that Kari Scribner be appointed to the Control Board. Ms. Scribner has been a resident of Overlake for over 18 years, she is interested in writing and learning about people. She is a master gardener and desires to serve in the community.

Council Member Gochis motioned to approve Resolution 2019-29. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

9. Resolution 2019-27 A Resolution of the Tooele City Council Authorizing an Agreement with Tooele County for Municipal Elections.

Presented Michelle Pitt

Mrs. Pitt stated Tooele City is required to hold municipal elections on the odd number years. That means there will be an election in 2019. The Tooele County Clerk's office has traditionally assisted with those elections. They are paid on a cost reimbursement basis. The estimated cost for 2019 is \$29,992.50.

Council Member McCall motioned to approve Resolution 2019-27. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

10. Resolution 2019-06 A Resolution of the Tooele City Council Amending Tooele City Code Section 1-5-9 Regarding Reconsideration of City Council Votes.

Presented by Council Member Scott Wardle

Council Member Wardle stated that this is a clean up of language to match the charter. If a vote needs to be reconsidered, the new vote has to have the same number of votes in the body.

Council Member Pratt motioned to approve Ordinance 2019-06 Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Resolution 2019-07 A Resolution of the Tooele City Council Amending Tooele City Code Chapter 1-6 Regarding Mayoral Powers & Duties.

Presented by Council Member Scott Wardle

Council Member Wardle stated this is a cleanup of language in the City Code. The code did not talk about a female mayor. This creates a gender-neutral mayor or also he or she. It also adds two statements in it that the budget will be presented to Council by the 1st of May. It cleans up language on appointment of offices to better match the charter.

Council Member Gochis motioned to approve Resolution 2019-07. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

12. Subdivision Final Plat for the Tooele City Police Station Subdivision, Application by Tooele City, Located at 70 North Garden Street in the GC General Commercial zoning district for the Purposes of Consolidation Five Parcels into One Lot.

Presented by Jim Bolser

Mr. Bolser stated that the intent of the project is the City to begin the process of a new police station. A map of the property was shown on the screen. The City has acquired multiple properties under the Municipal Building Authority, MBA. The zoning of the property is general commercial. The purpose of the plat is to consolidate the five parcels of record into a single lot and also to remove certain utility easements that traverse the property. The plat will also solidify various utility easements that will remain for the police stations use. Planning Commission has forwarded a unanimous positive recommendation.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Pratt motioned to approved the subdivision final plat for the Tooele City Police Station Subdivision. Council Member McCall seconded the motion. The vote was as

follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

13. Subdivision Final Plat for the Providence at Overlake Phase 3 Subdivision, Application by Howard Schmidt Located at 1400 North 400 West in the R1-7 Residential zoning district for the Purposes of Creating 48 Single Family Residential Lots.

Presented by Jim Bolser

Mr. Bolser stated that this is the next phase of the Providence of Overlake subdivision. A few months ago, the Council heard and approved the preliminary plan for phases three through six. This is the next plat for final plat approval. A map of the property was shown on the screen. The plat is just south of the Overlake development. The zoning is R1-7, as are the properties surrounding. The plat is a 48-lot subdivision phase which meets the terms of the City code for development in the R1-7 zone. The Planning Commission has reviewed this application and forwarded a unanimous positive recommendation.

Chairman Pruden asked the Council if there we any questions or comments.

Chairman Pruden asked if the developer owns the wedge piece of property. Mr. Bolser stated they did not.

Council Member McCall motioned to approve the Subdivision Final Plat for Providence at Overlake Phase 3 Subdivision, Application by Howard Schmidt, Located at 1400 North 400 West for the purpose of Creating 48 Single-Family Residential Lots. Council Member Wardle seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

14. Resolution 2019-33 A Resolution of the Tooele City Council Approving a Contract with Landscapes Unlimited for the Installation of a New Irrigation System at Elton Park.

Presented by Darwin Cook

Mr. Cook stated this resolution is to enter into an agreement with Landscapes Unlimited to add an automated irrigation system to Elton Park. Total contract for the irrigation and point of connection is \$450,000. Any change orders that exceed \$20,000 will be brought back to the City Council for review. There is a little unknown with the meter and arranging the situation to make the connection.

Council Member Gochis motioned to approve Ordinance 2019-33. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council

Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

15. Resolution 2019-32 A Resolution of the Tooele City Council Approving a Contract with Christensen and Griffith Construction Company (C&G) for the Construction of a Pavilion at the Oquirrh Hills Golf Course.

Presented by Darwin Cook

Mr. Cook stated that this is a contract with Christenson and Griffith Construction in the amount of \$210,719 to build a pavilion. This will be a community pavilion. The pavilion is being built with impact fees and the P.A.R. tax. It will be a great addition to the golf course.

Council Member Wardle motioned to approve Resolution 2019-32. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

Chairman Pruden asked Mr. Cook to update the public on the other two ongoing projects with the Parks Department. Mr. Cook stated that the pickleball courts are going in. The contractor is on schedule. With the existing tennis courts, it is a unique situation and the project should be done mid-May. The other project is the City park restrooms. That contractor has broken ground and is on schedule to be done by the end of May for Fridays on Vine.

Chairman Pruden stated that there is a super line up for the Fridays on Vine. For the fourth of July celebration, the city has brought back Arrival.

