
PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Work Session, on Wednesday, November 6, 2019 at the hour of 5:00 p.m. The Meeting will be Held at the Tooele City Hall Large Conference Room, located at 90 North Main Street, Tooele, Utah.

1. Open City Council Meeting

2. Roll Call

3. Discussion:

- **Utah National Guard Culinary Water**
Presented by Mayor Debbie Winn
- **Affordable Housing Impact Fee Waivers**
Presented by Roger Baker
- **Ordinance 2019-17** An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Property Located at Approximately 168 Skyline Drive
Presented by Jim Bolser
- **Ordinance 2019-28** An Ordinance of the Tooele City Council Amending the Moderate Income Housing Element of the Tooele City General Plan
Presented by Jim Bolser
- **Subdivision Preliminary Plan** for Mountain Valley Townhomes by Matt Carter for 44 Townhome Lots on 4.1 Acres Located at Approximately 750 North 100 East in the MR-16 Multi-Family Residential Zoning District
Presented by Jim Bolser
- **Subdivision Preliminary Plan** for the Golf Course View Subdivision a 13-Lot Subdivision on 5.8 Acres Located at 1366 Smelter Road in the R1-7 Residential Zoning District
Presented by Jim Bolser
- **Subdivision Preliminary Plan** for the England Ridge Subdivision by Garlington Development, LLC, an 87-Lot Subdivision on 22.3 Acres Located at Approximately 810 North 520 East in the R1-7 Residential Zoning District
Presented by Jim Bolser
- **Proposed Property Exchange** on Canyon Road
Presented by Jim Bolser
- **Update on the General Plan Rewrite**
Presented by Mayor Debbie Winn

- **Street Sweeper** Rental and Lease Agreements
Presented by Steve Evans

 - **Resolution 2019-76** A Resolution of Tooele City Council Approving a Service and Maintenance Agreement with Huber Technology, Inc., to Repair and Maintain the Solar Drying Equipment at the City Water Reclamation Facility
Presented by Steve Evans

 - **Upcoming Dates to Remember**
 - November 20th @ 4:00 Software Tyler Training
 - December 4th @ 4:00 Budget Training
- 4. Close Meeting**
Litigation & Property Acquisition
- 5. 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.

RESTATEMENT #1:

MEMORANDUM OF AGREEMENT

BETWEEN

THE UTAH NATIONAL GUARD

A STATE AGENCY

AND

TOOELE CITY CORPORATION,

A MUNICIPAL GOVERNMENT

SUBJECT: Agreement for Installation and Use of Fire Line to Support Utah National Guard Field Maintenance Shop, Tooele Utah

1. References.

- a. National Guard Regulation (NGR) 421-1, Real Property Operations, Maintenance and Minor Construction Army National Guard
- b. NGR 5-2, Inter-service/Intergovernmental Support Agreements
- c. NGR 5-1, Grants and Cooperative Agreements
- d. Section 1-03, Intergovernmental Agreements, Amended Tooele City Charter, 2 January 2006

2. Purpose. The purpose of this Restatement #1 of the above-entitled ~~This~~ memorandum of agreement (MOA), originally effective March 8, 2018, is between the Utah National Guard (UTNG) and Tooele City Corporation (City) is to allow limited culinary water use to the existing UTNG Field Maintenance Shop (Shop) and future Readiness Center.

3. Scope. The UTNG proposes to construct and connect a ten-inch diameter (10") water line (Fire Line) from the current and existing City water main line currently running along State Highway 36, south from ~~North of~~ the City to the Tooele County Jail, (~~the~~ City Main) that will supply water; for fire suppression purposes and for Shop and Readiness Center interior culinary water purposes only, to the existing UTNG Field Maintenance Shop located at 1100 East 2nd Avenue, former Tooele Army Depot Administration Area, Tooele City, Utah, and the future Readiness Center at the same location. The Fire Line shall be a City owned and maintained public improvement. All portions of the culinary water lateral (Lateral) connecting the Fire Line to the Lateral Meter, including the Lateral Meter, shall be owned and maintained by the City. All portions of the Lateral connecting the Lateral Meters to the Shop and future Readiness Center, shall be owned and maintained by UTNG.

4. Understanding, Agreements, and Support Needs.

- a. The UTNG agrees to:

(1) Connect the Fire Line to the City Main at a point designated by the City. To make all connections in accordance with City requirements and current codes.

(2) At UTNG expense, install the Fire Line for fire suppression use ~~only and the Lateral for Shop and Readiness Center interior culinary water use~~. Any other use will violate this MOA.

(3) Install a valve to facilitate flushing of the Fire Line by the City.

(4) Allow the City to access UTNG property to inspect the Fire Line ~~and the Lateral and Lateral Meter~~.

(5) Own and maintain the fire hydrant/s on the Fire Line and allow the City to inspect the hydrant/s.

(6) Secure from third parties all easements needed for the Fire Line.

(7) Ensure that the UTNG's contractor or DFCM provide a payment to the City of \$4,784.02 for the 4% public improvement inspection fee (based on construction cost estimate of \$119,600.48, not including planning, engineering, etc.) prior to the commencement of Fire Line construction.

(8) Ensure that the UTNG's contractor provides a one year warrantee for the installation of the Fire Line and coordinate with the City and the contractor for the end-of-warranty inspection.

(9) Ensure that the UTNG's contractor provides the fire flow test results and Fire Line design drawings and specifications to the City for review and approval, prior to construction of the Fire Line.

(10) Obtain all required permits from the Utah Department of Transportation (UDOT) inasmuch as the City Main is located in a UDOT right-of-way.

(11) Maintain the UTNG's existing ~~Tooele Army Depot water system for fire suppression and landscape watering only, and culinary water connections to the Tooele Army Depot water system as a backup should the Fire Line be out of service, or have insufficient flow, for any reason, both for fire suppression and culinary water purposes.~~ There shall be no cross-connections between the Army Depot water system and the Fire Line and Lateral, and UTNG shall install such devices as are necessary, in the perspective of the City, to protect against cross-connections.

(12) Convey ownership of the Fire Line to the City.

(13) Convey a 20-foot wide easement documents to the City for the Fire Line, ~~and for a future water line loop, should Tooele City determine the need in the future.~~

(14) Not expand or add on to the ~~UTNG Field Maintenance~~ Shop without all Shop facilities being sprinkled according to applicable fire codes, in order to increase facility safety and to decrease the demand on the Fire Line and the City's water system. Future Readiness Center will have a fire sprinkler system.

(15) Pay for, install to City specifications, and maintain the Lateral.

(16) Pay for and install to City specifications a water meter for the Lateral (Lateral Meter), including the City's installation inspection fee of \$170. Pay to replace the Lateral Meter in the event of malfunction or damage not caused by the City.

(17) Pay for and install to City specifications, as part of the Lateral, a back-flow preventer with double check-valve assembly.

(18) Release the City from all claims related to allegedly insufficient water from the Fire Line.

(19) Enter into a City utility account contract, and timely pay the City utility billings.

(20) Pay to the City the standard pro-rated culinary water impact fee and water rights fee-in-lieu for culinary water anticipated to be used in the Shop interior, and again when the future Readiness Center is ready for construction.

b. CITY agrees to:

(1) Identify a connection point to the City Main that the UTNG may connect the Fire Line to.

(2) Inspect the Fire Line and installation, backfill, and all other areas for compliance to City codes and regulations.

(3) Provide water ~~to the for fire suppression for the Field Maintenance Shop~~ and future Readiness Center for fire suppression purposes and Shop interior culinary water purposes only. This MOA does not allow for any culinary water use other than for fire suppression and for Shop interior culinary water use.

(4) Manually flush the Fire Line to prevent stagnant water build up. The City will notify the UTNG prior to flushing the line so UTNG maintenance personnel can be on site to observe; however, any City failure to provide notice prior to flushing the Fire Line shall not be considered a breach or default of this MOA.

(5) Not require a performance bond for the construction of the Fire Line.

(6) Own the Fire Line, including the flush valve.

(7) Consistent with the Tooele City Code, not require water rights for any water consumed through the Fire Line for fire suppression or Fire Line maintenance.

5. EFFECTIVE/TERMINATION DATE:

a. This MOA is effective upon signature of all parties.

b. Either party may terminate this MOA with 30-180 days advance written notice to the other party. Termination of this MOA will require the UTNG to disconnect the Fire Line, and of necessity the Lateral, from the City Main.

Debra E. Winn
Mayor
Tooele City Corporation

~~Jefferson Burton~~Michael J. Turley
Major General
The Adjutant General—Utah National Guard

(Date)

(Date)

Approved as to form and content:

Fiscal Review:

State Judge Advocate

Approved as to form:

Tooele City Attorney

State Military Department of Utah

TOOELE CITY ATTEST:

Tooele City Recorder

Chapter 15. Development Impact Fees

4-15-1 Definitions.

4-15-2 Assessment of Impact Fees.

4-15-3 Exemption from Impact Fees.

4-15-4 Credits.

4-15-5 Waiver.

4-15-6 Appeals.

4-15-7 Establishment of Impact Fees Accounts.

4-15-8 Refunds.

4-15-9 Use of Funds.

4-15-10 Independent Fee Calculations.

4-15-1 Definitions.

(1) Except as expressly provided in this Section, words and phrases used in this Chapter shall have the meaning given to them in U.C.A. 11-36a-102, as amended (the "Impact Fees Act").

(2) "Eligible affordable housing units" means

(a) Single-family and two-family dwellings that are:

(i) constructed, rented, and sold in partnership with the Tooele County Housing Authority or other entity whose core purpose is to construct, rent, and sell affordable housing (the "Authority"); and,

(ii) deed restricted, on a form approved by the City Attorney, in such a manner that:

(A) dwellings are available for purchase or rent-to-own only by those purchasers or tenants whose combined household annual gross income per dwelling is verified by an Authority to be 60% or less of the Tooele County area median income;

(B) dwellings are rent-restricted according to a formula established by an Authority based in part on numbers of dwelling unit bedrooms and on tenant incomes;

(C) dwellings are subject to a compliance period of at least 15 years as part of an extended use period of at least 50 years;

(D) dwellings are maintained in good condition;

(E) dwellings are fully insured for hazards and liability;

(F) requires compliance with the terms and covenants of the deed restriction; and,

(G) requires compliance with Section 42 of the Internal Revenue Code, as amended.

(b) Multi-family dwellings that:

(i) are constructed and rented in partnership with an Authority; and,

(ii) are deed restricted, on a form approved by the City Attorney, in such a manner that:

(A) dwellings are available for rent only by tenants whose combined household annual gross income per unit is verified by the Authority to be 60% or

less of the Tooele County area median income; and,

(B) dwellings comply with the requirements of subsection (2)(a)(ii)(B)-(G), above.

3. "Eligible public facility" means a structure that is owned or leased by the state of Utah, the Tooele County school district, a charter school, Tooele County, Tooele City, the Tooele City municipal building authority, the Tooele City redevelopment agency, or other similar entity conducting development activity with a broad public purpose.

(Ord. 2012-02, 03-07-2012) (Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001) (Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-2 Assessment of Impact Fees.

(1) Assessment of Impact Fees.

(a) Culinary Water Impact Fee.

(i) The City shall collect a culinary water impact fee from any applicant seeking a building permit, in the amount of \$4,609 per Equivalent Residential Connection (ERC), as defined in the Culinary Water System Master Plan (January 2012) (impact fee facilities plan).

(ii) The service area for purposes of the culinary water impact fee shall be the entire area within the corporate boundary of Tooele City Corporation.

(iii) Non-Standard Impact Fee. The City reserves the right under the Impact Fees Act to assess an adjusted impact fee that more closely matches the true impact that a building or land use will have upon the City's culinary water system. This adjustment may result in a higher than normal impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The formula for determining a non-standard culinary water impact fee is contained in the Culinary Water Impact Fee Analysis (February 2012).

(b) Sanitary Sewer Impact Fee.

(i) The City shall collect a sanitary sewer impact fee from any applicant seeking a building permit, as follows:

(A) Residential: the base fee shall be \$2,290 per Equivalent Residential Unit (ERU), as defined in the documents comprising the 2010 Waste Water Capital Facilities Plan (impact fee facilities plan).

(B) Non-residential: as determined under Figure 4.5 (Impact Fee ERU Multipliers) of the 2010 Sewer Treatment and Collections Impact Fee Analysis.

(ii) The service area for purposes of the sanitary sewer impact fee shall be the entire area within the corporate boundary of Tooele City Corporation.

(iii) Non-Standard Impact Fee. The City reserves the right under the Impact Fees Act to assess an adjusted impact fee that more closely matches the true impact that a building or land use will have upon the

City's waste water system. This adjustment may result in a higher than normal impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The formula for determining a non-standard sanitary sewer impact fee is contained in Figure 4.6 (Calculation of Non-Standard Sewer Impact Fee) of the 2010 Sewer Treatment and Collections Impact Fee Analysis.

(c) Parks and Recreation Impact Fee.

(i) The City shall collect a parks and recreation impact fee from any applicant seeking a building permit for a new dwelling unit, as follows:

(A) Single-Family Residential: \$2,168 per unit. For purposes of this Section, Single-Family Residential includes detached single-family units and attached single-family units, including townhouses, condominiums, and duplexes.

(B) Multi-Family Residential: \$1,959 per unit. For purposes of this Section, Multi-Family Residential means apartment buildings with three or more units per building.

(ii) The service area for purposes of the park and special purpose recreation facilities impact fee shall be the entire area within the corporate boundary of Tooele City Corporation.

(d) Public Safety Impact Fee: Fire.

(i) The City shall collect a public safety-fire impact fee from any applicant seeking a building permit for a new building, as follows:

(A) Residential: \$200.59 per dwelling unit.

(B) Non-residential: \$104.67 per 1,000 square-feet of building.

(ii) The service area for purposes of the public safety-fire impact fee shall be the entire area within the corporate boundary of Tooele City Corporation.

(iii) Non-Standard Impact Fee. The City reserves the right under the Impact Fees Act to assess an adjusted impact fee that more closely matches the true impact that a building or land use will have upon the City's public safety fire facilities. This adjustment may result in a higher than normal impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The formula for determining a non-standard public safety-fire impact fee is contained in the Public Safety Impact Fee Facilities Plan and Impact Fee Analysis (February 2012).

(e) Public Safety Impact Fee: Police.

(i) The City shall collect a public safety-police impact fee from any applicant seeking a building permit for a new building, as follows:

(A) Residential: \$137.29 per dwelling unit.

(B) Commercial: \$120.65 per 1,000 square-feet of building.

(C) Industrial: \$9.67 per 1,000 square-

feet of building.

(ii) The service area for purposes of the public safety-police impact fee shall be the entire area within the corporate boundary of Tooele City Corporation.

(iii) Non-Standard Impact Fee. The City reserves the right under the Impact Fees Act to assess an adjusted impact fee that more closely matches the true impact that a building or land use will have upon the City's public safety police facilities. This adjustment may result in a higher than normal impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The formula for determining a non-standard public safety-police impact fee is contained in the Public Safety Impact Fee Facilities Plan and Impact Fee Analysis (February 2012).

(2) Collection. Impact fees shall be collected from the applicant prior to issuing the building permit, using the impact fee in effect on the date of filing a complete application for the building permit.

(3) Adjustment of impact fees. Impact fees may be adjusted at the time the fees are charged, as follows:

(a) to ensure that the impact fees are imposed fairly;

(b) to respond to

(i) unusual circumstances in specific cases;

or,

(ii) a request for a prompt and individualized impact fee review for the development activity of the state or a school district or charter school; and,

(c) if the Building Official determines that a user would create a greater than normal impact on any system improvement.

(4) Existing Buildings.

(a) Where a building alteration or change of use requires a new building permit or a new occupancy permit, and the building alteration or change of use is anticipated to result in increased impacts to City systems and facilities, the applicant shall pay, as a condition of permit approval, additional impact fees corresponding to the increased impacts.

(b) Where a building or use of a building incorporates technologies or processes designed to decrease impacts to City systems and facilities, and those technologies or processes fail or cease to be used, for any reason or to any degree, the City may assess additional impact fees corresponding to the increased impacts resulting from such failure or cessation of use. Such fees shall be invoiced to the building water account through the regular monthly city water bill.

(c) Should any developer undertake development activities such that the ultimate density, intensity, or other impact of the development activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever,

and/or the impact fee is not initially charged against all units or the total density or intensity within the development, the City shall be entitled to assess an additional impact fee to the development or other appropriate person covering the density or intensity for which an impact fee was not previously paid. Such fees shall be invoiced to the development water account through the regular monthly city water bill.

(d) The Building Official shall determine the extent to which the payment of additional impact fees is required.

(Ord. 2012-02, 03-07-2012) (Ord. 2010-04, 02-17-2010)
(Ord. 2007-10, 03-21-2007) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1999-36, 12-16-1999)
(Ord. 1999-10, 4-21-1999) (Ord. 1996-16, 11-20-1996)
(Ord. 1996-15, 06-05-1996)

4-15-3 Exemptions from Impact Fees.