16. Budget Presentation – Fire Department

Presented by Rick Harrison, City Fire Department Chief

Chief Harrison stated it is an exciting year. It is the 100-year celebration of the fire department. The fire department became a permanent organization on February 3, 1919. July 14, 1919 a resolution of the City Council to make it permanent. Chief Harrison stated that on the budget requests a lot of the line items have not changed for the upcoming year. Chief Harrison stated that under the paid volunteers, the fire department is asking the City to consider an additional position as a training officer. The fire department trains twice a month with record keeping of fire fighter training and documentation, planning the training is becoming more and more of a demand. With the Utah Fire and Rescue Academy in St George, Fire 1, 2 certifications, require a state test that costs \$40 and must be requested by the department. That would be part of this position.

Chief Harrison stated with travel and training last year the department was at \$25,000. The department employees do not get included in the per diem for travel to training. He is asking for the consideration of per diem and travel. 25 members attend fire school in St George every January and fire conventions.

Chief Harrison addressed building operations and maintenance. In the last year, 2018, Station 1 was able to upgrade the air conditioning unit to central air. This year the department would like to request that the fire station on 7th street, upgrade to central air. Last year there was a French drain installed at Station 2. That allowed the water to stop draining into the station and the asphalt was done. The fire department thanks the Council in the support of those projects.

Chief Harrison stated that under the Utah Communication Authority, in the year 2018 the department was able to purchase 6 handheld radios, which were split with three Motorola and three Kenwood radios. The department is still looking to purchase 23 more radios and 16 mobile radios to finish the fleet. The department has been told that the radios will be noncompliant in 2019 or 2020. Chairman Pruden asked the Chief how much would be needed to purchase the radios? Chief Harrison stated that the department has received bids and has given those to the Mayor. Council Member Wardle stated there was a news article that addressed the change in radios and the State is investing \$50 million for the radios. Does that money not trickle down to the department? Chief Harrison stated he had not heard that. Chief Kirby also stated he had not heard that. Council Member Wardle stated that the article stated that the State was purchasing \$50 million, so he didn't know if the City needed to look into that. Chief Harrison stated he would look into that.

Chief Harrison addressed machines and equipment. He stated that last year the department was asking for some of the brush trucks that were leaking and had plumbing issues. The department traded out one of the tanks and put a skid unit in it. There are two more trucks that need to be taken care of. Chief Harrison asked the Council to consider taking care of one more tank. He further stated that the pumpers are aging. Maintenance that is necessary to maintain the pumpers is more intense and above the capabilities of the staff. The trucks are now on a four year rotation for the pumpers to be taken into Ross Equipment for maintenance and emergency lighting upgrades.

Chief Harrison asked for help in purchasing new turnout clothing and PPE for firefighters. They have lifespan and the department needs to keep upgrading to keep up with the demands of the regulations. The department is asking to purchase or lease some SUV's for command staff vehicles. During the middle canyon fire, some neighborhoods needed to be evacuated. Two of the fire chiefs went in their personal vehicles. Residents were not responsive to the fire staffers in personal vehicles. There was no way to identify that they were staff. There have been several issues with confrontation with the public for safety. With new training the department is learning that the command staff should stay in the vehicle and not run around the scene. It works out very well. The department believes that this is a life saving measure. Chief Harrison stated

that there is no worse feeling than trying to get to a fire and not being able to get through a red light while in a personal vehicle. These vehicles would be a long-term vehicles in the department and would be passed down through the rankings of the chiefs.

Chief Harrison stated that in the last budget cycle the department asked for money to replace the cylinders, SCBA's, self-contained breathing apparatuses. After the budget came out the department found out that the air pack systems the department currently has are non-compliant. There was \$25,000 put into the budget to replace the cylinder to be compliant. It was found that the air packs purchased in 1998 are beyond their life expectancy. The department would like to purchase a whole new system. The department has done bids and found finance plans for the new apparatuses. The department would like to carry the \$25,000 over and purchase new SCBA's. Chairman Pruden asked what the bid range was for the new devices? Chief Harrison stated that it is about \$450,000. The air packs that the department currently has will not continue production and it will get difficult to get replacement parts. The new air packs will be 40-minute bottles, over the current 30-minute bottles. The compressors will have to be changed out and that is \$45,000. Council Member Wardle clarified with the Chief if the money in the budget for last year was used. Chief Harrison stated that it is still in the budget and was not used. He stated that they would like to save that money and use it possibly for a down payment of a new system. Council Member McCall asked if the compressor cost of \$45,000 was on top of the \$450,000? Chief Harrison stated that the \$450,000 includes the compressor cost. Council Member Wardle asked if all that information was passed onto the Mayor. Chief Harrison stated it was.

Chief Harrison thanked the Council for all their support. He stated that on July 14, 2019 the department will have the 100-year celebration. He invited all the Council Members to attend.

Chairman Pruden asked if the Council had any further questions or comments, there were none.

17. Budget Presentation – Community Development

Presented by Jim Bolser, City Community Development Director

Mr. Bolser stated that in October there was a fairly significant change to the department, the Community Development and Public Works departments was split into two departments. In October the Council, Mayor and Administration hired Stephen Evans as the Public Works Director. Mr. Bolser shared an aerial photography of community and valley. He stated that his department needs to address the needs of the applicants and the public through balancing the needs of the department. The way the department tries to achieve this is through financial efficiencies, but operational efficiencies as well. The department is not unique in this, but plays a key role in interdepartmental support. If the department is not performing the tasks that are needed, then the department bogs down the other departments of the City. The department wants to find ways to improve and provide better service all the time. Mr. Bolser stated that the

Community Development Department split off Public Works but did take on some additional responsibilities in the last year. The department now does business licensing.

Mr. Bolser stated that the department is proposing a basically flat budget from last year. He wanted to take the Council through some goals and achievements that have been accomplished or would like to be accomplished in the coming year. The budget proposal is essentially flat, but does show an increase in the addition of business licensing and personnel for licensing. Training and advancement is a significant part of what the Community Development Department does. As a whole the department has completed almost 245 training credit hours in the last year. There is a significant reason that this is done, in the department there are the eight individuals that carry a license or certification that require ongoing training. That also means that the department has hired excellent staff that have the certification, experience, knowledge and licensure to perform their duties to the level that the community should expect. In addition, one inspector, has taken it upon himself to make some significant advances in his own career. He has proceeded through two new certifications in the past year, several more over the previous couple of years he has been with the department.

Mr. Bolser shared some statistics with the Council. There was an article that was released in the past week that identified Tooele County as being the seventh fastest growing county in the nation. Tooele City is the hub of the county. As far as new starts for single family dwellings for calendar year 2018, there were 175 new single-family dwellings. That is 194% of the previous year. All new dwelling units combined in Tooele City was over 260% of the prior year. In looking at the first three months of 2019 as compared to the first three months of 2018, those numbers are 220% and 120%, respectively. It is on track for another very busy year. The reason why the inspectors training and education plays such an important role is because so far in this fiscal year since July 1st, the inspectors have done more than 2400 inspections. There are three inspectors. That does not include two things, every day they go out and do progress inspections twice a day on all ne developments under construction. That also doesn't include inspections on the City's own infrastructure projects and administrative inspections. The number of 2400-plus inspections is more than 158% of the inspections in the same time during the prior fiscal year.

Mr. Bolser stated that in code enforcement they are at 168% in caseload of a similar time in the prior year. Business licensing is a new addition in the department, but there are 167 business licenses since July 1st that are new business licenses that the City did not have before. The community is growing not only in the residential side, but also in the commercial side. Since July the Council has put in place the availability for more than 600 new dwelling units on approximately 184 plus acres and 14 new commercial projects in construction in various stages. That does not include what is not currently in process.

Mr. Bolser shared a few things that the department has been able to accomplish over the past year. These are projects that the department has been support for or processed for approval; the new police department, the 1000 North and Main project, the Broadway Project, LKQ in the

Industrial Depot area, adopted a new moderate housing plan, new City Code provisions for the multi-family residential uses, shortly the Council will be seeing new City Code provisions for parking provisions, the department restructuring and implementing an electronic plan review. That will hopefully cut down the expense, time and effort of plan review. The applicants will be able to share plans through flash drives or similar devices. There are numerous infrastructure projects and interdepartmental projects, including park projects. There is also ongoing Planning Commission and Council support and training.

Mr. Bolser stated that some of the projections for the coming year are; it is time to overhaul the general plan. There are three elements in place that need to be updated, one being the moderate income housing plan that has been finished, the second being the master transportation plan, and the third being the land use element. Those are the main backbone for the general plan and will be a significant effort. Other projects that will be in process will be education and training, code enforcement, business licensing, electronic plan review, which will continue implementing on a broader plan. Mr. Bolser stated a new initiative towards emergency management on a City level will be starting. Mr. Bolser stated he has agreed to perform that role and be an Emergency Management Officer. This would provide support to all department to provide emergency management preparation, by putting plans in place, identifying places that the City needs to improve, and helping in the improvement of plans. So that in the event of an emergency, the staff is prepared on how to handle emergencies in the department or on a Citywide effort. The department will continue with ongoing Planning Commission training, Council support and ongoing code reviews.

Chairman Pruden asked if the Council had any questions or comments, there were none.

18. Budget Presentation – Library

Presented by Jami Carter, City Library Director

Ms. Carter stated that she had provided a proposal in written form to the Council. She stated that the library is essentially operation wise really looking to maintain. Maintaining means reimagining, better ways to do things, shift money from one thing to another. It won't be more of the same, it will just continue to be amazing in new and exciting ways. The operating budget is proposing a 1.1% increase, that is between \$10,000 and \$11,000, over four-line items. One of those line items is a \$400 and highest line item change is \$4000. The library does need a capital project for new carpet and paint. That project is estimated to be \$115,706.

Ms. Carter wanted to discuss some of the things that the library has done in the last 12 months and share some of the new plans for the upcoming year. In the current fiscal year, the library is proud that they have made the services more adaptable. Digital inclusion is something that has been focused on for the last four years. The library wants a digitally confident community. That is such a barrier for many individuals. Confidence and competence are two very different things.

Without confidence, you don't become more competent. As librarians, Ms. Carter stated that they have position of trust in the community and people are willing to tell them when something is difficult in most cases. The library takes that seriously. In four years, the library has had a series of courses to residents. In the past four years 194 classes have been offered, with 623 learners. The library started the Ask a Librarian service a year ago. This is a one on one service with people where individuals can book a librarian for a half hour or 45 minutes to really help get through a problem or learn something new. In one year there have been 103 people who have taken advantage of that service.