(1) The following development activities shall be exempt from the payment of all or a portion of the impact fees:

(a) Replacement of a primary structure with a new primary structure of the same use at the same site or lot when such replacement:

(i) does not result in the construction of an additional dwelling unit or a change in use; and,

(ii) does not increase the demand for municipal services or the impact upon system improvements.

(b) Alterations to, or expansion, enlargement, remodeling, rehabilitation, or conversion of, an existing primary structure that does not increase the demand for municipal services or the impact upon system improvements.

(2) The Building Official shall determine whether a particular structure falls within an exemption identified in this Section or any other section. The Building Official shall issue a written determination, stating the basis for the exemption, and which shall be subject to the appeals procedures set forth herein.

(Ord. 2015-16, June 3, 2015) (Ord. 2012-02, 03-07-2012)
(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-4 Credits.

(1) A developer may be allowed a credit against impact fees for any dedication of or improvement to land or new construction of system improvements provided by the developer, provided that they are (i) identified in the applicable capital facilities plan, (ii) offset the need for a system improvement, and (iii) required by the City as a condition of approving the development activity. Otherwise, no credit may be given.

(2) For each request for a credit, unless otherwise agreed by the City, the fee payer shall retain an appraiser approved by the Building Official to determine the value of the land or construction dedicated.

(3) The fee payer shall pay the cost of the appraisal.

(4) After receiving the appraisal, the Building Official shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, where applicable, the legal description of the land donated, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating the applicant's agreement to the terms of the letter or certificate, and return such signed document to the Building Official before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within 30 days shall nullify the credit.

(5) Any claim for a credit must be made not later than the time of application for building permit. Any claim not so made shall be deemed waived.

(6) Determinations made by the Building Official pursuant to this section shall be subject to the appeals procedure set forth herein.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-5 Waiver.

(1) The City Council may, but is not required to, waive the imposition of impact fees for:

(a) Construction of **eligible** affordable housing units (up to **\$10,000 per dwelling unit**); or,

(b) Construction of an **eligible public facility**.

(2) Upon allowing a full or partial waiver under this Section for an eligible public facility, the City Council shall establish one or more sources of funds other than impact fees to pay the amount of impact fees waived for that facility.

(Ord. 2010-04, 02-17-2010); (Ord. 2001-36, 01-23-2001);
(Ord. 2001-35, 01-23-2001); (Ord. 96-15, 06-05-96)

4-15-6 Appeals.

(1) A fee payer may appeal the impact fees imposed or other determinations which the Building Official is authorized to make pursuant to this Chapter. However, no appeal shall be permitted unless and until the impact fees at issue have been paid.

(2) Appeals shall be taken within the time constraints identified in U.C.A. Section 11-36a-702, as amended. Appellants shall specify the grounds for the appeal, and deposit the necessary appeal fee, which is set forth in the Tooele City Fee Schedule for appeals of land use decisions.

(3) Appeals shall be filed with the City Recorder. The City Recorder shall fix a time for the hearing of the appeal and give notice to the parties in interest. At the hearing, any party may appear in person or by agent or attorney.

(4) The City Council, or such other body as the City Council shall designate, shall make a decision within 30 days after the appeal is filed. The City Council shall make findings of fact regarding the applicability of the impact

fees to a given development activity. The decision of the City Council shall be final, and may be appealed to the Third Judicial District Court for Tooele County.

(5) Certain impact fee payers may request mediation or arbitration under the state Impact Fees Act, U.C.A. 11-36-101 *et. seq.*, as amended.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-7 Establishment of Impact Fees Accounts.

(1) The City will establish a separate interest-bearing ledger account for the Impact Fees collected pursuant to this Ordinance and will conform to the accounting requirements provided in the Impact Fees Act. All interest earned on the collection of Impact Fees shall accrue to the benefit of the segregated account. Impact Fees collected prior to the effective date of this Ordinance need not meet the requirements of this Section.

(2) At the end of each fiscal year, the City shall prepare a report on each fund or account generally showing the source and amount of all monies collected, earned, and received by the fund or account and each expenditure from the fund or account.

(3) The City may expend Impact Fees only for system improvements that are (i) public facilities identified in the City's capital facilities plans, and (ii) of the specific public facility type for which the fee was collected. Impact fees will be expended on a first-in first-out basis.

(4) Impact Fees collected pursuant to the requirements of this Ordinance are to be expended, dedicated, or encumbered for a permissible use within six (6) years of the receipt of those funds by the City, except as provided in Subsection (5).

(5) The City may hold previously dedicated or unencumbered fees for longer than six (6) years if it identifies in writing (i) an extraordinary and compelling reason why the fees should be held longer than six years, and (ii) an absolute date by which the fees will be expended.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-8 Refunds.

(1) If the City fails to disburse, expend, or encumber the impact fees within 6 years of when the fees were paid, or such other time periods as justified by an extraordinary or compelling reason, the person who paid the impact fees may request a refund of such fees. In determining whether impact fees have been disbursed, expended, or encumbered, such fees shall be considered disbursed, expended, or encumbered on a first-in, first-out basis.

(2) Persons seeking a refund of impact fees must submit a written request for a refund of the fees to the Building Official within 120 days of the date that the right to claim the refund arises.

(3) Any impact fees for which no application for a

refund has been made within this 120 day period shall be retained by the City and expended on the type of public facilities for which they were collected.

(4) Refunds of impact fees under this section shall include any interest earned on the impact fees.

(5) When the City seeks to terminate any or all components of an impact fee program, any funds not disbursed, expended, or encumbered from any terminated component or components, including interest earned shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination, and the availability of refunds, in a newspaper of general circulation at least 2 times. All funds available for refund shall be retained for a period of 120 days. At the end of the 120 day period, any remaining funds shall be retained by the City, but must be expended on the type of public facilities for which they were collected.

(6) The City shall refund to the current owner of property for which impact fees have been paid all impact fees paid, including interest earned on the impact fees attributable to the particular development activity, within 1 year of the date that a right to claim the refund arises, if (i) the development activity for which the impact fees were imposed did not occur, (ii) no impact resulted, (iii) the impact fees have not been spent or encumbered, and (iv) the owner makes written request for a refund within 120 days of the expiration or abandonment of the permit for development activity.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-9 Use of Funds.

(1) Pursuant to this Chapter, impact fees:

(a) shall be used for public facilities that reasonably benefit the new development;

(b) shall not be imposed to make up for deficiencies in public facilities serving existing developments; and,

(c) shall not be used for maintenance or operation of public facilities.

(2) Impact fees may be used to recoup costs of designing, constructing, and acquiring public facilities in anticipation of new growth and development to the extent that the development activity will be served by the previously-constructed improvements or the previously-incurred costs. Impact fees may be used for environmental mitigation.

(3) In the event that bonds or similar debt instruments are or have been issued for the advanced provision of public facilities for which impact fees may be expended, impact fees may be used to pay debt service on such bonds, or similar debt instruments, to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the development activity.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)
(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

4-15-10 Independent Fee Calculations.

(1) If a fee payer believes that a fee should be charged, different than the impact fees determined according to this Chapter, then the fee payer may prepare and submit to the Building Official an independent fee calculation for the impact fees associated with the development activity for which a Building Permit is sought. The documentation submitted shall contain studies and data showing the basis upon which the independent fee calculation was made. The Building Official is not required to accept any documentation which the Building Official reasonably deems to be inaccurate, unsubstantiated, or unreliable and may require the fee payer to submit additional or different documentation prior to the Building Official's consideration of an independent fee calculation.

(2) Any fee payer submitting an independent fee calculation shall pay an administrative processing fee, per calculation, of \$100.

(3) Based on the information within the Building Official's possession, the Building Official may recommend, and the Mayor is authorized to adjust, the impact fee to the specific characteristics of the development activity, and according to principles of fairness. Such adjustment shall be preceded by written findings justifying the fee.

(4) Determinations made by the Building Official pursuant to this section may be appealed subject to the procedures set forth herein.

(Ord. 2010-04, 02-17-2010) (Ord. 2001-36, 01-23-2001)

(Ord. 2001-35, 01-23-2001) (Ord. 1996-15, 06-05-1996)

TOOELE CITY CORPORATION

ORDINANCE 2019-17

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY ZONING MAP FOR PROPERTY LOCATED AT APPROXIMATELY 168 SKYLINE DRIVE.

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

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

WHEREAS, the City has received an application for Zoning amendments for properties located near 168 Skyline Drive, as shown in the attached **Exhibit A**; and,

WHEREAS, on June 12, 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 amendments proposed therein are in the best interest of the City in that they will bring an increased variety of housing types and styles for those in various stages of life, and are consistent with the General Plan and Land Use Plan; and,
2. the Zoning Map is hereby amended for the property located near 168 Skyline Drive 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 _____, 20__.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Sharon Dawson, City Recorder

S E A L

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

Exhibit A

Application for Zoning Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

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



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

Project Information			
Date of Submission: 4-30-2019	Current Map Designation: R1-7	Proposed Map Designation: MR-25	Parcel #(s): 02-013-0-0055 02-016-0-0016, 02-013-0-0054
Project Name: Skyline Vista			Acres: 14.31 14.24 acres
Project Address: 168 Skyline Dr, Tooele			
Proposed for Amendment: <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: We would like to propose to change by ordinance that the three parcels, 02-013-0-0055, 02-016-0-0016, and 02-013-0-0054 become MR-25 zones to allow for a townhouse and apartment project.			
Property Owner(s): Gordon's Inc, Skyline Dr Property LLC, Skyline Vista Properties LLC		Applicant(s): Steve McCleery, Derald Anderson, David Payne	
Address: 4179 North Cochrane Lane Erda 84074 321 East Coventry Way Erda 84074 4194 Torrey Pines Washington 84780		Address: 127 Wayfield Dr	
City: _____ State: Utah Zip: _____	City: Draper State: UT Zip: 84020		
Phone: 206-786-9213 801-845-5214 702-303-9700	Phone: (801) 209-1875,		
Contact Person: Steve McCleery		Address: 127 Wayfield Dr	
Phone: (801) 209-1875		City: Draper State: UT Zip: 84020	
Cellular: (801) 209-1875	Fax: n/a	Email: steve.mccleery@gmail.com	

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

Note to Applicant:

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

For Office Use Only			
Received By:	Date Received: 5/7/19	Fees: 2,431⁰⁰	App. #: 2190311

346066 Rec.

Exhibit B

Planning Commission Minutes

TOOELE CITY PLANNING COMMISSION MINUTES
June 12, 2019

Date: Wednesday, June 12, 2019

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

Commission Members Present:

Tony Graf
Shauna Bevan
Phil Montano
Matt Robinson
Ray Smart
Chris Sloan
Bucky Whitehouse
Melanie Hammer
Tyson Hamilton

City Employees Present:

Jim Bolser, Community Development Director
Andrew Aagard, City Planner
Roger Baker, City Attorney

Council Members Present:

Council Member McCall
Council Member Gochis

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Graf.

2. Roll Call

Tyson Hamilton, Present
Tony Graf, Present
Melanie Hammer, Present
Ray Smart, Present
Shauna Bevan, Present
Phil Montano, Present
Matt Robinson, Present
Chris Sloan, Present
Bucky Whitehouse, Present

3. **Public Hearing and Recommendation on a Conditional Use Permit request by Skull Valley Healthcare to allow “Outpatient Treatment Facility and Program” and “Residential Treatment Facilities and Program” uses to be located at 251 North First Street at the existing Harris Elementary School in the MR-8 Multi-Family Residential zoning district on approximately 9 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the application pertains to the former Harris elementary school. The property was recently rezoned to MR-8, Multi-Family Residential. The property is surrounded by R1-7 Residential on all sides with some multi-family nonconforming uses. The applicant is requesting a Conditional Use Permit to authorize the use of the structure as an outpatient treatment center and program as well as a residential facility and program. Both of these uses require a Conditional Use Permit within the MR-8 zone. The applicant has indicated that the facility will assist people struggling with substance abuse addiction and there will be 120 beds; 60 for women and 60 for men. The applicant has not indicated the number of professionals that will be at the facility at any given time. Currently the site has 145 delineated parking stalls, located north and east of the building. It is not clear if the clients of the facility will own or be able to operate motor vehicles. There should be adequate parking, but there is additional space on the side of the building to accommodate more parking. City staffs’ understanding is that the building will be used as is with some remodeling within the building. The foot print of the building will remain the same. The applicant will need to obtain all applicable building permits that relate to remodeling or renovating the structure. This is a public hearing and public notice was issued and mailed. Staff has not received any feedback from those within the noticing radius. Staff is recommending approval of the proposed Conditional Use Permit with the basic housekeeping items listed within the Staff Report.

Chairman Graf asked the Commission if there were any questions or comments, there were none.

Chairman Graf opened the public hearing,

Mr. John Larson read a personal statement about being an alcoholic. He told stories about his family members who have issues with substance abuse. He further stated that he is in support of the facility. He is not afraid of those people. He stated that people have concerns about increased drug use, but he thinks it will increase police presence.

Mr. Ken Frailey stated that he lives near the school, in the fact his house has been owned by his family since 1906. He believes that this center is a terrible idea in a residential area in the middle of Tooele. He does not begrudge people finding treatment, but it should not be in the middle of a residential area. The land should be used for nicer homes to rehabilitate the area. He stated that he has heard the arguments about abandoning the school that has asbestos and lead paint, but that doesn’t matter since someone is willing to buy the facility.

Mr. Randy Green stated that he lives near the school. He stated that he thinks the process for this facility has been on a fast track and there doesn't seem to be anyway to change it. Mr. Green read an article about a study about this type of center in residential areas. He stated that he would like to see a no see fence around the property. He thinks that would avoid a lot of problems. He further stated that there is a lot of asphalt on the property and most of the drainage goes to the northwest corner onto his property. He stated that people live right along the fence of the property and the fencing is chain-link. He stated that he thinks the facility is not right for the area and the school needs to be torn down.

Mr. Jaron Lagasse stated that he is only 16 years old but he thinks human race is for second chances. If people are not allowed second chances to better themselves, than what kind of people are we. If the residents are really more worried about money, than they are not humans at all. The residents need to let people better themselves and speak up for change.

Mr. Luke Hampton asked how a school that was subject to abandoned and demolished is now introduced as a suitable facility for people who are trying to better themselves. This will be in a residential neighborhood and must be approved with a Conditional Use Permit, rather than building an appropriate facility where people can get the treatment they need. He sees this as someone saving money or someone making money. He doesn't know which it is. All the people in the room believe in second chances, but people in the room want to make sure children are safe and property values do not decrease. He is worried about the Planning Commissions responsibility to the community. If the building isn't good enough for kids, then how is it good enough for people trying to better themselves. A school that was subject to be demolished and now is a suitable facility to better themselves.

Mr. Thomas Curtis stated that he lives on the other side of the field from the facility. He stated that he has talked to a lot of the neighbors and the main concern is the traffic in the field around the building. People walk across the field and hop the fences into the backyards of local residents living along the field. He agrees that there is a need for a treatment center in Tooele, but there needs to be a fence. He asked if there was a way to block off or have a fence for safety.

Ms. Samantha Vincent stated that she has worked in the mental health field and Tooele needs a treatment center. She stated that with this location, she had a couple of questions. She asked if the facility will be strictly voluntary or court mandated treatment. That makes a difference. The other question was if the facility would be able to handle emergency situations because in that area the streets are a little bit narrow.

Chairman Graf closed the public hearing.

Chairman Graf asked the applicant to make a statement.

Mr. David Gumucio made a statement for the applicant, as he is representing the applicant at the meeting. He stated there have been three different hearings. The general consensus of the community is that it needs this and wants it. There are those that are concerned about it being in their backyard. He stated that his client is sensitive to that and understands the concerns. His

client is working currently in residential communities in the Salt Lake area. He stated that his client is community mindful and the community will see a positive outcome for the City. There will be service provided by the facility and cultural impacts. There are plans for synergies with Tooele County School District to help better the lives of the participants. He stated that his understanding is that the facility is voluntary and people want to come to them. The treatment is done holistically, with improvements spiritually, educationally, and physically. This will give the participants a second opportunity.

Mr. Gumucio stated that he understands about property values since he is a real estate agent. He is seeing a footprint that is a perfect use for this type of facility and keeps and restores a historical building. He stated that his client understands that there will be significant improvements to the facility. They are willing to do that. It is important for the community to be positive and look at the other treatment centers to see that the facility operators are people of their word and of good intent. Right now, there is a lot of fear and anxiety but this business is willing to move forward. The school district is very cooperative and has done an extensive due diligence. He recommended to the Planning Commission that the business is doing this transaction according to the law and statute and want to be a member of the community in a positive way.

Chairman Graf asked the Commission if they had any questions.

Commissioner Bevan asked about the fencing, is the client willing to mitigate concerns of the neighbors with fencing? Mr. Gumucio stated that in the last hearing fencing was discussed and there was no concern about the fencing from the City Council level to meet the criteria of the Conditional Use Permit. Fencing is not a factor. The client has stated that they would look into that for repairs.