Ms. Carter stated the library launched a print from anywhere service. Individuals can dispatch print jobs from home to the library computers and pick up the job. It has been used for many circumstances. It has been a year of collaboration and growth with the Hispanos Unidos Tooele to offer English classes. The library just started offering Spanish classes and also offers technology classes in Spanish. The library is connecting with community members who want and deserve that connection. The language barrier is so interregnal for feeling comfortable in a space. The library had its first gathering of all the Tooele County librarians. Ms. Carter stated that in the process to get the librarians together, the biggest comment that was heard, is why this wasn't done before. There were 25 in the room, but there are almost double that in Tooele County.

Ms. Carter stated the library completed a successful first year of no fines. The library launched a comprehensive search of the catalog. Individuals can search both the physical and digital items in one search. The circulation of the downloadable collections has increased more than 30% and is trending towards another 35% increase from last year. It is still only accounts for a quarter of all circulation, so 75% of circulation is physical. The library is now able to reach people in the community that commute and can't make it to the library during open hours.

Ms. Carter shared place related statistics for the library. The library has asked for the money for carpet and paint, but it is her job to make sure the Council knows why there is such a great need for the capital project. In the past 12 months the library rooms have accommodated 692 meetings that have nothing to do with the library. Those are not business meetings. There have been 36,408 internet sessions, 19,287 hours of connectivity, which is .24 per hour due to being part of the e-rate grant system. The library has held 937 programs and had 31,096 attendees to those programs. That is April of last year to March of 2019.

Ms. Carter stated during the upcoming year there are some exciting things. Financially the library intends to stay flat. The current grant funded projects are a little different. The library would like to circulate some nontraditional items in the library. Ms. Carter gave an example; the library would like to circulate internally laptops. Some individuals need to bring kids with them to the library. The kids are little and are kids. Giving the individuals an option to check out a laptop for the kids while the parents get stuff done. There is a grant to provide those services. Another program is allow people to explore new hobbies or interests without having to invest the

money. Packs of items for circulations of habits, hobbies and culture. Examples include, making soap, experiences in a bag, dual language, checking out a week in Portugal, and learning to play the Ukulele. That is grant funded.

Ms. Carter stated that the library would like to continue collaboration and connecting communities. The library has a meeting next week about creative communities with the department of Heritage and Art. This will harness history, humanities, arts, and culture in the City. It is a huge opportunity and a year long pilot. The Library will continue to develop connections with Hispanos Unidos and Toole Area library group.

Ms. Carter stated that the staff has developed five values to develop opportunities and services in the Library. The values are, reach, access, innovate, serve, and empower. Ms. Carter thanked the Council.

Chairman Pruden asked the Council if there were any comments or questions.

Council Member Wardle stated that he appreciated the update on the e-stuff because it is so critical and he thanked Ms. Carter for her excitement.

19. Budget Presentation – Attorney's Office

Presented by Roger Baker, City Attorney

Mr. Baker stated that the City Attorney's office is a little over \$500,000. All but \$20,000 is staff. The amount of discretionary funding is relatively small, that covers supplies, continuing education and travel. Three of staff in the office are required to maintain and obtain continuing education. There is a training budget and that involves some travel. The department has been able to get all training within the state for over a decade. The department has been able to find training within the state. The department needs to pay the State a small amount for the criminal prosecution database. That money will actually not have to be paid within the next year or two because the State is replacing it, with a new database system that is grant funded. Mr. Baker stated that because the department is such a staff intensive budget, the motto is if I don't need it won't be spent and it goes back in the budget. Conversely if I do need it, I spend it within budget.

Chairman Pruden asked if there were questions or comments from Council, there were none.

20. Budget Presentation – Recorder's Office

Presented by Michelle Pitt, City Recorder

Mrs. Pitt, stated that this past year there have been some changes in the structure of the Recorder's Office. Business licensing has moved to the Community Development Department. A new Deputy Recorder, Cylee Pressley was hired. Some responsibilities have been added to the minute recorder position held by Kelly Odermott; she now does minutes for the Historic Preservation Commission. Shelving and organization has been done to the City recorders record room to make it more functional. Bids were obtained for the City's insurance provider and the City now pays a lower premium. A risk management committee has been organized to discuss with all department's safety issues. Ms. Pitt stated that the goals for next year include Ms. Pressley becoming a notary and certified records officer, complete the purchasing policy, and continue to comply with all the laws and ordinances pertaining to records, elections, open public meetings act, publishing notices and minutes.

Ms. Pitt stated that the IT department has also been very busy. The City's 30 year old phone system was replaced and the 20 year old copy machine. A new archive system has been implemented, the department hired a part time employee, and retired or upgraded aging computers and servers, and implemented more reliable wireless internet at City Hall. The goals for the next fiscal year include upgrading the email server, the database server for City Hall's applications including Tyler which is the financial software. Also install better internet at the golf course, pool and museum.

Ms. Pitt stated Communities that Care has been very busy. Some of the accomplishments for this year have been holding a Parents in Power event and signage is displayed at the Aquatic Center. The signage reminds kids and parents of the dangers of alcohol. With that there was a press event with key community leaders, including Council Member Pratt. After the public was able to enjoy a free night of swimming. They have held the parenting classes called Guiding Good Choices. Ms. Pitt read a positive comment from a class attendee. Communities that Care partners with the school district and partners with Second Step Curriculum and Positive Behavior Intervention Support. There are two Police Officers that go in and teach classes as well. They teach prevention, of substance abuse. Through the program they are educated on drug and alcohol prevention, but also create a positive bond with the Officers. CTC has an essay contest and this year there were seven winners and the Council was able to hear from the Grand Prize winner in the Council meeting in March. CTC was able to spotlight 157 teachers and staff as unsung heroes. The Youth Coalition Radpack is learning skills that last a lifetime. This year they put together smoking quit kits for kickbutt stay and put pharmacy takeback labels on prescription bags. During the Mayor's Youth Recognition Award, Communities That Care were able to recognize 54 students. CTC has trained over 1300 community members in QPR, a suicide prevention training. This program came about because local data showed that the City had suicidality and depressive risk factors. For every dollar spent in prevention it benefits the community \$5.50., by reducing crime, smoking, and other risky behaviors. Prevention helps make our community a better place to live. It reduces crime, shows residents that the Community matters to us as a City, and shows that we are willing to invest in the City. CTC is

looking forward to reaching even more people this coming year. Educating people about prevention and moving forward with renewed energy as we create a better environment.

Ms. Pitt stated that Tooele City is in need of new security cameras for the outside of City Hall. The estimate is about \$24,000. The Council Chamber needs new equipment; new projector, microphones, sound system, monitors, and camera for live streaming. An estimate is about \$37,000.

21. Minutes

Chairman Pruden asked if the Council if there were any comments or questions, there were none

Council Member McCall motioned to approve minutes from the Council meeting held March 6, 2019. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

22. Approval of Invoices

Presented by Mrs. Pitt

Mrs. Pitt stated that there were no invoices for approval.

23. Adjourn

Council Member Gochis moved to adjourn the City Council meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

The meeting adjourned at 8:48 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 17th day of April, 2019

Steve Pruden, Tooele City Council Chair

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

Date: Wednesday, April 3, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden, Chair
Dave McCall
Scott Wardle
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Andrew Aagard, City Planner
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Ron Kirby, Police Chief
Randy Sant, Redevelopment Agency Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Dave McCall, Present
Scott Wardle, Present
Brad Pratt, Present
Melodi Gochis, Present

3. Discussion:

- Resolution 2019-31 A Resolution of the Tooele City Council Approving an Agreement with Tooele County for Dispatch Services for Fiscal Year 2019-2020 Presented by Chief Ron Kirby

Chief Kirby said that the \$316,327 cost for dispatch services is actually less than it has been in the past. The County Commission determines how much of the 911 fees they include in off-setting dispatch costs. The total cost will be paid in quarterly payments.

- Resolution 2019-08 A Resolution of the Tooele City Council Approving an Interlocal Agreement for Tax Increment Participation with the Redevelopment Agency of Tooele City, Utah, (“RDA”) for the Broadway Community Development Project Area, and Authorizing the Chair to Sign the Same Presented by Mayor Debbie Winn

AND

- RDA Resolution 2019-02 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving an Interlocal Agreement for Tax Increment Participation with Tooele City Corporation, for the Broadway Community Development Project Area, and Authorizing the Chair to Sign the Same Presented by Mayor Debbie Winn

Mayor Winn stated that these agreements are between the City and RDA for tax increment participation in the Broadway project. The tax increment will include 75% of the City’s tax increment for years 1-10. There is a cap of \$125,000 of what the Agency will retain. Mr. Sant said that there have been changes made to the agreement, and that he would bring the amended agreement to the 7:00 meeting.

- RDA Resolution 2019-09 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving an Interlocal Agreement for Tax Increment Participation with Tooele County for the Broadway Community Reinvestment Project Area, and Authorizing the Executive Director to Sign the Same Presented by Mayor Debbie Winn

Mayor Winn stated that this agreement is between the RDA and the County for the Broadway Community project. She said that the County approved this agreement at their commission meeting on March 19th.

- RDA Resolution 2019-10 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving an Interlocal Agreement for Tax Increment Participation with Tooele County School District, for the Broadway Community Reinvestment Project Area, and Authorizing the Executive Director to Sign the Same Presented by Mayor Debbie Winn

Mayor Winn said that this agreement is between the RDA and the school district for the Broadway Community project. She added that the school district approved the agreement at their March 26th board meeting.

- RDA Resolution 2019-06 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving a Real Estate Contract of Purchase and Sale with the State of Utah to Reacquire a Five-Acre Parcel from the Tooele Technical College
Presented by Mayor Debbie Winn

Mayor Winn stated that a few years ago the RDA worked out an agreement with the Tooele Technical College (TTC), where the City would, with the help of funding from the State of Utah, purchase a five acre piece of property near the TTC. The RDA, the TTC, Tooele County, and Grantsville City, were going to create a Small Business Resource Center. The Small Business Resource Center has been operating out of an office in the TTC. The TTC is growing and now needs the space for other classes. They need to acquire additional property, and would like to get something closer to the TTC. The Mayor went on to say that west of the building is a piece of property that is owned by the school district. The school district is willing to sell the property and the building that is currently on the property. The TTC has asked the RDA to purchase the property back so that they can use those funds to purchase the property from the school district.