Chairman Graf stated that he was in the last City Council meeting and there was a question about a gap in the fencing, would the client fill that gap with fencing? Mr. Gumucio stated that his understanding that at one time the entire acreage was fenced off and if there are need of repairs there is a contingency plan to make repairs. As for new fences or heightened fences that remains to be seen. One the current fence that is there, it will be reviewed and repairs made.

Commissioner Smart stated that at the prior meeting the client mentioned that property values did not go down, but the values went up. He asked if that was a study or where that came from. There is a big concern about property value, but there are many poorly maintained yards that would keep the property values low. Mr. Gumucio stated that he could not speak to Mr. Dixon's comment about property value going up, but if he said that, then it was in his experience with prior facilities. Mr. Gumucio stated that he expects that Mr. Dixon would know and he wouldn't make that statement unless it was true. Mr. Gumucio stated that he did not know or seen the data to support that statement.

Mr. Gumucio stated that having a vacant building in the center of the community does not increase property values. Having a going concern that has been updated and beautified would increase property value. Property that is abandoned has a tendency to pull values down and

property that is occupied or well kept, maintain or increase value. He stated he would not address the nature of how people decide to maintain their properties.

Commissioner Montano asked Mr. Baker, City Attorney if the fencing could be put in as a condition of the Conditional Use Permit. Mr. Baker stated that it depends. Before a condition can be imposed on a Conditional Use Permit, there first needs to be a finding for a potential adverse impact to the neighboring properties that would be mitigated by imposing the condition. Fencing can be imposed but it would be important to recognize the adverse impact the fencing would mitigate.

Commissioner Bevan stated that she thinks fencing is a good idea for the main reason that there is already a lot of foot traffic through the property and a good sturdy privacy fence would stop the traffic through the property. Commissioner Montano stated that he agrees with that and they could fence three sides of the property. In looking at the map there are three residential sides of the property, west, north, and south sides. That would leave the front open.

Commissioner Sloan asked how much of the foot traffic now, is because it is a vacant facility. If the facility is in operation would the number of individuals crossing the field change with a working facility. Is it something that needs mitigation? Commissioner Bevan stated that it would be a deterrent, regardless of who owns the property. It has been mentioned that there was drug use back there. Commissioner Robinson stated that he understands the concern, but the finding needs to go to the Conditional Use, not that it is a big piece of property. It has nothing to do with people walking across the property and have walked across it for 20 years, but because of the Conditional Use of the facility there it needs to have a fence.

Chairman Graf stated that it is important to answer the questions from the public. In regards to voluntary or court ordered, will the residents attending the facility be in one or both of these categories. Mr. Bolser stated that he believed that Mr. Dixon testified before the City Council that it is in fact both. Chairman Graf asked about the storm water, is that something that can be mitigated. Mr. Bolser stated that the applicant would have to demonstrate proper utilization of storm water facilities through any site planning process. That is a requirement of any applicant.

Commissioner Robinson stated that the road problems that were brought up will be addressed in the application and planning phases of the project. Mr. Bolser stated that what has been looked at for traffic volumes and infrastructure with preliminary data of usage, are anticipated to be less impactful than when the school was in use.

Chairman Graf stated that in prior meetings there has been discussion about horses and he didn't believe the zoning would allow for that. Mr. Bolser affirmed that, that was correct.

Commissioner Montano stated that he is bothered that there is no guarantee that what is being said will take place. He stated that he is somewhat troubled by the project. The Planning Commission has had a lot of things promised and they don't happen which impacts the community.

Commissioner Sloan stated that part of the Conditional Use Permit is not followed than it can be revoked. Mr. Baker stated that a Conditional Use Permit can be revoked after due process. There needs to be evidence, applicant addressing the issue and replying to the Planning Commission before revoking the Conditional Use Permit.

Commissioner Montano shared a story of his visit of a similar facility in Holliday.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Skull Valley Health Care to permit Outpatient Treatment Facilities and Program and Residential Treatment Facilities and program at the existing Harris Elementary School at 251 N First Street, application number P19-321, based on the findings and subject to the conditions listed in the Staff report dated June 3, 2019.

Commissioner Hamilton stated that he wanted to explain his vote. In looking at Central Elementary being remodeled, it is a beautiful building now and we can see this building do the same.

Commissioner Sloan seconded but added an amendment that the fencing be repaired and maintained. Commissioner Hamilton added the amendment to his motion.

Commissioner Robinson stated that the finding is that there are a lot of people going into this facility and in order to keep those on the property in and those out of the property out, a fence is needed.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Skull Valley Health Care to permit Outpatient Treatment Facilities and Program and Residential Treatment Facilities and program at the existing Harris Elementary School at 251 N First Street, application number P19-321, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019 and the added condition that fencing onsite be repaired and maintained. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

The Planning Commission took a 5-minute break.

4. Public Hearing and recommendation on a Zoning Map Amendment request from the R1-7 Residential Sensitive Area Overlay Zoning District to the MR-25 Multi-Family Residential Zoning District by Skyline Vista Properties LLC for 14.3 acres located at approximately 168 Skyline Drive.

Presented by Andrew Aagard

Mr. Aagard stated the property is located at the foot of Little Mountain on Skyline Drive and south of the City Cemetery. The property is currently zoned R1-7 Residential and does have a Sensitive Area Overlay. To the north properties are zoned R1-7 and mixed-use general,

properties to the south is open space. The applicant is requesting that the property be zoned MR-25 Multi-Family Residential. This would facilitate a townhome and apartment development. There are significant differences between the two zones. Those differences pertain mainly to density and housing types. The R1-7 Residential zone creates a maximum density of 5 units per acre and only permits single- and two-family dwellings. MR-25 Multi-Family Residential zone has a maximum density of 25 units per acre and prohibits single family and two-family dwellings but permits multi-family dwellings. The applicant is requesting removal of the Sensitive Area Overlay which was placed on the property due to its proximity to Little Mountain with slope, drainage, and rock fall potential. The Sensitive Overlay does place greater restrictions on development relating to lot size, slopes, and grading limitations. In order to develop this property with the concept plan provided to the Commissioners, the Sensitive Overlay would need to be removed. Mr. Aagard turned some time over to Mr. Bolser who has some additional information in regards to the project.

Mr. Bolser stated that the City Council approved in May of 2019 a policy statement that specified that while the City is undertaking some additional study regarding infrastructure and utilities throughout the City, the City Council will not be accepting or approving further applications for Zoning Map Amendments to Multi-Family zones for Multi-Family uses until the study is complete or up to 12 months. This does not affect the Planning Commission review and procedure, but it is a consideration at the time of recommendation.

Commissioner Sloan asked Mr. Bosler if the applicant is aware of the policy. Mr. Bolser stated that he is. At the time that the policy was put in place, Mr. Bolser was asked by the City Council how many active applications were affected. There were five. The Council asked Mr. Bolser to contact the applicants and seek their input on if they would like to withdraw the application with a refund of fees or continue on with the application process. Four applicants have responded back, three asking for a refund and this applicant requesting to push forward. One application is still outstanding.

Chairman Graf asked the Planning Commission if there were questions and comments, there were none.

Chairman Graf opened the public hearing.

Mr. David Bleazard stated he has lived on Skyline for 42 years. This is not the first time that the residents living on Skyline between Upland Drive and 200 East have been confronted by this issue of Multi-Family Residential on the south side of Skyline. It makes no more sense now than it did in the past. In fact, it makes less sense. The increase in traffic over the years since the last time this was denied is very evident to those living on this street. Very few drivers follow the speed limit as they drive this stretch and Tooele City Police make little effort to confront it and fix it. Pulling into and out of driveways is risky at times and is getting worse. When the additional vehicles which would be added with units on the south side of Skyline it would become very dangerous. The bottleneck at the intersection of 200 East and Skyline is not going to get bigger, it is going to get worse. Based on Mr. Bleazards conversations with Tooele City Planning office he discovered that the proposed change would allow 25 units per acre. This means that the units will go up with no place to park. The proposal is for 350 potential units on that little piece

of acreage. That would allow no place to park, no front or back yards and he can't imagine if all those cars will result. Right now, if you take a tape measure and measure out the completed street with housing, there would need to be bulldozing of Little Mountain. Bulldozing Little Mountain will cause erosion and it will be one big mess. He stated that there were four different snowfalls this year that were 12 inches or more, which would make it difficult for snow removal. Mr. Bleazard stated that if the mountain is dug into, there will be the need for massive retaining walls. He stated that the moisture will move the mountain down. Storm drains come down the mountain and 200 East that are affected. He stated that another big impact is on wildlife. Mr. Bleazard stated that he can't count how many deer's he has seen killed on that road. He shared a story about how deer have died in his yard. He stated digging out Little Mountain makes no sense.

Mr. Derald Anderson stated that he owns the little sliver of property to the top east of the project. He stated that he wanted to apologize for the lack of information on the project. He stated that the project will be a benefit to the community and no homes will not be built on the two acres of the eastern edge of the property. That property will be a park, with parking stalls and walking trails. That will put no additional homes across from the existing homes. All of the apartments and townhomes will be directly across from the cemetery with the apartments being on the extreme western side of the project. The apartments will be across from the hotel, going east would be townhomes and then the park across from the existing homes. There needs to be the zoning change to do what they want with the project. The concerns with 2nd East and traffic on Skyline doesn't exist because the population of the project will be right next to Main Street. He stated that backing out of driveways there is an issue with the bottleneck of undeveloped land. By doing this project Skyline will be much safer. Mr. Anderson stated that the Sensitive Overlay was stated as needing to be removed, but that is not true. He stated that by doing the proposed project, this project allows them to work within the Sensitive Land Overlay. Mr. Anderson stated that everything across the street is zoned MU-G, Mixed Use General. He further stated the concern about wildlife will put the density on the western side and the wildlife will still have the mountain. He further stated that there have been geotechnical surveys and there will be no need to dig into the slope of Little Mountain.

Mr. Bolser stated that the Sensitive Overlay removal will have to happen for the project to happen.

Mr. Malcom Walden stated that he lives about a block from the area. He stated that during that time he has seen Tooele change. He stated that this is an abysmal idea. He stated that this is a quality of life issue and he enjoys the view when looking at Little Mountain. Having a wall of buildings and the hundreds of people that will come with it, will destroy the quality of life in that part of Tooele. He stated that he hates the thought of the solitude of walking along the cemetery being replaced by the people living on that property. The impact on the lives of those who live there, should be considered. He thanked the Commission and hoped they would give consideration of the terrible impact to those who live there.

Ms. Winona McGoregal stated that there will need to be a new street light and street upgrades. The traffic is bad and residents cannot get out. She stated that where she lives, she can't see the traffic coming towards her home. It will be ridiculous with that many residents coming in.

Ms. Colleen Bennion stated that she lives the fifth home up Skyline. She stated that she cannot see to get out of her driveway. She stated building has been done at the top of Skyline because of the vacant land. She stated that building across from where she is with a park, would bring kids and parents. There is another park up the street, which is nice. While she has lived there, there have been three fires on Little Mountain. Ms. Bennion shared a story of a tire rolling off the mountain. She stated that she has had wildlife dead in her driveway and shared a story of deer death in her backyard. She shared a story about a truck rolling down Little Mountain. She stated that the people will use Skyline Drive to get to Main Street. She is not in favor of the rezone. She shared a story about another rezone application ten years prior.

Ms. Cindy Hollar stated that Ms. Bennion is her mother. She asked about the planning of the property and if the whole area would be zoned the new zone. Mr. Bolser stated that the entirety of the property is under the application and would change. Ms. Hollar asked if anyone would need to comeback if the zoning is changed. Mr. Bolser stated that if it was a single family home, they would have to come back for subdivision process, a multi-family would have to go through approval of the Planning Commission, and a single family home would not have to go through Planning Commission review.

Mr. Kevin Carney stated that he lives on Skyline Drive. He stated that he is an environmental scientist for the State of Utah, but he is at the meeting as a concerned citizen and not representing the state. He stated that he shares a lot of the same concerns. He is worried about the construction and hazards in the area from the construction, excavation into the mountain and the stability of the structure. He stated that he found a map from the US Geological Survey Map that showed a fault line through Little Mountain. The map has been put into public record. He stated that there should be some definite studies done to determine the safety of the project. He is concerned about the wildlife. The traffic is a concern and he has had several motorcycle accidents on his property. He made comments about water usage and he doesn't know where the water is going to come from. The runoff water is also a problem. Mr. Carney stated that the apartments will only be west of 200 East, but why would the property above 200 East need to be rezoned. Later on, if it is zoned for this use, then there could be building on that piece of property.

Me. Lance Halcomb stated that he was born in the residence where he lives now on 2nd East. He wanted to speak to quality of life. He stated that there is beauty and peace in Tooele. He shared his history of living around the country and seeing the parks to give peace for residents. Tooele is one of the most beautiful places. To look out on a wall of houses breaks that peace and he cannot put a monetary value on what the peace brings. He stated that if he had his way Tooele would buy the property for open space. He stated that many people have climbed Little Mountain.

Mr. Jim Hanzelk and he lives in Stansbury Park, but his daughter lives along Skyline. He shared a story about the geology of Riverdale area of Ogden. A lot of the topography features he learned about in his story are on Little Mountain. He stated that this developer has had issues in Stansbury. He stated that he would not remove the Sensitive Overlay and it has been stated it has to be removed. He encouraged the Planning Commission to get every contract with this

developer in writing. He further stated that he would not remove the Sensitive area based on the geography of the area that he has seen. There is a reason the Sensitive Overlay is there.

Ms. Samantha Vincent stated that she bought her grandfather's home. She stated there are apartment buildings being built behind Macey's and now they are blocking the view. She would hate to see the beauty replaced by buildings.

Chairman Graf closed the public hearing.

Commissioner Montano stated that he is struggling on what to do with the City Council policy of not approving multi-family residential projects. He thinks that the issue should be tabled until the policy is withdrawn and then make a decision.

Mr. Steve McCleery is the applicant and developer and wanted to make a statement. He apologized for any hard feelings by the residents. He stated that he got involved with the Gordons who own the property, while working with them about a commercial building in downtown. During that process with the commercial building, he has gotten to know the owners of the Main Street corridor as well as the Mayor and City Council Members. He is trying to control the situation and still be a massive impact of the individuals around him. He didn't remove the application fee because he felt like he needed to do this and does not care about the money. The two acres to the side would not need to be rezoned, because these acres were to limit the impact to the neighbors. There has been a lot of geo work, fault studies, slope analysis studies, rockfall studies, and EarthTech did all those studies. There has been evaluation of where to put things safely and mitigate Mother Nature. He stated that 99% of the development in the city is going to the north side of town and devaluing the south side of town. Mr. McCleery wanted to be impactful to the downtown area. He stated that he has played within the safety. He stated that he does not intend to remove the Sensitive Overlay. The plan does not affect the mountain itself. The traffic will be controlled so it will not go into the residential area. The park will really be a trailhead with parking. He has been working on this for two years and has had a work session with the City staff. He stated that he knew it would be tough with the community, and he wants the community's input. The same reason this land keeps coming back to multi-family is the most harm to Mother Nature would be single-family homes on the property and no one can afford it. Mr. Cleary stated that there is a mountain backing the project and they have pushed the project west on the property to get it away from the views. He wants a project that will be impactful to the downtown area and he is trying to mitigate the harm to the residents. Mr. McCleary stated that no driveways will go onto Skyline. He is doing the best he can and he has done a lot of work to get there.

Commissioner Robinson asked if the application would require changing the Sensitive Overlay? Mr. Bolser stated that it would.

Commissioner Sloan asked that there was an intent not have no driveways on Skyline, so where are ingress and egress for the property. Mr. McCleery stated that there is a rainbow design to the south of the property with the road. A concept map is was shown on the screen. Mr. McCleery stated that they are below the slope analysis and slope topography.

Chairman Graf thanked the constituents and turned it back to the Commission.

Commissioner Robinson motioned to forward a negative recommendation to the City Council for the Skyline Vista Zoning Map Amendment Request t Skyline Vista Properties, Skyline Dr Property & Gordon’s Inc, to reassign the subject properties to the MR-25 Multi-Family Residential zoning district, application number P19-343, based on the findings and subject to the conditions listed in the Staff Report dated June 4, 2019. Commissioner Smart seconded the motion. The vote as follows: Commissioner Hamilton, “Aye,” Commissioner Smart, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Montano, “Aye,” Chairman Graf, “Aye.” The motion passes.

Commissioner Robinson stated that he voted for the negative recommendation due to the City Council policy in place for infrastructure reviews and the need to keep the Sensitive Overlay as outlined in the Staff Report.

Commissioner Sloan stated that he wanted to explain his vote. He travels that road probably a dozen times a day. The design has been put forth to mitigate the impact to driveways, but the simple fact to the sheer number of families and vehicles with the current infrastructure of Skyline and Main Street is still a problem. Skyline and Main Street is a horrible intersection. The number of dwellings being added would not help the current situation.

Chairman Graf stated that the developer needs a decision from the Planning Commission. He stated that one of his biggest concerns is the removal of the Sensitive Overlay and what can come down that mountain over time.