- RDA Resolution 2019-08 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving an Interlocal Agreement for Tax Increment Participation with Tooele County for the 1000 North Retail Community Reinvestment Project Area, and Authorizing the Executive Director to Sign the Same
Presented by Mayor Debbie Winn

Mayor Winn explained that this agreement is with RDA and Tooele County for the 1000 North retail community reinvestment project. This agreement was approved by the County Commission on March 19th. This is a 20 year agreement for 75% tax increment. The Mayor stated that as she talked with County Commission, they were supportive and understand the income that will come from the sales tax.

- RDA Resolution 2019-07 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving a Listing Agreement with New West Realty Group for the Sale of up to 358 Acres of RDA-Owned Property in Bauer
Presented by Roger Baker

Mr. Baker stated that the City owns 358 acres in Bauer. Mr. Baker said that he is recommending, and the Council has already approved, to sell the property, but his recommendation includes holding out a five acre parcel for potential future water facilities. This parcel could be used for a future water treatment plant, or a reservoir. They may look at shifting the parcel line to make it one piece, which would require a lot line adjustment using the County process. Mr. Baker further explained that this land was acquired when Mathew Arbshay’s Central School property foreclosed. Mr. Baker recommended retaining Mike Quarnberg’s firm

to list and sell this property. He explained that the property needs a survey and the lot line process done before a contract with Quarnberg would be brought before the Council for approval. Council Member Wardle asked if, since it's RDA property, the RDA would need to sell it to the City. Mr. Baker said that it may be able to be done by a deed exchange, rather than a sale to the City. Council Member McCall asked if easements needed to be obtained. Mr. Hansen answered that they were not needed at this time, but the City may need to address it if something was done with water at some point.

- Resolution 2019-30 A Resolution of the Tooele City Council Accepting Fencing on 2000 North Street and 400 West Street as a Public Improvement Owned by Tooele City and Maintained by the North Tooele City Special Service District Presented by Roger Baker

Mr. Baker stated that the white vinyl privacy fence along 2000 North and 400 West was built by Drew Hall and Tooele Associates by Tooele Associates' standards. It was not written in to an ordinance at that time, but implemented as a special district amenity. When Drew Hall itemized all of the public improvements he was constructing, this fencing was included, but it was not included in the items that were bonded for. It was not included in the items that were accepted by the City, as City-owned public improvements. Mr. Baker further explained that the City doesn't have documentation of City ownership. There is also no documentation of private ownership. Mr. Baker recommended that since the fence was a critical element of the 2000 North corridor design, and with Sunset Estates being annexed in to the district, the only viable way to maintain the integrity and quality of the fence is for it be owned by the City. Mr. Baker stated that he believes this was intended to be owned by the City, and maintained by the North Tooele City Special Service District. He did not believe it was meant to be owned by the homeowners.

Mr. Baker said that after the 2014 Settlement Agreement, the first thing he did was prepare a Resolution to accept all of the public improvements for 1B through 1G. In order for the fence to be owned by the City, it would need to be accepted as a public improvement. The District has been maintaining the fence since the beginning because they believed it was owned by the City as a public amenity and because of its function as a public amenity. Without the district's attention, it would deteriorate. A representative of the District, Jeff Hamner, stated that the District has maintained the fence from the beginning, with the understanding that the City owned it. He said that this issue has come up because one of the homeowners put a gate in.

Mr. Baker said that if the Council accepts the fence as a public improvement, the next step would be for a committee of the administration to meet with the District to come up with a maintenance standard for the fence, which could dictate when repairs needed to be made, what colors and materials could be used, what alterations could be made, if gates are allowed, and so forth. Mr. Baker said that this would be an administrative policy, and not a legislative policy.

Chairman Pruden suggested that Council Member Gochis meet with the District Board to come up with a policy, then bring it to the administration and get it signed. Council Member Pratt said that in the current condition, a private property owner could make a modification to that fence at any time. Mr. Baker said that he didn't believe that property owners have a legal right to the

fence, or to make alterations to the fence. At the same time, the City doesn't have a right at the present time to prevent the alterations or dismantling of the fence.

Council Member Wardle asked what the costs have been to maintain the fence. Mr. Baker said that he didn't think that the Council would need a list of the costs before they approved this Resolution because the District Board would have it built in their budget. He added that it was included in the Interlocal Agreement that once certain public improvements are accepted, the District will maintain them.

Mr. Bosler said that Sunset Estates has recently joined the District, and they have said they want to match the public improvements that are already there.

- T-Mobile Cell Phone Tower at Elton Park
Presented by Roger Baker

Mr. Baker stated that in 2011, T-Mobile approached the City with a proposal to replace one of the light poles in the outfield at Elton Park. The City Council approved a lease. T-Mobile said they would put their antennas up higher, and remount our lights a little lower at 70 feet, instead at 75 feet where they are now. T-Mobile is back, and interested in replacing the light pole. In the area of the light pole there are some challenges such as gates in the outfield fence for maintenance, the grade of the land, and the main irrigation water trunk line which needs to go through the place where the ground equipment would be. These challenges may cause a need for an alternative location. Mr. Baker has informed T-Mobile that they need to get with Mr. Cook to see if there is an acceptable alternative site. Mr. Baker indicated that he was introducing this proposal tonight, and would bring it back at a later time for approval, if and when a spot is agreed upon.

Mr. Baker said that T-Mobile has offered \$1250 per month, with an escalator of 1% increase in the monthly rent either annually or every term, and the City gets a new light pole. Council Member Wardle felt that T-Mobile should pay current rates, not the rate at 2011, because the market has changed since then. Mr. Baker said that the demand for macro tower light poles has gone down in favor of the small cell, so the market rate has actually been depressed since 2011. Mr. Baker added that he demanded that T-Mobile match the original offer instead of offering something less. Chairman Pruden said that the City would get a new pole and new lights, which is an asset for the city. Council Member Wardle said that whatever money the City gains from the pole needs to go back in to Elton Park, rather than anywhere else.

Mr. Cook said that there was a possible new location for the T-Mobile pole, that wouldn't require replacing a light pole because a light pole wasn't needed at that spot.

- Signs Ordinance
Presented by Andrew Aagard

Mr. Aagard presented that the amendments that have been proposed for Title 7-25 are primarily for off-premise development signs. He said that there are two sections of the Sign Ordinance where amendments are proposed: 7-25-3 Definitions, adding a new definition for off-premise

development signs, as signs advertising available lots and homes for sale at new subdivisions other than where the sign is located; and 7-25-12, signs permitted in all zoning districts. Another amendment proposed is to add a section stating that off-premise signs shall only advertise homes and lots for sale in approved and recorded subdivisions in the process of construction. In order to get a sign permit, they have to comply specified criteria. The signs cannot be illuminated, require written authorization from the property owner, must be removed within one year after the issuance of a certificate of occupancy, and shall not advertise for another city development such as Grantsville, Stansbury, etc. Mr. Aagard added that he had consulted sign ordinances of other cities.

Chairman Pruden asked about the process for a builder that wants to put up signs, and who would police it. Mr. Aagard said that Trish Waltz, the code enforcement officer, would be the one to police the sign ordinance. Mr. Aagard added that the process would include obtaining a permit to install the signs and meeting the qualifications. Chairman Pruden asked about traditional real estate signs. Mr. Aagard said that they were exempt from this ordinance, and would not need a permit. Chairman Pruden requested that Ms. Waltz work a couple of hours on Saturday because people are putting up illegal signs on Saturdays. Council Member Wardle said that he was involved in putting a sign ordinance together in the beginning, and that it was very difficult. He said that if the City was not going to enforce it, it shouldn't be put in it.

Mayor Winn said that Ms. Waltz gives a list of signs that she picks up. Real estate signs are the majority of the signs that are picked up. The Mayor added that she has been approached by a real estate agent, asking what realtors can do to have legal signs. Chairman Pruden said that he has driven along Main Street on a Saturday and thought it looked clean and sharp. He expressed appreciation for Ms. Waltz's code enforcement work. Council Member Wardle said that there is a lag somewhat in the City's ability to advertise because the City doesn't have on-site signs. He cited Riverton as a good example. There are certain parts of the sign ordinance that need to be changed, but the idea of a sign ordinance is good.

Mr. Baker agreed with the policies that have been brought forth, and with the City wanting to be business friendly. He said he couldn't explain why Riverton, South Jordan, and others have such sign ordinances, but the sign ordinance is all about speech - mostly commercial speech. Mr. Baker further explained that under the constitution the City can't touch personal speech. The Supreme Court does allow the City to regulate commercial speech as to the time, the place, and manner that that speech is made. All that gets built in to the sign, which is speech. Advertisement is speech. Our current Ordinance bans all off-premise signs. City Code equates an off-premise sign as a billboard. The constitutional problem comes in when the City creates exceptions to that ban and allows a certain group of people to speak, but not the rest. In those cases, the City has violated constitutional principles and may be set up for challenge in federal court. Based on his twenty years of national and state training on the topic of sign regulation and speech, Mr. Baker expressed concern, as the City's legal counsel, that this would be perceived by companies such as Regan, as an un-level playing field. He added that he talked with the Mayor, Mr. Aagard, and Mr. Bolser and felt that the policies are laudable, the drafting was well done, but stated he has constitutional concerns.

Mr. Baker stated that he had no recommendation that would allow a rule or exceptions for some, and not others. The best recommendation he could make is to try to help businesses in other ways that don't involve protected speech, through things like fees.

Council Member McCall presented a scenario that if a developer put up a sign saying that there were homes for sale, off-premise, and got a permit; and a store wanted to have a sale and to advertise off-site, they would need to get an off-site permit also. Mr. Baker answered that they could create a temporary category because sales would be temporary. Council Member Wardle stated that part of his concern was creating a balance; he didn't want to be too restrictive or too permitting. He asked what other cities had done so that they weren't sued over the speech issue. Mr. Baker said that Jody Burnett advises to not create exceptions to the general rule. Mr. Aagard asked if it made a difference if the signs were on private property, and the owners gave permission allowing a sign to be placed on their property. Mr. Baker said the reason the City can regulate signs, even though they are speech, is that they are less protected speech because it is commercial speech.