5. **Public Hearing and Recommendation on a Zoning Map Amendment request from the R1-7 Residential Zoning District to the MR-16 Multi-Family Residential Zoning District by Zenith Tooele, LLC, for 32.26 acres located at approximately 600 West 1200 North,**

Presented by Andrew Aagard

Mr. Aagard stated that the current zoning of the property is R1-7 Residential. The properties to the north, east, and west bare the same zoning with some commercial to the south adjacent to 1000 North. The applicant is proposing to rezone to MR-16 Multi-Family Residential. A concept plan was included in the packet. The main differences between the existing zoning and the requested zoning is density and housing types. R1-7 Residential permits up to five units per acre and permits single family and two-family dwellings. MR-16 Multi-Family Residential permits 16 units per acre and only three-family, four-family, and multi-family units. If the property is developed in the R1-7 Residential zone, after accounting for roads and public infrastructure, the approximate unit count be 130 units. If developed in the MR-16 Multi-Family Residential the approximate unit count could reach 400 units. This is a public hearing and notices were sent out. There have been no public comment received at the City.

Mr. Bolser stated that the City Council has issued a policy about multi-family Zoning Map Amendments as it was explained in the prior item. There is one caveat applicable for this application. There is a caveat in the Council policy that specifies that if a property is subject to a

contractual obligation that the City has to consider a Zoning Map Amendment, those will not be affected by the policy that was issued. This property is a part of a contractual obligation and the policy for multi-family residential Zoning Map Amendments is not in effect for this application.

Mr. Aagard stated that the applicant has a presentation for the Planning Commission that they would like to present.

Mr. Chuck Akerlow who represents Zenith Development stepped forward to address the Planning Commission. He stated that they are the owners of the property. He stated he hoped that the application had been reviewed by the Planning Commission. He further read from the Tooele City Settlement Agreement with Overlake Development and corresponding City Council Ordinance 2015-04 and the Tooele City Moderate Income Housing Plan.

Commissioner Smart asked to be excused due to a commitment at home. He was replaced by Commissioner Hammer for voting; her arrival at the meeting had been delayed. Commissioner Whitehouse also was excused due to an emergency call.

Mr. Akerlow turned the meeting over to Gerry Tully for the presentation. Mr. Tully is the planner for the property. He presented a power point presentation to show the concept plan and design plans for the property which includes, single family residential, apartments, townhomes, single family cottage homes and a possible 55-plus development. There would also be commercial to the south if the developers purchase a plat of land. The community would have a park, walking trails, gazebo, courtyards and common areas. A copy of the presentation was kept for public record.

Mr. Tully asked for a positive recommendation and any feedback to be given to them so they can improve the project.

Chairman Graf asked the Commission if they had any questions or comments.

Commissioner Hamilton stated that he appreciated the proactive nature of the applicant. He appreciated the information to make an informed decision.

Chairman Graf opened the public hearing.

Ms. Samantha Vincent stated that the development looks beautiful. She asked about traffic and how that will be addressed? She loves Tooele, but driving back and forth is an issue.

Commissioner Sloan stated that there are things being done. Mid Valley Highway will be under construction by the end of the calendar year. There is work on a Lake Point extension. Several things are in the works, but they take money. Tooele County needs roof tops and more residents to spend more money for the projects.

Chairman Graf closed the public hearing

Chairman Graf asked the Commission if they had any questions of comments, there were none.

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the for the Lexington Greens Zoning map Amendment Request by Zenith Tooele, LLC to reassign the subject property to the MR-16 Multi-Family Residential zoning district, application number P19-379, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019. Commissioner Robinson seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

Commissioner Sloan stated that he loved the project and thanked the applicant for bring it to Tooele.

6. **Public Hearing and Decision on a Conditional Use Permit to allow the use of "Auto Impound Yard" for Stauffer's Towing, located at approximately 150 Feldspar Street in the I Industrial zoning district on approximately 1.95 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the application is for a property located in the industrial park on an existing industrial property. The property is zoned I Industrial as are all of the surrounding properties. The applicant operates a vehicle towing business and needs a place to store impounded vehicles. Impound yards are allowed in the Industrial zone but need a Conditional Use Permit. A photo of the property was shown on the screen. It is an existing business that already has trailers and heavy equipment onsite. The applicant will be leasing a space within the fenced property to store the impounded vehicles. Notices were issued according to state requirements and no comments have been registered concerning this application. Staff is satisfied that this is an appropriate place for an auto impound yard and is recommending approval with the basic housekeeping conditions listed in the Staff Report.

Chairman Graf asked the Commission if they had any questions of comments, there were no comments.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Mr. Stephen Marrs stated that he is the applicant and the reason that they would like a yard in Tooele is because several of their drivers live in the City. They do accidents regularly in Tooele and have to take the vehicles back into Salt Lake County for storage. This will allow the accidents to stay in the City.

Commissioner Hammer asked about the fencing. The Staff Report states that there is chain-link and barbed wire, will there be any slats or site obscuring fencing. Mr. Marrs stated that they are leasing the property in the very back of the yard. The cars would not be visible from the street.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Stephen Marrs of Stauffer's Towing for the purpose of permitting "Auto Impound Yard" at 150 Feldspar Street, application number P19-380, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019 with an additional recommendation that all vehicles towed to the property, stay within the fenced area. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

7. **Decision of a Site Plan Design Review for the Canyon Village Rust Condominium development proposed by Mountain Vista Development, Inc. located at approximately 1800 North 380 East on approximately 1.38 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the site has been before the Planning Commission in prior weeks. This is the site plan approval to determine if it meets standards as designed by the City's site plan ordinance. The properties are just north of the Copper Canyon Elementary School. The properties are zoned MR-16 Multi-Family Residential. As are the surrounding properties, excluding some properties to the north that are commercial zoning. The site plan includes 24 condominium units with some common area. Common area will be maintained by a development HOA. The landscape plan demonstrates tree location, shrub location and common area as per the Multi-Family Design Standards ordinance. The design does comply with the ordinance. The front, back and side elevations were shown on the screen. The front exteriors consist of stones and veneer stucco and hardy plank siding. The rear of the units contains a stone wainscot, pop outs for unit delineation, color variation for each unit and decorative dormer windows. The side elevation includes wainscot, stucco and cross gables. Staff has worked closely with the applicant to make changes from the original proposal as well as the site plan to bring them into compliance with the design standard ordinance. Site plan and building exteriors now comply and staff is recommending approval.

Commissioner Robinson motioned to approve the Site Plan Design Review Request by Mountain Vista Development, Inc. for the Canyon Village Rust Condominiums proposed at approximately 1800 North 380 East, application number P19-367, based on the findings and conditions listed in the Staff Report dated June 3, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

8. **Recommendation on a Minor Subdivision request for the Utah Industrial Depot Minor Subdivision No. 37 Amended by Peterson Industrial Property, located at approximately the southeast corner of Feldspar Street and K Avenue in the I Industrial zoning district for the purpose of creating three industrial lots.**

Presented by Andrew Aagard

Mr. Aagard showed an aerial photograph on the screen. The property is zoned I Industrial, as are all of the surrounding properties. The minor subdivision proposes to split the existing 14.8 parcel into three industrial lots ranging in size from 5 acres to 1.9 acres. All three lots meet or exceed the minimum lot requirements of lot size, lot width, and frontages within the industrial zone. All streets within the area are private roads and remove any need for road dedication. Staff is recommending approval with four standard conditions in the Staff Report.

Chairman Graf asked the Commission if there were any questions and comments.

Commissioner Hamilton moved to forward a positive recommendation to the City Council for the Utah Industrial Depot Minor Subdivision No. 37, Amended, Minor Subdivision Request by Brock Peterson, representing Industrial Property, application number P19-129, based on the findings and subject to the conditions listed in the Staff Report dated June 4, 2019.

Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passed.

9. Recommendation on a Final Plat Subdivision request for Overlake Estates 1L Phase 2 by Perry Development LLC, located at approximately 620 West 2000 North on the R1-7 Residential zoning district for the purpose of creating 31 single-family residential lots.

Presented by Andrew Aagard

Mr. Aagard stated that this is phase 2 of the Overlake 1L Subdivision. The property extends the 1L subdivision to the west. The property is zoned R1-7 Residential, as are all of the surrounding properties. The phase 2 facilitates the creation of 31 residential lots. Each lot meets or exceeds lot requirements for lot size, lot width, and lot frontages. There is double fronting lots along 2000 North and the landscaping plan was provided. The area will be maintained by the development HOA. Staff is recommending approval of the final plat with the conditions listed in the Staff Report.

Chairman Graf asked the Commission if there were any final comments or questions, there were none.

Commissioner Sloan moved to forward with a positive recommendation to the City Council for the Overlake 1L Phase 2 Final Plat Subdivision Request by Dan Reeve, representing Perry Development LLC for the purpose of creating 31 new single-family residential lots, application number P19-97, based on the findings and subject to the conditions listed in the Staff Report dated May 14, 2019 Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passed.

10. Review and Approval of Planning Commission minutes for meeting held May 22, 2019.

Chairman Graf asked the Commission if there were any comments or questions, there were none.

Commissioner Sloan moved to approve minutes from the meeting held on May 22, 2019.

Chairman Bevan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano "aye," Chairman Graf, "Aye." The motion passed.

11. **Adjourn**

Commissioner Hammer move to adjourn the meeting. The meeting adjourned at 9:47p.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 26th day of June, 2019

Tony Graf, Chairman, Tooele City Planning Commission

June 5, 20019

Andrew Aagard: Tooele City Planner / Zoning Administrator

Community Development Department of Tooele City

90 North Main Street

Tooele, Utah 84074

RE: Public Hearing on Zoning Change by Skyline Properties

Dear Andrew Aagard and Planning Commission Members:

We appreciate the notice of request for change in zoning by Skyline Properties LLC. As property owners affected by the proposed zoning changes, we respectfully submit this letter expressing some of our concerns.

First, why are we re-addressing this request for a zoning change? The decision has been made by the Planning and Zoning Commission that the land is not appropriate for multi-family residential development. Requests in the past and not allowed because of the impact the changes can and will make on the community infrastructure including water, sewer, storm drains, transportation, environmental issues, residential life, wild life and public safety.

We are concerned that multi-family residents will have a difficult time fitting the new buildings between the road, sidewalks and Tooele City Property without disturbing Little Mountain and causing erosion that could damage the new and existing residents. If there is excavation into Little Mountain, retaining walls would be necessitated if the residence are to have any play area for children and areas for backyards. Retaining walls will require "Dead Men" to be buried deep into Little Mountain to help the retaining walls from being broken down by gravity and other forces of nature. And because of the slope of Little Mountain, will the city allow excavation into Little Mountain for resident structures and parking? Little Mountain remains City Property?

We are concerned about traffic flow, control, and the Safety of residents and pedestrians and vehicles. Every day we have more and more people driving their vehicle up and down Skyline Drive. Few conform to the speed limit. There already exists a major bottle neck at the lower end of Skyline Drive where it narrows and meets 200 East Street. Multi-family residents will only add to these problem. Safety of children and even people pulling out of driveways would be compromised even more than it has been to date. Parking is an on-going concern. Where would residents park their vehicles? How many vehicles per unit would be allowed? Would resident parking conflict with snow removal? Second and third level multi-family units only add to the problem.

We are concerned about the environment and wild life. Has an environmental impact study been done? Does this request conform to **Approval process for minor subdivision created under Subsection 13-3-1(2) or Utah Code 17-27a-605**. (v) Title 6, Public Safety, Chapter 20, Wildfire Protection Standards (TCC)

Infrastructure including water, sewer, storm drains, transportation are ongoing concerns. As I quote for the Transcript Bulletin Vol. 125 No. 104 Are you going to "allow development that is outrunning services the city can provide?"

Sincerely the Undersigned Residents names, phone numbers, and addresses:

<u>Steve Lawrence</u> 231 Skyline 435-882-6045	<u>Kevin J. Ellis</u> 259 Skyline Drive 801-330-3862	<u>Subhagand</u> 249 SKYLINE DR 435-882-4503
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<u>Norathy Halling</u> 241 E. Skyline Drive 435-335-9174	<u>Colleen R. Bennison</u> 211 Skyline Dr. 801 435-843-5188	<u>Sherrill Lawrence</u> 185 Skyline Drive 435-849-7356
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435-882-3066

<u>Winona Day McConical</u> 195 Skyline DR	<u>Maria Denny</u> 271 Skyline 801-1777
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<u>Alan Yerke</u> 205 Skyline Dr 435-830-3590	<u>Cheryl Lawrence</u> 185 Skyline DR Tooele UT 84074	<u>Kevin J CARNEY</u> 175 Skyline Dr. Tooele, UT 84074 <u>Kevin J Carney</u>
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Kelly Quisenberry
295 Skyline Drive
801-834-2280

STAFF REPORT

June 4, 2019

To: Tooele City Planning Commission
Business Date: June 12, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Skyline Vista – Zoning Map Amendment Request

Application No.: P19-343
Applicant: Skyline Vista Properties, Skyline Dr Property & Gordon's Inc.
Project Location: Approximately 168 Skyline Drive
Zoning: R1-7 Residential Zone
Acreage: 14.31 Acres (Approximately 623,343 ft²)
Request: Request for approval of a Zoning Map Amendment in the R1-7 Residential zone regarding reassignment of the subject properties to the MR-25 Multi-Family Residential zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 14.31 acres located at approximately 168 Skyline Drive. The property is currently zoned R1-7 Residential and is located within the Sensitive Area Overlay zone. The applicant is requesting that a Zoning Map Amendment be approved to allow for the development of the currently vacant site with the MR-25 Multi-Family Residential Zoning District.

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. The property is surrounded by various zoning districts and land uses. To the north is the City Cemetery which is zoned MU-G Mixed Use. To the east property is zoned R1-7 residential. South of the subject property land is zoned OS Open Space. To the west property is zoned R1-7. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The property is also located within the Sensitive Area Overlay Zone. The purpose of the Sensitive Area Overlay is to provide regulatory standards, guidelines, and criteria having the effect of minimizing flooding, erosion, destruction of natural plant and wildlife habitat, alteration of natural drainages, and

other environmental hazards, and protecting the natural scenic character of the hillside and mountain areas. In support of this purpose and intent, this Chapter recognizes the importance of the unique hillside and mountain areas of Tooele City to the scenic character, heritage, history, and identity of Tooele City and of adjoining areas of unincorporated Tooele County. In support of this purpose and intent, Tooele City finds that it is in the public interest to regulate the development of sensitive areas in a manner so as to minimize the adverse impacts of development on scenic open spaces and on sensitive or vulnerable organic and inorganic systems.

The applicant is requesting that the zoning of the property be changed to MR-25 and that the property be removed from the Sensitive Area Overlay zone. There are considerable differences between the two zones, mainly housing types and density.

The R1-7 zone permits 5 units per acre on lots 7000 square feet or larger. Within this zone only single-family and two family dwellings are permitted. The MR-25 zone permits up to 25 units per acre. Within this zone only multi-family dwellings such as townhomes, condominiums and apartments may be constructed.

The Sensitive Area Overlay zone also places greater restrictions on development of the property. Some of those restrictions pertain to lot size, slope, grading limitations. Keeping the property in the Sensitive Area Overlay does restrict the development potential of the properties significantly.

Site Plan Layout. The applicant has submitted a conceptual site plan that has been included in the packet for the Planning Commission's reference. It should be emphasized that this hearing isn't to discuss the site plan or the particulars of development on the property. Instead the focus should be upon the use of the property as an MR-25 Multi-Family Residential zone instead of the R1-7 Residential zone with a Sensitive Area Overlay.

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

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

REVIEWS

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

1. The R1-7 zone permits 5 units per acre on lots 7000 square feet or larger. Within this zone only single-family and two family dwellings are permitted.
2. The MR-25 zone permits up to 25 units per acre. Within this zone only multi-family dwellings such as townhomes, condominiums and apartments may be constructed.
3. The property is current located within the Sensitive Area Overlay zone that contains significant restrictions regarding lots, lot sizes, grading on those lots, slopes, etc.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Zoning Map Amendment submission and have the following finding(s):

1. A geotechnical study has been conducted by the applicant addressing slope, rock fall potential, storm water drainage, etc.

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Skyline Vista Zoning Map Amendment Request by Skyline Vista Properties, Skyline Dr Property & Gordon’s Inc. to reassign the subject properties to the MR-25 Multi-Family Residential zoning district, application number P19-343, based on the findings and subject to the conditions listed in the Staff Report dated June 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 Skyline Vista Zoning Map Amendment Request by Skyline Vista Properties, Skyline Dr Property & Gordon’s Inc. to reassign the subject properties to the MR-25 Multi-Family Residential zoning district, application number P19-343, based on the following findings:”

1. List any findings...

EXHIBIT A

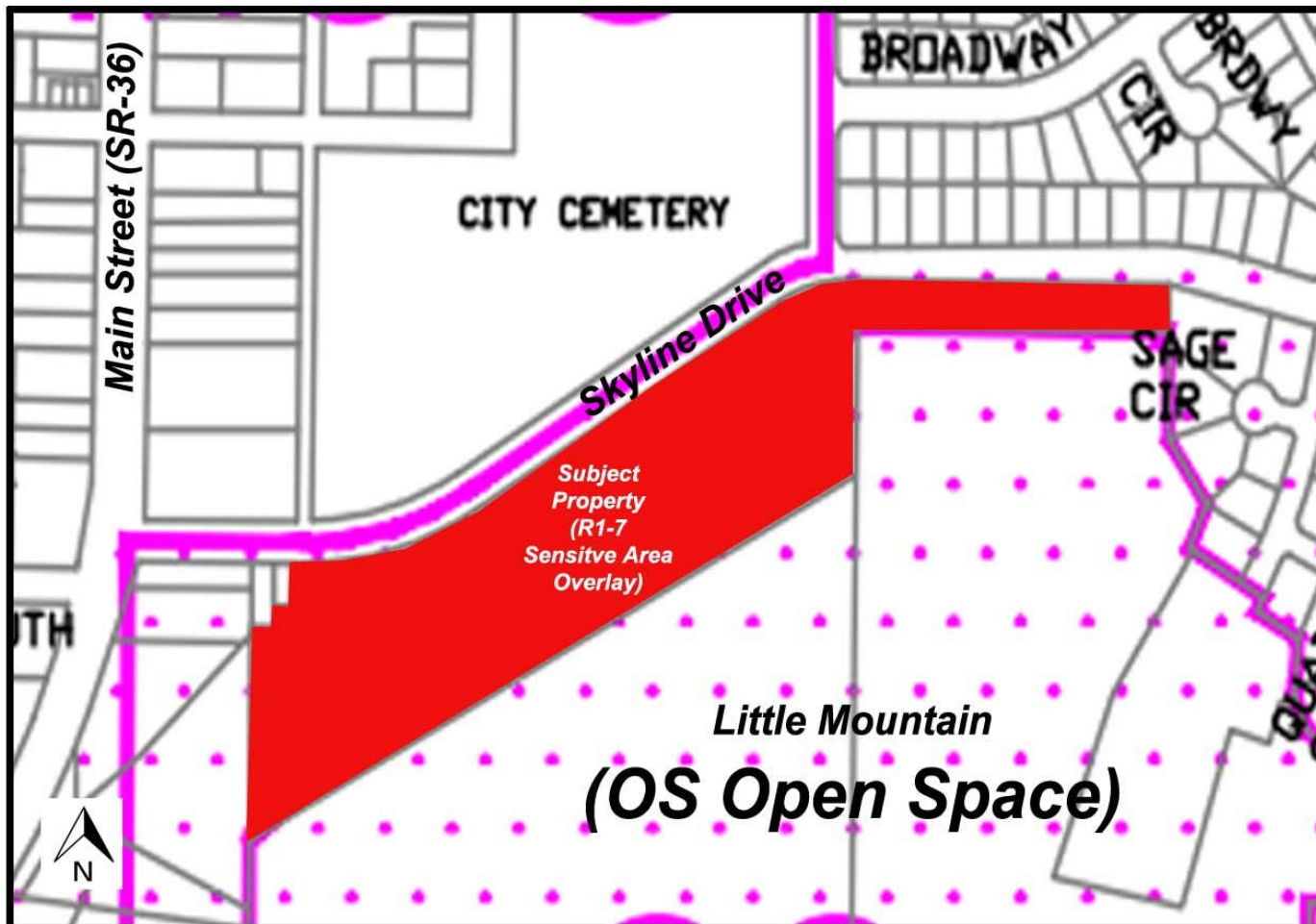
MAPPING PERTINENT TO THE SKYLINE VISTA ZONING MAP AMENDMENT

Skyline Vista Zoning Map Amendment



Aerial View

Skyline Vista Zoning Map Amendment



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

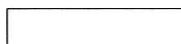

PROJECT TABULATIONS

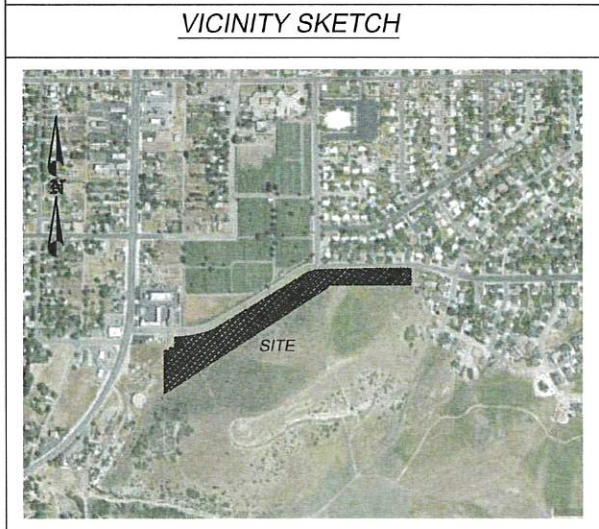
TOTAL PROJECT AREA	14.24 AC	100%
UNBUILDABLE AREA (+30% SLOPE)	6.79 AC	48%
NET DEVELOPABLE AREA	7.45 AC	52%

DENSITY CALCULATION






PROPOSED ZONE:		
SENSITIVE AREA OVERLAY ALLOWED DENSITY	25 DU/NET AREA (AC)	
# OF UNIT ALLOWED IN PUD	7.45 AC x 25 DU/AC =	186 DU
# OF APARTMENT UNITS		126 DU
# OF TOWNHOMES		32 DU
TOTAL UNITS		158 DU
		21.20 DU/AC

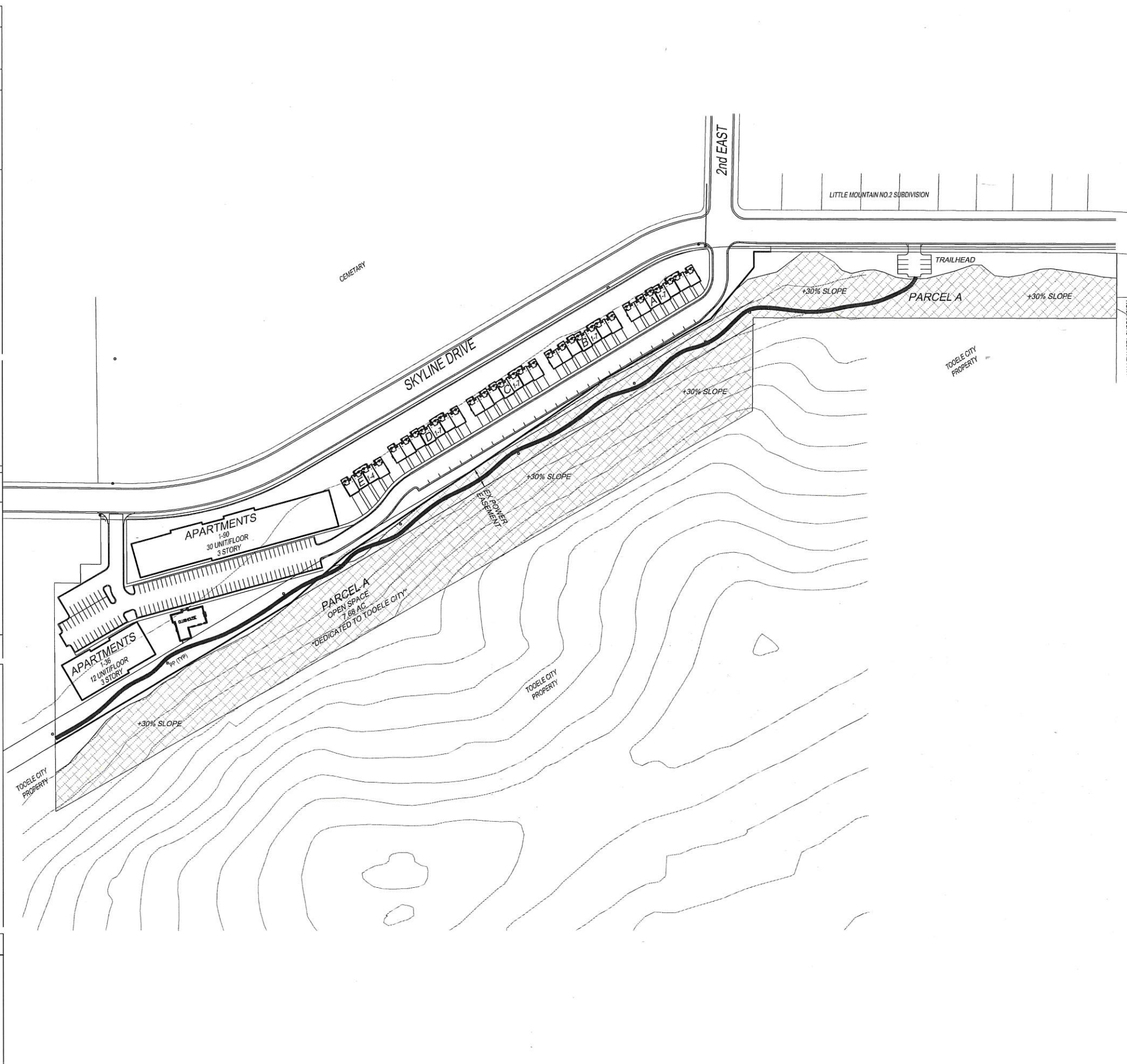
SLOPE ANALYSIS

	AREAS OF BETWEEN 10% AND 30% SLOPE
	AREAS OF ABOVE 30% SLOPE



LEGEND

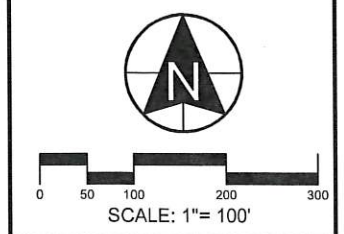
	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	EXISTING CURB
	PROPOSED CURB



DEVELOPER

DEVELOPMENT

Skyline Vista



BERG

CIVIL ENGINEERING

11038 N Highland Blvd Suite 400
Highland UT, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
CONCEPT	3/27/19

PROJECT

Skyline Vista

DESCRIPTION

CONCEPT PLAN
PRELIMINARY - NOT FOR CONSTRUCTION

SHEET NAME	SHEET NUMBER
COVER	C0

Berg Civil Engineering 2019/03/27 skyline/vista/cover.dwg

July 24, 2019

Hi Neighbor!

We represent the property development at approximately 168 Skyline Drive, and we would love your input. All of your thoughts, feelings, and feedback are essential and even crucial in helping us put together the best design.

In our public meeting with Tooele City we gained a better understanding of community concerns. We loved and appreciated the feedback. We took studious notes and have since gone back to review public minutes in an exhaustive attempt to the best of our ability meet concerns.

The major concerns the neighborhood voiced were as follows:

- There won't be enough parking
- Erosion causing damage to existing homes and streets
- There is already too much traffic on Skyline
- Wildlife will be negatively impacted
- The city infrastructure will not be able to accommodate this project
- The views of the mountain will be blocked
- It will negatively impact the solitude of the community

Again, first, we want you to know we really listened, and our efforts are spent in trying to do the best for the community, its safety, and the integrity of the project. Second, we understand it is your community. So, please take a moment to review the project design and let us know any other concerns you might have.

[\(See Attached New Development Plan on the Back of This Page\)](#)

As you can see, we've designed to eliminate the negative impact we have on both the residents of Skyline and most importantly the integrity and safety of the hillside and view. With that being the major community concern and project focus, we would like to walk with you through the other concerns expressed and how we have worked to mitigate them or eliminate them altogether.

– **There won't be enough parking**

Parking is something that everyone wants, including those who would move into this development. As such, it will be vital for us to provide ample parking to not just meet the city code (2 stalls per unit) but to be attractive to buyers and future residents. As you can see from the plans, each unit will meet or exceed this requirement. Further, none of the parking provided will be on Skyline Drive.

- **Erosion of the hillside will cause future damage to existing homes and roads**
Extensive work has been done with engineers to answer the question previously posed by the city and ourselves: will this be safe? Following lengthy third-party engineering firms and specialist reviews we have been able to design a project that is both safe and positively impactful to the community and the old downtown Tooele area. During this process we looked at fault lines, soil composition, slopes, rock fall potential, and many other safety factors. With the proper engineering, building techniques, and design this project is not dangerous to the hillside. For example, to help mitigate safety concerns we will not be building into the hillside but rather push our development to front Main Street. Eliminating the concern of having to cut into high grade slopes; staying below the city required 30% slope.

- **There is already too much traffic on Skyline**
The way that this project has been designed is to promote the flow of traffic toward and right at the mouth of Skyline Dr and Main Street. This means our development residents would already be off of Skyline Drive before hitting 200 East or any of the existing single-family residents (see attached design). We have placed the majority of the development density to the West as close to Main Street and commercial as possible while steering clear of the existing single-family community beyond 200 East. This eliminates both the bottle necking and traffic impact concerns for residents and community beyond 200 East.

- **Wildlife will be negatively impacted**
One goal of the city that we applaud regarding this land is to maintain the hillside. Our objective is to develop/front as close to Skyline Drive as possible. Then have the rest be given to the city to preserve the hill from any future use. This area will then forever be open to wildlife and free from any future development.

- **City infrastructure will not be able to accommodate this project**
The city infrastructure is obviously a requirement per our development. We would be required to upgrade the infrastructure to meet development needs if needed.

- **The views of the mountain will be blocked**
For this purpose we've eliminated any development beyond 200 East and are dedicating a trail location for the community along our furthest east Skyline Drive parcel. No development will sit across from the existing Skyline Drive single family community. Views of Little Mountain from any home will not be impacted. As the road curves around the hill where Skyline meets 200 E, the hill itself is to act as a visual buffer for the existing single-family community from our development. As expressed above, the land nearest to the homes will be part of a trailhead leading up the hill, that will celebrate the history and nature of Little Mountain. From Skyline Drive our structures fall well short of obstructing any Little Mountain ridgeline view which peaks out at approximately 340 feet above Skyline Drive.

– **It will negatively impact the solitude of the community**

Seeing our new development won't front any existing homes and stops before the hillside bend at 200 East, we are hoping that a feeling of solitude will still exist with the raw mountain maintained to the south of all existing homes and community.

In closing, we would like to say that in addition to trying to mitigate concerns you might have, we have a great hope that this project will help to revitalize and increase the values of the southern portion of Tooele and the Old Downtown area. As you know, most all development is crawling northward along Main Street, towards the freeway leaving the Old Downtown area vacant and in disrepair. As such, the business sector of South Tooele has really been hurt and substantially devalued/impacted. This has all led to the numerous vacant dilapidated buildings and homeless resident numbers. Again, our hope with this project is to bring enough new families and development to the area to make a positive impact that not only increases both the home and commercial values but also their long-term future.

Seriously, thank you for taking the time to read this letter, and we hope that you'll reach out to us with additional comments and thoughts. We want an open dialogue and for all to feel comfortable chatting with us.

Warmest of Regards,

Eli Clark (425) 802-8942
elidavidclark@gmail.com

Steve McCleery (801) 209-1875
steve.mccleery@gmail.com

TOOELE CITY CORPORATION

ORDINANCE 2019-28

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE MODERATE INCOME HOUSING ELEMENT OF THE TOOELE CITY GENERAL PLAN.

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

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, moderate income housing, and land use. The Tooele City Council adopted 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, Utah Code Sections 10-9a-401(3) and 10-9a-403(2) require the General Plan of each Utah municipality to include a plan element that provides a realistic opportunity to meet the need for additional moderate income housing; and,

WHEREAS, in preparing the Moderate Income Housing element of the General Plan, Utah Code Section 10-9a-403(2)(b) requires the City to do the following:

- consider the Legislature’s determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing, to meet the needs of people desiring to live in the community, and to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and,
- include an analysis of why the means and techniques recommended in the Moderate Income Housing element provide that realistic opportunity within the next five years; and,
- consider means and techniques, such as:
 - rezoning for densities necessary to assure the production of moderate income housing;
 - facilitate and encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;
 - consider general fund subsidies to waive constructed related fees;
 - consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing;
 - consider programs offered by the Utah Housing Corporation;
 - consider Department of Workforce Services affordable housing programs; and,
- identify agriculture protection areas.

WHEREAS, Tooele City has actively considered and enacted means and techniques to allow a variety of housing opportunities for Tooele City residents, including moderate income housing, including by doing the following:

- enacting incentives for in-fill development, including less restrictive land use regulations (Ordinance 2015-25);
- creating several areas of HDR zoning that allow residential densities of up to 16 units per acre;
- approving several new apartment and attached single-family developments;

- enacting multi-family design standards to ensure that high-density housing developments include good site and building design for the benefit of residents, which standards recognize the fact that high density requires good design to be successful (Ordinance 2005-05);
- eliminating the five-acre minimum multi-family housing project size (2018-19);
- amending the MU-B (Mixed Use-Broadway) zoning district regulations to allow higher density residential developments with less restrictive land use regulations (Ordinance 2018-13);
- enacting a point-based for single-family design standards intended to improve building and site design without significantly increasing costs (Ordinance 2006-22);
- allowing for residential facilities for persons with a disability (Ordinance 2012-17);
- allowing for residential facilities for elderly persons (Ordinance 2012-17); and,
- allowing for housing in the MU-G (Mixed Use-General) zoning district; and,
- allowing for higher density residential uses beyond that previously allowable within Tooele City (Ordinance 2019-08); and,
- allowing for the ability to construct and utilize accessory dwelling units (Ordinance 2019-13);
- reducing minimum lot frontage requirements in In-Fill Geographic Areas A and B (Ordinance 2019-24).