Council Member McCall said that the sign ordinance may be challenged even more as the City gets more people and businesses. The sign ordinance will probably require a lot more discussion, and needs to be fair across the board. Council Member Wardle asked about putting a committee together to discuss the sign ordinance. Council Member Pratt suggested posing these questions to other cities to see how they are handling these situations.

Mr. Baker stated that many cities create exceptions to the general rule, even though they know the rules, they do it anyway. He added that the City can also do it, but he didn't recommend it.

Chairman Pruden asked Mr. Aagard to contact other entities, and formulate something to bring back for their May 15th meeting.

- Resolution 2019-27 A Resolution of the Tooele City Council Authorizing an Agreement with Tooele County for Municipal Elections
Presented by Michelle Pitt

Ms. Pitt stated that the City is required to conduct municipal elections in odd-numbered years. The County clerk's office has traditionally assisted with these elections. The estimated cost for their assistance is \$29,992.50. Ms. Pitt added that the County has switched to voting by mail, with a few polling locations for the disabled.

- Ordinance 2019-06 An Ordinance of Tooele City Amending Tooele City Code Section 1-5-9 Regarding Reconsideration of City Council Votes
Presented by Council Member Scott Wardle

AND

- Ordinance 2019-07 An Ordinance of Tooele City Amending Tooele City Code Chapter 1-6 Regarding Mayoral Powers and Duties
Presented by Council Member Scott Wardle

Council Member Wardle stated that these Ordinances are housecleaning items. One of them corrects grammatical terms, and the other one is to bring the Code up to date, so that it is not gender specific.

- Resolution 2019-29 A Resolution of the Tooele City Council Appointing Kari Scribner to the Administrative Control Board of the North Tooele City Special Service District
Presented by Council Member Melodi Gochis

Council Member Gochis explained that Kari Scribner has been nominated to fill a vacant position on the North Tooele City Special Service District. She has been a resident for 18 years and wants to contribute to the community.

- Resolution 2019-33 A Resolution of the Tooele City Council Approving a Contract with Landscapes Unlimited for the Installation of a New Irrigation System at Elton Park
Presented by Darwin Cook

Mr. Cook stated that the contract will be awarded to Landscapes Unlimited, who was the lowest qualified bidder. Landscapes Unlimited has done projects such as the Salt Lake City cemetery. Mr. Cook said that since the City has no idea what is under Elton Park, they have added a contingency amount, or may need to bring back a change order, if the amount is larger than accounted for. The contractors have agreed to work around hard dates of when organizations, or the City needs the park. Council Member Gochis asked where the water source was for this park. Mr. Cook answered that the main source is irrigation, with an option of culinary water. Mr. Cook indicated that Landscapes Unlimited is ready to begin right away. The sports leagues have been notified about this project, and will be told when there are open spaces.

Mr. Cook provided an update on pickle ball, saying that they are getting ready to pour the footings. He said they are predicting they will be done the middle of May. A hole has been dug for the City Park restrooms. Mr. Cook said that there is already a change order because the corner elevation is creating a ledge. Once improvements are made, the pavilion will be ADA compliant.

- Resolution 2019-32 A Resolution of the Tooele City Council Approving a Contract with Christensen and Griffith Construction Company (C&G) for the Construction of a Pavilion at the Oquirrh Hills Golf Course
Presented by Darwin Cook

Mr. Cook said that the pavilion will be located on the southwest corner of the clubhouse. It will be enlarged and covered. Christensen and Griffith are ready to go as soon as the contract is approved. They are hoping to be done by June. The Mayor added that C&G has offered use of their large canopies during the Mayor's tournament, and other tournaments, if needed.

- Subdivision Final Plat for the Tooele City Police Station Subdivision, Application by Tooele City, Located at 70 North Garden Street in the GC General Commercial Zoning District for the Purposes of Consolidating Five Parcels into One Lot
Presented by Jim Bolser

Mr. Bolser stated that work has begun on the new police station on Garden Street. This plat consolidates the five existing parcels into one lot. He added that the plat also vacates existing easements no longer needed and establishes the utility easements still needed.

- Subdivision Final Plat for the Providence at Overlake Phase 3 Subdivision, Application by Howard Schmidt, Located at 1400 North 400 West in the R1-7 Residential Zoning District for the Purposes of Creating 48 Single-Family Residential Lots
Presented by Jim Bolser

Mr. Bolser stated that this past fall the Council approved a preliminary plat for Phases 3-6 for the Providence at Overlake Development. They are now ready to being the final approval of Phase 3.

4. Close Meeting to Discuss Litigation and Property Acquisition

Council Member Pratt moved to close the meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall “Aye,” Council Member Wardle “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

The meeting closed at 6:27 p.m.

Those in attendance during the closed session: Mayor Debbie Winn, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Glenn Caldwell, Roger Baker, Darwin Cook, Council Member Wardle, Council Member Pratt, Council Member McCall, Council Member Gochis and Chairman Pruden.

No minutes were taken on the closed meetings.

5. Adjourn

Council Member Pratt moved to adjourn. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall “Aye,” Council Member Wardle “Aye,” Council Member Pratt “Aye,” Council Member Gochis, Aye,” and Chairman Pruden “Aye.”

The meeting adjourned at 6:47 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 17th day of April, 2019

Steve Pruden, Tooele City Council Chair

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