WHEREAS, the Utah State Legislature adopted Utah State Senate Bill 34 during the 2019 General Legislative Session which, among other things, requires a higher level of accountability for communities regarding moderate income housing plans including identifying at least three strategies for encouraging and maintaining moderate income housing units within the community; and,

WHEREAS, the Moderate Income Housing Element prepared and adopted by Tooele City identifies at least nine strategies already in place for encouraging and maintaining moderate income housing units within the community, fully complying with and exceeding the requirements of Senate Bill 34; and,

WHEREAS, Utah State Senate Bill 34 requires the adoption of and reporting from its regulations into the Moderate Income Housing plans for communities by December 1, 2019; and,

WHEREAS, the Tooele City Council unanimously adopted a comprehensive review and amendment of the Moderate Income Housing Element to the General Plan on December 5, 2018 as Ordinance 2018-25; and,

WHEREAS, the City has proposed amendments to the Moderate Income Housing Element, as shown in the attached **Exhibit A**, to reflect compliance with the tenets and requirements of Utah State Senate Bill 34 (2019); and,

WHEREAS, the Moderate Income Housing Element reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of housing within the City, which findings are based in part upon the recommendations of City staff, public comments, and other relevant considerations; and,

WHEREAS, the Moderate Income Housing Element 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, the City has proposed amendments to the Moderate Income Housing Element, as shown in the attached **Exhibit A**; and,

WHEREAS, on October 9, 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 Moderate Income Housing element amendments proposed therein are in the best interest of the City in that they will facilitate a reasonable opportunity for a variety of housing to meet the needs of people desiring to live in the community and allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life in Tooele City and are consistent with the General Plan; and,
2. this Ordinance and the Moderate Income Housing element amendments proposed therein are in the best interest of the City in that they fully comply with and exceed the requirements and objectives of Utah State Senate Bill 34 (2019) for identifying and implementing strategies and methods through which moderate income housing is encouraged and maintained within the community; and,
3. the Moderate Income Housing element of the General Plan is hereby amended 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, City Attorney

EXHIBIT A

MODERATE INCOME HOUSING PLAN

November 7, 2019

Utah Housing & Community Development Division
Utah Department of Workforce Services
1385 South State Street, 4th Floor
Salt Lake City, UT 84115

RE: 2019 Moderate Income Housing Plan Update & Conformance to the Requirements of Utah Code 10-9a-403-2b.

To Whom It May Concern:

Tooele City's Moderate Income Housing Plan has been updated, adopted by the City Council on November 6, 2019 to reflect the changes required by SB 34. This update was adopted into the current Tooele City General Plan. Tooele City plans to implement or to continue implementing the following strategies from the list of strategies required by the State of Utah. The accompanying updated Tooele City Moderate Income Housing Plan describes how the City will implement or is currently in process of implementing the following strategies.

1. Rezone for densities necessary to assure the production of moderate income housing.
2. Encourage higher density or moderate income residential development near major transit investment corridors.
3. Create or allow for, and reduce regulations related to, Accessory Dwelling Units in residential zones.
4. Apply for or partner with an entity that applies for State or Federal funds or tax incentives to promote the construction of moderate income housing.
5. Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.
6. Consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the City.
7. Reduce impact fees related to low and moderate income housing.

Thank you for your consideration.

Andrew Aagard, AICP
City Planner / Zoning Administrator



**MODERATE INCOME HOUSING PLAN
TOOELE CITY - 2019**

**PERPARED BY
TOOELE CITY COMMUNITY DEVELOPMENT DEPARTMENT**

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INTRODUCTION

House Bill 295

Utah's affordable housing legislation (HB295) does not require that a community's housing market meet the homeownership desires of all moderate, low and extremely low income households. The legislation encourages a community to provide a "reasonable opportunity for a variety of affordable housing for moderate income households." The results of this housing needs analysis demonstrates that the Tooele City housing market satisfies HB295. The City housing market has a substantial number of *homeownership* opportunities for moderate income households while affordable housing opportunities for low and extremely low income households, as shown by household data, tend to be limited.

City General Plan

Tooele City adopted a General Plan with a Land Use Element on December 16, 1998. The moderate housing plan fits into the City General Plan as one on the guiding elements of the total plan. Each department coordinates with the Community Development Director and the City Engineer, to maintain, replace, and expand City services and utilities as needed. The Community Development Department uses the General Plan Elements to regulate and guide new developments to provide a balanced and diversified housing inventory.

Regional Planning

The three main population centers in Tooele Valley are separated by large tracts of land predominately rural in nature with single-family homes on large parcels. No coordination has occurred with the other entities in the development of a moderate-income housing plan. Tooele County Housing Authority and Utah Housing Corporation have constructed 11 of their 16 low income or tax credit housing communities in Tooele City. Tooele City is the only urban area in the Tooele Valley with a sizable and diverse housing inventory that provides for all income levels

City Growth Pattern

Despite the housing construction recession of 2007, residential construction and home sales in Tooele City are strong. Sales of existing homes are at record levels and the median sales price of a single family home has increase by 75% in 2017 to \$210,000.

Tooele City has experienced rapid population growth over the last 3 decades (Chart 2). From 1980 to 1990, the City experienced a negative growth rate of -3.13% a possible result of local mine closures. From 1990 to 2010, the housing boom of the Wasatch Front Counties spilled over into the Tooele Valley with 62% and 40% growth rates respectively, in spite of a building recession from 2007 to 2011. From 2010 to the 2016 ACS Census shows a low 3.7% growth rate for Tooele City and market indicators predict a growth rate increase in the near future as new subdivisions and apartment projects are completed.

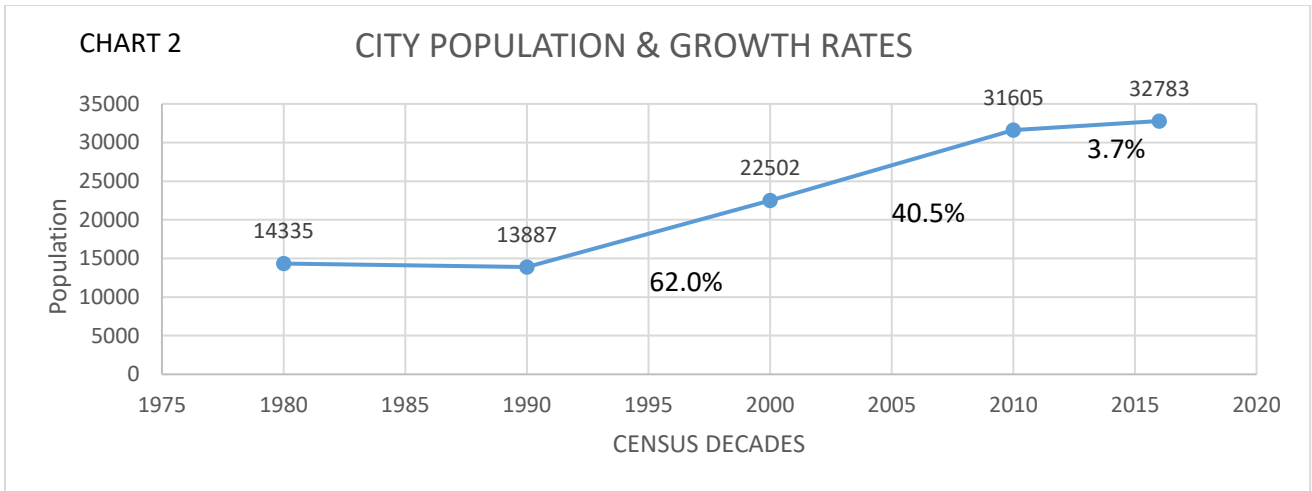
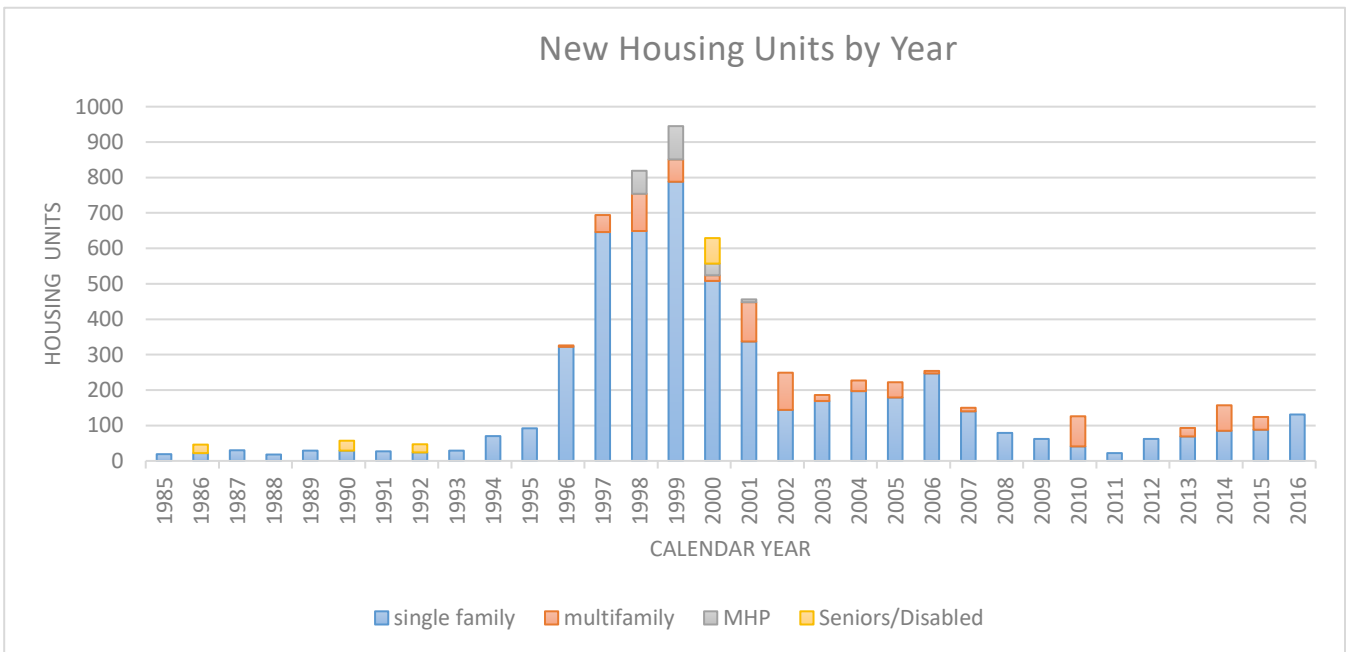


Chart 1 shows housing units constructed each year including new Mobile Home units in Mobile Home Parks, Elderly and Disabled housing units constructed in each year. Single-family detached homes are the preferred housing unit constructed in Tooele City over the last 30 years.

Tooele City, at 32,763 is the largest City in Tooele County comprising half of the County’s 2016 population of 65,285. The high growth rate of Tooele City and Tooele County in the past 25 years has been the result of the Wasatch Front’s soaring housing costs and diminished land availability. Tooele City’s rapid growth started in 1994, peaked in 1999 with over 900 new housing units and then declined to a low of 186 housing units in 2003. The market attempted to recover until 2006 but declined again until 2011 with just 21 housing units. Since 2011, housing construction has increased to just over 130 housing units per year in 2016.

Chart 1



Source: Tooele City Building Department

Commuting Patterns

The majority of Tooele County's working age population commute for employment. Each workday more than 18,000 County residents leave the county for work in Salt Lake, Utah, Davis, Weber Counties. Tooele County has an out-commuting ratio of 3.11 which means a little over 3 residents leave Tooele County for employment each day, while one resident lives and works in Tooele County. The mean travel time of residents of Tooele City is 28.4 minutes which does not deter new home buyers from selecting Tooele City. (Source: U.S. Census ACS 2016)

New Housing Construction

Apartment communities (rent assisted and market rate) show a very low vacancy rate at or below four percent. Rent assisted communities are full with waiting lists and the four large market rate projects in the City have very low vacancy rates. Rents in Tooele have also increased. Two of the newest apartment communities report rents for 3 bedroom units at \$950 to \$1300 per month and the communities are 99% occupied. (Source: Tooele County affordable housing needs assessment - 2018)

Housing market indicators point to a housing shortage in Tooele City with increasing prices for both homeownership and renters and very low vacancy rates. Currently, most major housing market in Utah face similar conditions. Housing demand is outpacing the supply of new homes and apartments.

Tooele City residential construction for the last 5 years has been relatively slow compared to the housing market in the Wasatch Front counties that have recovered from the 2007 construction recession. Few new single-family housing subdivisions were completed in Tooele City between 2006 and 2016 and, as a result of this lack of new building lot inventory, Tooele City may experience a slowdown in single-family home construction in 2018.

Community Sentiment

Community sentiment towards growth was noted during public hearings for the adoption of the City General Plan with the Land Use element in December 16, 1998. The public was not in favor of large high density housing projects and expressed concerns about traffic, noise and higher taxes. The consensus of the hearings was for a balanced mix of housing styles which would permit residents to select from single family homes, condominiums, townhomes, apartments, mobile homes, and senior housing. The lot sizes would range from 1 and 5 acre lots for larger homes, 10,000 to 14,000 square foot lots for large to moderate sized homes and 7,000 to 8,000 square foot lots for moderate to small homes. The mix would be predominately single family homes.

Procedures and Definitions

City Staff utilized the Utah Affordable Housing Forecast Tool (UAHFT) to analyze housing needs in the community, based upon the affordability of the existing housing stock. The UAHFT is a housing needs model that projects housing demand based upon current trends of housing affordability and projected population increases. Data for the model was obtained through the US Census, the US Department of Housing and Urban Development, the Utah State Governor's Office of Planning and Budget (GOPB) and other sources. Findings for the models are summarized throughout this study.

The following terms are commonly used throughout this document:

- **Affordable Housing:** Housing for which the occupant is paying no more than 30 percent of his or her income for gross housing cost, including utilities.
- **Area Median Income (AMI):** the Area Median Income is a statistic generated by the U.S. Department of Housing and Urban Development (HUD) for the purposes of determining the eligibility of applicants for certain federal housing programs.
- **American Community Survey (ACS):** the American Community Survey is an ongoing survey by the U.S. Census Bureau. It regularly gathers information previously contained only in the long form of the decennial census, such as ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. Sent to approximately 295,000 addresses monthly, it is the largest household survey that the Census Bureau administers.
- **Utah Affordable Housing Forecast Tool (UAHFT)** is a housing needs model that projects housing needs based upon current trends of housing affordability and projected population increases.
- **Low to Moderate Income Households (LMI):** Low to Moderate Income Households refer to Households whose income does not exceed 115 percent of the median income for the area when adjusted for family size.
- **U.S. Department of Housing and Urban Development (HUD):** HUD is a cabinet department in the Executive branch of the United States federal government. HUD's Comprehensive Housing Affordability Strategy (CHAS) also makes available, projections of needs for affordable housing for the three moderate income target groups.
- **Cost burdened households:** Households spending more than 30 percent of their income for housing cost are considered to be cost burdened.

Population

Current Demographics

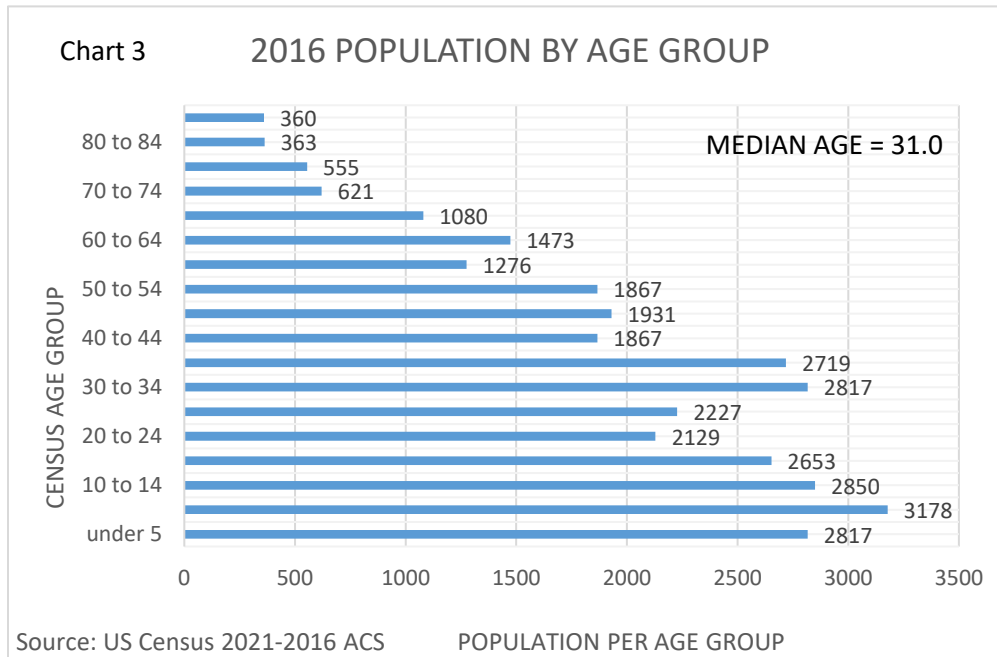


Chart 3 shows Tooele City as having a median age of 31 years. The chart also shows that the young adult age group (20 to 29 years) drops which is probably a result of young adults leaving home for college and additional job opportunities in adjacent counties. The adult age group of 30 years and older reflects a significant number of families returning to or

migrating to Tooele City from the Wasatch Front counties. A survey of new residents signing up for City utilities, shows most new families have moved to Tooele City because of Tooele City’s more affordable housing .

The US Census numbers show Tooele City Population increasing from the 2010 Census population of 31,605 to 32,783 in 2016 with a growth rate of 3.6%. In the same period, Tooele City issued building permits for 380 single family homes and 132 apartment units. The demographics of the 2016 Census estimates demonstrates that family migration (30 to 40 years old) to Tooele City is still occurring (Chart 3).

Households within Targeted Income Groups

An effective indicator of the need for affordable housing is the number of households experiencing housing cost burdens. This data is provided by HUD’s Comprehensive Housing Affordability Strategy (CHAS). If a household is paying more than 30 percent of their income for housing and utilities, that household has a “housing cost burden.” If a household is paying more than 50 percent of their income for housing, that household has a “severe housing cost burden.”

Table 1

HUD CHAS 2015 HOME OWNER - RENTERS COST BURDEN 30% AND 50% TOOELE CITY			
Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	505	460	640
Household Income >30% to <=50% HAMFI	305	55	475
Household Income >50% to <=80% HAMFI	240	0	550
Household Income >80% to <=100% HAMFI	0	0	240
Household Income >100% HAMFI	0	0	680
Total	1050	515	2585
Income by Cost Burden (Owners only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	195	130	245
Household Income >30% to <=50% HAMFI	325	155	620
Household Income >50% to <=80% HAMFI	690	95	1670
Household Income >80% to <=100% HAMFI	190	0	1145
Household Income >100% HAMFI	130	0	4030
Total	1530	380	7705
HUD CHAS 2015			

Table 2 shows the HUD CHAS Owners & Renter Data for Tooele City. CHAS estimates there are 2585 renters and 7705 owners. About 20 percent of homeowners have a housing cost burden of at least 30 Percent. The share of homeowners facing severe housing cost burdens drops to about 5 percent for 50% of income.

Table 2

Homeowners with Cost Burdens in Tooele City, 2015				
	Owners with Cost	Percent of Owners	Owners with Cost	Percent of Owners
Total	burden >=30%	burden >=30%	burden >=50%	burden >=50%
Owners	of Income	of Income	of Income	of Income
7,705	1530	19.9%	380	4.9%
Source: HUD CHAS				
Renters with Cost Burdens in Tooele City, 2015				
	Renters with Cost	Percent of Renters	Renters with Cost	Percent of Renters
Total	Burden >=30%	Burden >=30%	Burden >=50%	Burden >=50%
Renters	of Income	of Income	of Income	of Income
2,585	1,050	40.6%	515	19.9%
Source: HUD CHAS				

In Tooele City, 40.6 percent of all renters have a cost burden of at least 30%. The share of renters with a severe housing cost burden (50% AMI or less) drops to 19.9 percent. Households that have a cost burden are not receiving any housing subsidy, (tax credit, voucher, etc.).

Table 3

Tooele City has an Area Median Income of \$56,602 in 2016 which is up from \$48,133 in 2000. Stansbury Park has an AMI of \$85,297 and Grantsville has an AMI of \$64,652. Table 3 shows the income available for median income households in Tooele City, households at 50% to 80% AMI, households at 30% to 50% AMI, and households below 30% AMI. Also shown is

Tooele City 2016		
Affordable Housing Costs by Income, Tenure, Race, and Age		
Category - \$56,602/yr	Gross Monthly Income	Affordable Housing Costs
Area Median Household Income	\$4,747	\$1,424
>50%-80% AMI	\$2,667 to \$4,266	\$800 to \$1,280
>30-50% AMI	\$1,653 to \$2,666	\$496 to \$799
0-30% AMI	\$0 To \$1,652	\$0 to \$495
Median Homeowner Household Income	\$5,352	\$1,606
Median Renter Household Income	\$2,899	\$870
White Household Median Income	\$4,904	\$1,471
Hispanic Household Median Income	\$4,561	\$1,368
Elderly Household Median Income (65+)	\$3,245	\$974
Source: U.S. Census Bureau, American Community Survey. 2012-2016.		

what a household in each income group can afford to spend on housing. For example, a household in Tooele City with income at 50% AMI to 80% AMI could afford to spend, without incurring a cost burden, \$800 to \$1,280 each month. The estimated Gross Monthly Income and Affordable Housing Costs for several race and age groups are also listed. The elderly (65+) are a special needs population with the lowest median income and having many disabilities and medical needs which makes finding affordable housing difficult. The elderly are a priority concern for Tooele City.

CURRENT HOUSING STOCK

Total Housing Units

The US Census ACS 2016, shows Tooele City as having 11,040 housing units. Of the 11,040 housing units, 8,009 are owner occupied, and 2,497 housing units are renter occupied. The remaining housing units of 534 were vacant at the time of the survey.

Table 4

Tooele City Housing Units by Tenure, 2016					
Owner Occupied Units	Renter Occupied Units	Total Vacant Units	Total Occupied Units	Percent Owner Occupied	Percent Renter Occupied
8,009	2,497	534	10,506	76.20%	23.80%

Source: U.S. Census, ACS 2012-2016

Breakdown of Housing Units demographics

Table 5

Tooele City's housing inventory is predominantly detached single-family at 8,618 units (78%). A count of attached single-family units shows only 461 units (4.2%) while 2, 3 and 4 unit housing structures account for 479 housing units (4.3%). The remaining housing units in structures of 5 units or more equal 724 units for 6.5%. Mobile homes in Mobile Home Parks account for 6.9% of the housing units.

Housing Units by Units in Structure		
	Housing Units	Percent of Total
Total Housing Units	11,040	
1, Detached	8,618	78.1%
1, Attached	461	4.2%
2	179	1.6%
3 to 4	300	2.7%
5 to 9	276	2.5%
10 to 19	169	1.5%
20 or more units	279	2.5%
mobile homes	758	6.9%

Source: U.S. Census, ACS 2012-2016

Tooele City has a relatively young housing unit inventory (Table 6). Over half or 52.5% (5801) of all housing units in the City were built in or after 1990 and are no older than 30 years old. The housing units built before 1990 but after 1950 (36%) accounting for 3971 units, are of an age where upgrades or remodeling may be necessary. The housing units built before 1950 account for 11.5% (1268) of Tooele's housing inventory and are primarily located in the older homes within the central core of the City. These homes may be more affordable than newer homes but, due to advanced age may require some investment in remodeling and renovation.

Table 6

Year Structure was Built - Tooele City		
Year Built	Housing Unit	Percent of Total
2010 or after	239	2.2%
2000 to 2009	2774	25.1%
1990 to 1999	2788	25.2%
1980 to 1989	671	6.1%
1970 to 1979	1320	12.0%
1960 to 1969	1366	12.3%
1950 to 1959	614	5.6%
1940 to 1949	581	5.3%
1939 to earlier	687	6.2%
Total Units	11,040	100.0%

Source: U.S. Census, ACS 2012-2016

Table 7

The vast majority of housing units in Tooele City have 3, 4, 5 or more bedrooms (77.6%). Two bedrooms or less housing units make up only 22.5% of Tooele City housing units. This large percentage of 3, 4 and 5 bedrooms in housing units indicates that Tooele City’s housing market is dominated by large families. The 2016 US Census ACS lists the average family as 3.63 people and the average household as 3.09 people and both exceed the national average.

Number of Bedrooms in Housing Unit		
Housing Units with	Housing Units	Percent of Total
No Bedrooms	61	0.6%
1 bedroom	418	3.8%
2 Bedrooms	2,000	18.1%
3 Bedrooms	3,827	34.7%
4 Bedrooms	2,987	27.1%
5 or more Bedrooms	1,747	15.8%

Source: U.S. Census, ACS 2012-2016

Housing Units with Housing Problems, 2016	
Housing Problems	
Overcrowding	11
Lack kitchen, plumbing	0

Source: U.S. Census, ACS 2012-2016

Table 8

Overcrowding was the only housing problem noted by the ACS 2016. HUD CHAS considers more than one person per room as overcrowding.

Affordability of Existing Housing Stock

Home sales data indicates that Tooele city has a high level of affordable housing. Affordability is measured by comparing various income levels and the percentage of new units each income level can afford. In order to qualify as equally affordable, at least 50% of homes sold in a city should be affordable to the median income

level. If more than 50% of new housing units sold in the city are at or above the median income level the City has an affordable housing market. The greater the percentage, the greater the affordability. If 50% of housing units sold are below median income level the City no longer has an affordable housing market.

Median Sales Price of Single Family Homes

Table 9

Median Sales Price of Single-Family Homes in Tooele City			
2000	\$119,900	2010	\$150,000
2001	\$117,460	2011	\$125,000
2002	\$115,000	2012	\$131,000
2004	\$117,900	2013	\$143,000
2005	\$129,900	2014	\$157,500
2006	\$152,500	2015	\$172,500
2007	\$180,000	2016	\$189,500
2008	\$175,000	2017	\$210,000
2009	\$159,900	AAGR	2.90%

AAGR = average annual growth rate.
Source: UtahRealtor.Com

Housing prices in Tooele City are very affordable compared to prices in neighboring Wasatch Front counties. The City median sales price in 2017 was \$210,000. In Salt Lake County the median sales price of a single family home in 2017 was \$325,000, 55 percent higher.

Median Sales Price of a Condominium and Townhomes

Table 10

In the previous 6 years Tooele City has experienced sales price increases for single-family Homes from \$125,000 to \$210,000 in 2017. Condominiums sales price increases have also jumped from \$81,750 to \$152,000 in 2017. A 68 percent price increase in single-family homes and 86 percent price increase for Condominiums and Townhomes.

Tooele City			
Median Sales Price of Condominiums and Townhomes			
2000	\$115,463	2010	\$112,200
2001	\$91,900	2011	\$81,750
2002	\$91,995	2012	\$90,950
2004	\$84,850	2013	\$109,900
2005	\$85,950	2014	\$109,000
2006	\$101,000	2015	\$120,000
2007	\$119,900	2016	\$132,000
2008	\$136,400	2017	\$152,000
2009	\$125,000	AAGR	1.60%

AAGR = average annual growth rate.
Source: UtahRealtor.Com

CURRENT AFFORDABLE HOUSING AVAILABLE AND NEED

Table 3 lists the Gross Monthly Income and Affordable Housing Costs for the three targeted income groups. For a household earning \$28,301 (50% AMI), may afford housing costs of \$799 per month but housing costs greater than the \$799 per month would become a cost burden. Table 3 also shows the Gross Monthly Income and Affordable Housing Costs for Median Homeowners Household Income, median renter Household Income, white households Median Income, Hispanic Household Median Income, Elderly Household Median Income (65+). This table follows the recommended template for needs assessment from the Utah State Division of Community Housing.

Table 3

Tooele City 2016		
Affordable Housing Costs by Income, Tenure, Race, and Age		
Category - \$56,602/yr	Gross Monthly Income	Affordable Housing Costs
Area Median Household Income	\$4,747	\$1,424
>50%-80% AMI	\$2,667 to \$4,266	\$800 to \$1,280
>30-50% AMI	\$1,653 to \$2,666	\$496 to \$799
0-30% AMI	\$0 To \$1,652	\$0 to \$495
Median Homeowner Household Income	\$5,352	\$1,606
Median Renter Household Income	\$2,899	\$870
White Household Median Income	\$4,904	\$1,471
Hispanic Household Median Income	\$4,561	\$1,368
Elderly Household Median Income (65+)	\$3,245	\$974

Source: U.S. Census Bureau, American Community Survey. 2012-2016.

Table 11

	Owners and Renters by number w/Cost Burdens					Total
	<=30% AMI	<30% AMI to <=50% AMI	<50% AMI to <=80% AMI	<80% AMI to <=100% AMI	>100% AMI	
Owners by Income	245	620	1,670	1,145	4,030	7,705
30% Cost Burden of Owners	195	325	690	190	130	1,530
50% Cost Burden of Owners	130	155	95	0	0	380
Renters by Income	640	475	550	240	680	2,585
30% Cost Burden of Renters	505	305	240	0	0	1,050
50% Cost Burden of Renters	460	55	0	0	0	515

Source: HUD CHAS

Table 11 shows the number of households in the five target groups. HUD CHAS indicates there are 7,705 owners and 2,585 renters in Tooele City. Renter households face cost burdens also. Tables 3 and 11 lists the income levels and number of renters in the five income target groups. By HUD CHAS numbers (Table 12), Tooele City needs an additional 325 affordable owner housing units.

Tooele City has 445 subsidized rental units (see table 11) but by HUD CHAS number, Tooele City needs 965 affordable rental units which leads to a need of 520 additional affordable rental units.

Table 13

Percent of Homes Sold in Tooele City Affordable to Households at Area Median Income			
	Total Homes Sold	Affordable Homes	Percentage of Homes Sold Affordable
2012	424	414	97.6%
2013	501	491	98.0%
2014	549	519	94.0%
2015	660	632	95.8%
2016	771	740	96.2%

Source: Utah RealEstate.com

Percent of Condos Sold in Tooele City Affordable to Households at Area Median Income			
	Total Condos Sold	Affordable Condos	Percentage of Condos Sold Affordable
2012	24	24	100.0%
2013	29	29	100.0%
2014	38	38	100.0%
2015	41	41	100.0%
2016	54	54	100.0%

Source: Utah RealEstate.com

The following tables 13-16 show the availability of existing housing stock for targeted income groups for single family and condominiums or townhomes for the years 2012 to 2016.

At the Area Median Income group level, \$56,602, affordable home sales dropped from 97% in 2012 to 96.2% in 2016. Condominiums and townhomes sales at the Area Median Income level were at 100% for all 5 years.

Over 740 single family homes were affordable out of 771 sales (96.2%). This makes Tooele City very affordable at this AMI group level in 2016.

No additional housing units are required for this income level.

Table 14

At the 80% Area Median Income group level, \$45,282 (Table 14), affordable home sales dropped from 97% in 2012 to 96.2% in 2016. Condominiums and townhomes sales at the 80% Area Median Income level were at 100% or near 100% for all 5 years. This makes Tooele City very affordable at the 80% AMI. This target income group still has many choices in the purchase of a home, condominium or townhome.

At the 80 percent AMI (\$45282), Single-family home sales and Condominium or Townhome sales were well over the affordable 50% sales level hurdle. No additional housing units are needed for this income level.

Percent of Homes Sold in Tooele City Affordable to Households at 80% AMI			
	Total Homes Sold	Affordable Homes	Percentage of Homes Sold Affordable
2012	424	397	93.6%
2013	501	450	89.8%
2014	549	444	80.9%
2015	660	518	78.5%
2016	771	546	70.8%

Source: Utah RealEstate.com

Percent of Condos Sold in Tooele City Affordable to Households at 80% AMI			
	Total Condos Sold	Affordable Condos	Percentage of Condos Sold Affordable
2012	24	24	100.0%
2013	29	29	100.0%
2014	38	35	92.1%
2015	41	40	97.6%
2016	54	54	100.0%

Source: Utah RealEstate.com

Percent of Homes Sold in Tooele City Affordable to Households at 50% AMI			
	Total Homes Sold	Affordable Homes	Percentage of Homes Sold Affordable
2012	424	134	31.6%
2013	501	96	19.2%
2014	549	79	14.4%
2015	660	52	7.9%
2016	771	37	4.8%

Source: Utah RealEstate.com

Percent of Condos Sold in Tooele City Affordable to Households at 50% AMI			
	Total Condos Sold	Affordable Homes	Percentage of Homes Sold Affordable
2012	24	17	70.8%
2013	29	14	48.3%
2014	38	5	13.2%
2015	41	16	39.0%
2016	54	10	18.5%

Source: Utah RealEstate.com

Table 15

At the 50% Area Median Income group level, \$28,301 (Table 15), homes sales that were affordable dropped from 31.6% in 2012 to 4.8% in 2016.

Condominiums and townhomes sales at the 50% Area Median Income level dropped from 70.8% to 18.5% in 2016. This makes Tooele City less affordable and this target group has limited choices in home or condominium purchases. Per HUD CHAS, Tooele City, with only 37 affordable homes and 10 affordable condos, needs 48 additional affordable homes or condos at the 50% AMI level.

Percent of Homes Sold in Tooele City Affordable to Households at 30% AMI			
	Total Homes Sold	Affordable Homes	Percentage of Homes Sold Affordable
2012	424	17	4.0%
2013	501	5	1.0%
2014	549	3	0.5%
2015	660	6	0.9%
2016	771	1	0.1%

Source: Utah RealEstate.com

Percent of Condos Sold in Tooele City Affordable to Households at 30% AMI			
	Total Condos Sold	Affordable Condos	Percentage of Homes Sold Affordable
2012	24	2	8.3%
2013	29	0	0.0%
2014	38	0	0.0%
2015	41	0	0.0%
2016	54	0	0.0%

Source: Utah RealEstate.com

Table 16

At the 30% Area Median Income group level, \$16,980 (Table 16), homes sales that were affordable dropped from 4.0% in 2012 to 0.1% in 2016. Condominiums and townhomes sales at the 30% Area Median Income level dropped from 8.3% to 0% in the same 5 year period. At the 30% AMI level, home purchase options are extremely limited and condominium or townhome purchases may be unavailable. Tooele City is not affordable at the 30% Area Median Income level.

Per HUD CHAS, Tooele City needs an additional 324 affordable housing units at the 30% AMI level.

Rental rates have increased as the median sales prices have gone up. The US Census ACS 2016 shows a median rent of \$759. From a recent survey of rental rates on Zillow.com for rentals, there were only 12 homes or apartments available for rent at rates of \$700 to \$1500 per month. The newer apartments and homes are renting well above the median rate. In the 2016 rental housing market, affordable rental units are limited or not available in the newer apartment communities.

Ethnic and Racial Minority Populations

Tooele City’s population is 82% white (not Hispanic). Minorities, which includes Hispanics, comprise 18% of the total City Population. The Hispanic population is 12.9% of the City’s population and American Indian being reported for 1.4% of the City population.

Table 17

Tooele City		
Percent Share of City Population by Race		
	Number	Percent
Total	32,783	100%
White	26,919	82.10%
Hispanic	4235	12.90%
American Indian	462	1.40%
Asian	160	0.49%
Pacific Islands	82	0.25%
Black	278	0.85%
Other Race	72	0.22%
2 or more Races	575	1.75%

Source: US Census ACS 2016

Racial and ethnic minority status is correlated with poverty level. In Tooele City, 8.1% of the entire population is reported to be below the poverty level which would indicate that approximately 2,656 residents are living at or below the poverty income level set by the U.S. Census. The poverty percentage for Tooele County is 7.2% and for the entire State is 11.7%.

Poverty rates by race are identified in table 16. Because of this correlation, any deficiencies in available low and moderate-income housing units, disproportionately impacts minority populations. Of the minority population, 15% are below the poverty level.

Table 18

Tooele City			
Poverty by Race in Tooele City			
Race	Number in Poverty	Percent of Race in Poverty	US Census Table
All Races = 8.1%			
White only	1,910	7.2%	B17001H
Hispanic	467	11.2%	B17001I
American Indian	61	12.8%	B17001C
Asian	0	0.0%	B17001D
Pacific Islands	0	0.0%	B17001E
Black	21	7.8%	B17001B
Other Race	241	15.2%	B17001F
2 or more Races	91	10.1%	B17001G

Source: US Census ACS 2016

SPECIAL NEEDS POPULATION

Tooele City understands that it is important to address affordable housing for those with special needs. People with special needs may include vulnerable populations such as senior citizens, people with disabilities, the homeless or those otherwise in need of specialized or supportive housing.

DISABILITY

Table 19

Tooele City Residents with Disabilities				
Disability	Age Group	Total Pop.	Pop. w/disability	% of Total
hearing disability	Under 5	2828	0	0.00%
	5 to 17	7753	11	0.10%
	19 to 64	19008	468	2.50%
	65 - plus	2898	581	20.00%
vision disability	Under 5	2828	0	0.00%
	5 to 17	7753	37	0.30%
	19 to 64	19008	304	1.60%
	65 - plus	2898	1854	6.40%
cognitive disability	under 18	10581	560	7.20%
	19 to 64	19008	877	4.60%
	65 - plus	2898	143	4.90%
ambulatory disability	under 18	10581	90	0.20%
	19 to 64	19008	1257	6.60%
	65 - plus	2898	817	28.20%
self-care disability	under 18	10581	142	1.80%
	19 to 64	19008	367	1.90%
	65 - plus	2898	268	9.20%
independent living	19 to 64	19008	729	3.80%
	65 - plus	2898	525	18.1%

Source: US Census ACS 2016

People with disabilities under the age of 65 comprise approximately 9.0% of the City population or 2,930 people. It is estimated that 36.6% of all Americans 65 or older have some form of disability. According to the ACS approximately 1,178 individuals, or 40.6% of Tooele City residents over age 65 have a disability. People with disabilities often face financial and social difficulties that make it difficult to obtain housing. Programs that are geared toward helping people with disabilities obtain housing include: low rent and public housing voucher programs, assistance through centers of independence, employment and training resources.

The median income of an individual with a disability is usually considerably less than persons without a disability. According to the ACS, median income for disabled residents over 16 years of age, is 32.5% less than City residents without a disability of the same age. This would translate to a disabled single householder having a median income of \$38,206 which would require using a larger share of their income for housing.

Seniors-Elderly

About 9.0 percent of Tooele City population is 65 and older as of the 2016 ACS. The share of the city's population that is 65 or older is expected to remain approximately the same. As the City population ages, more families will elect to move their elderly family members to Tooele City to be near them. Some elderly residents may not be able to remain in their homes or may choose to relocate to a dwelling type that better suits their preferences and needs. The Tooele City Council recognizes the need to evaluate the housing options available to seniors wishing to remain in or move to the community.

Homeless

According to the 2016 annualized Point in Time count, roughly 0.1% of Utah's population is homeless. Although regional differences may impact the rate of homelessness, this percentage can be used to estimate the number of homeless individuals in Tooele City, which is approximately 32. Tooele County Housing authority has programs in place as noted in the Tooele County Moderate Housing Study which address this need.

Veterans

Based on the 2016 ACS, veterans account for approximately 7.6 percent of Tooele City's population, or 2,507 people. Men make up 92% of those veterans and women 8%. There are 811 veterans that are 65 years or older age, or 32.3 percent of the Tooele City veteran population. Also, 749 veterans in Tooele city were reported as having some form of disability, which amounts to 18.2 percent of the city's disabled population being veterans. Of the 1423 working age veterans (18 to 65 years old), 43% or 1084 were unemployed. There were 100 veterans reported to be living below the poverty level by the 2016 ACS. The median income of a veteran in Tooele City was reported to be \$50,533 which is 10.7 percent lower than the City as a whole. This suggests that a single income household with a veteran is less likely to afford the median housing unit in the city. Given these estimates, the City should work with the Utah Department of Workforces Services to consider strategies to lower the unemployment rate among working-aged veterans.

Victims of Domestic Violence

Victims of domestic violence receive shelter at Pathways Domestic Violence Shelter operated by Valley Behavioral Health. The facility has 16 beds and operates at high levels of occupancy. The program provides shelter for victims of domestic violence for 30 days before the individual(s) is released. In 2017 the facility served 536 individuals, 342 were residents of Tooele County. A high need, as expressed by director Elizabeth Albertson, is for transitional housing. Many of their clients do not have housing and are left to choose between homelessness or doubling up with friends/family. Pathways Domestic Violence Shelter has applied for a U.S. Department of Justice grant that would help fund and develop a 5-unit transitional housing facility. Under the terms of the grant the transitional housing would be for 6 months to 24 months. Transitional housing for this population is a high priority.

Fair Housing Status

HUD measures Fair Housing Status by the number of housing discrimination complaints in a jurisdiction. Fair Housing complaints are very low for Tooele County. Since 1994, 24 complaints have been filed. Five complaints were filed in 2012 which was the highest year. Only 3 complaints were filed in 2017. Considering the county has about 4,300 rental units, filed complaints are an extremely low percentage of the renter population. (Source: Tooele County Affordable Needs Assessment)

Availability of a Variety of Housing Sizes

Tooele City’s housing inventory is predominately single family with 3 and 4 bedrooms (61.8%). There are only 2,479 housing units (22.5%) with 2 bedroom or less within Tooele City. New homes are required by zoning to be at least 1,100 square feet which again leads to a 3 bedroom home. A majority of the homes in Tooele City have basements which have been or can be finished for additional bedrooms as the need arises.

Analysis of Special Needs Housing

There is a significant population of seniors and people with disabilities in Tooele City, currently there is a deficiency of housing specifically designed for this segment of the population in Tooele City. There are 16 low income tax credit and subsidized rental communities in Tooele County. Of the 16, 11 are located in Tooele City (Table 18) and contain 445 housing units (60.7%). The other rental communities consist of 287 units (39.3%) and are located in Grantsville, Stansbury Park and Wendover. Tooele City needs more special needs housing since all available housing units are occupied and there is a waiting list for available rental units. As the city grows, the need for specialized housing will likely continue to increase and the city should evaluate and monitor current zoning regulations to assure that there are minimal regulatory barriers to constructing this type of housing. Subsidized housing and special needs rental housing is managed by Utah Housing Corp and Tooele County Housing Authority.

Table 20

Low Income Tax Credit and Subsidized Rental Communities In Tooele City				
Apartment Community	Address	subsidy	Units	
Somerset Gardens (Senior)	143 North 400 West	RD Senior	28	
Oquirrh View Apartments (Senior)	552 North 270 East	RD Senior	16	
Canyon Cove Senior Housing (Senior)	178 East Vine St	HUD Senior	21	
Remington Park Retirement (Senior)	495 W Utah Avenue	RD Senior	72	
Lake View Apartments	742 N 100 East	Tax Credit	76	
Valley Meadows	582 N Shay Lane	Tax Credit	40	
Tooele Crown	Scattered Sites	Tax Credit	11	
Tooele Gateway Apartments	232 W Fenwick Lane	Tax Credit	130	
Westwood Mesa	780 West 770 South	Tax Credit	22	
Landmark Apartments	350 West 400 North	HUD Senior	24	
Five-Plex		Public Housing	5	
		Total	445	
Source: Utah Housing Corp & Tooele County Housing Authority				

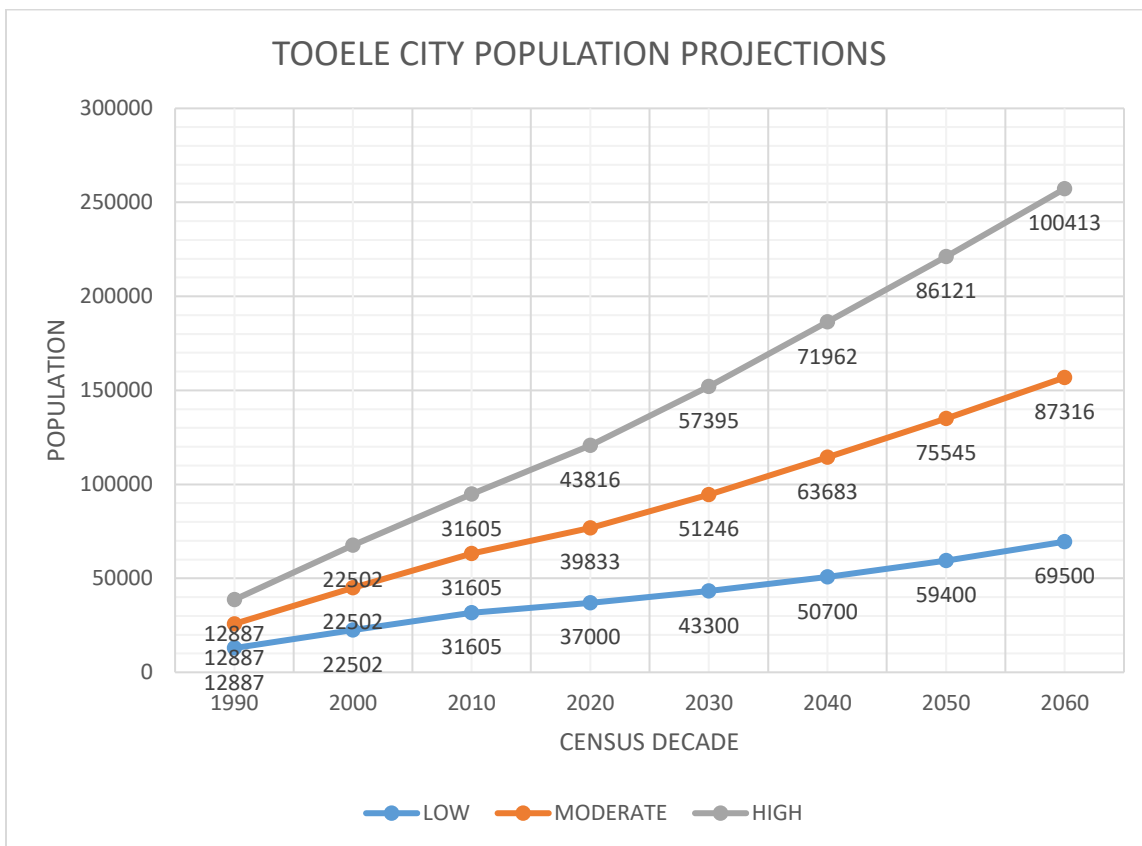
TCHA and Utah Housing Corp administer many affordable housing assistance programs as well as the many Tax Credit and subsidized rental communities. There is a home repair program, weatherization program, down payment assistance program, Security deposit assistance program, rent to own program and Section 8 rental assistance program. Not all programs are funded at any one time but the Housing Authority is constantly seeking grants and additional funding to continue the programs. TCHA is also seeking funding to construct a new housing community for low income households which it will manage because many private landlords have stop participating in the assisted rental program.

Population Projections

High, Medium and Low Population Projections

The population projection used for this study (Moderate Projection) is from the Governor’s Office of Budget and Planning with growth rates of between 16% and 29% each decade. A high and low population projection was also calculated based upon the GOBP projection. The GOBP projection is used because it tends to follow the recent growth rates. Chart 4 shows the three population projections. The high projection predicts Tooele City population to reach about 100,000 people by 2060. Assuming all growth factors such as expanded sanitary sewer facilities, expanded culinary water facilities, expanded transportation system to Salt Lake County, expanded city services and continued good economic growth continue, the moderate population projection is obtainable.

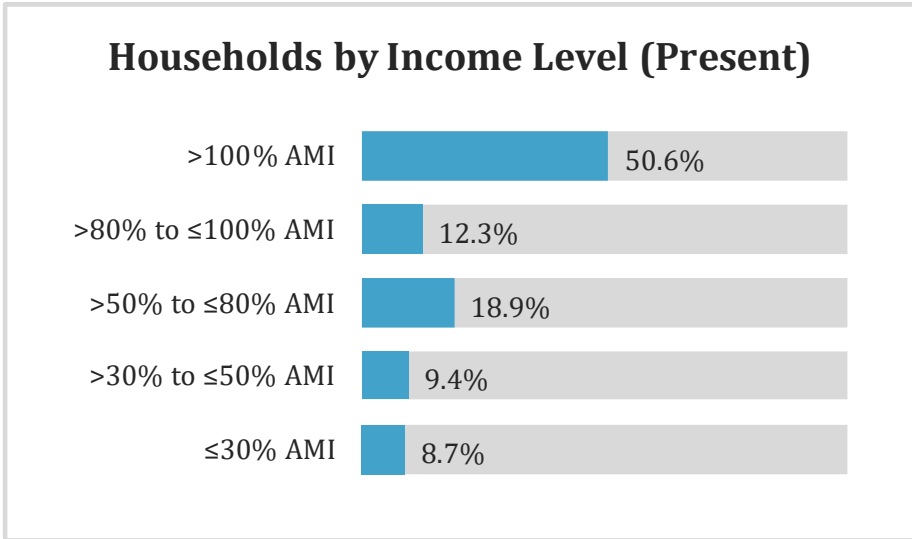
Chart 4



Estimated percentages of Targeted Income groups and Special Needs Groups

The UAHFT tool, using the moderate growth projection, shows the percent share of the City 2016 population in relationship to the AMI (\$56,605). 50.6% of the City’s population has an income at or above the Area Median Income in 2016 (Chart 5). Using the same percentage of the City population in the targeted income groups for the 5 and 10 year projections as is currently estimated by the ACS, see Chart 5. From the US Census ACS, shows 9% of Tooele’s Population is disabled, 9% are seniors, .01% are homeless (2016 annualized Point in Time), 7.6% are veteran, and approximately .005% are victims of domestic violence (342 county residents served in 2017).

Chart 5



Forecast of Affordable Housing Need

Comparing Population Projections with Expected Housing Construction

The housing construction industry in Tooele City in 2016 is still recovering from the economic recession of 2007-2011. New subdivisions are in the planning stages and builders have reported having problems finding building lots and scheduling subcontractors. In 2016, residential contractors are still trying to keep up with the expanding demand in the Tooele City market and have had to delay construction projects because of the above mentioned problems.

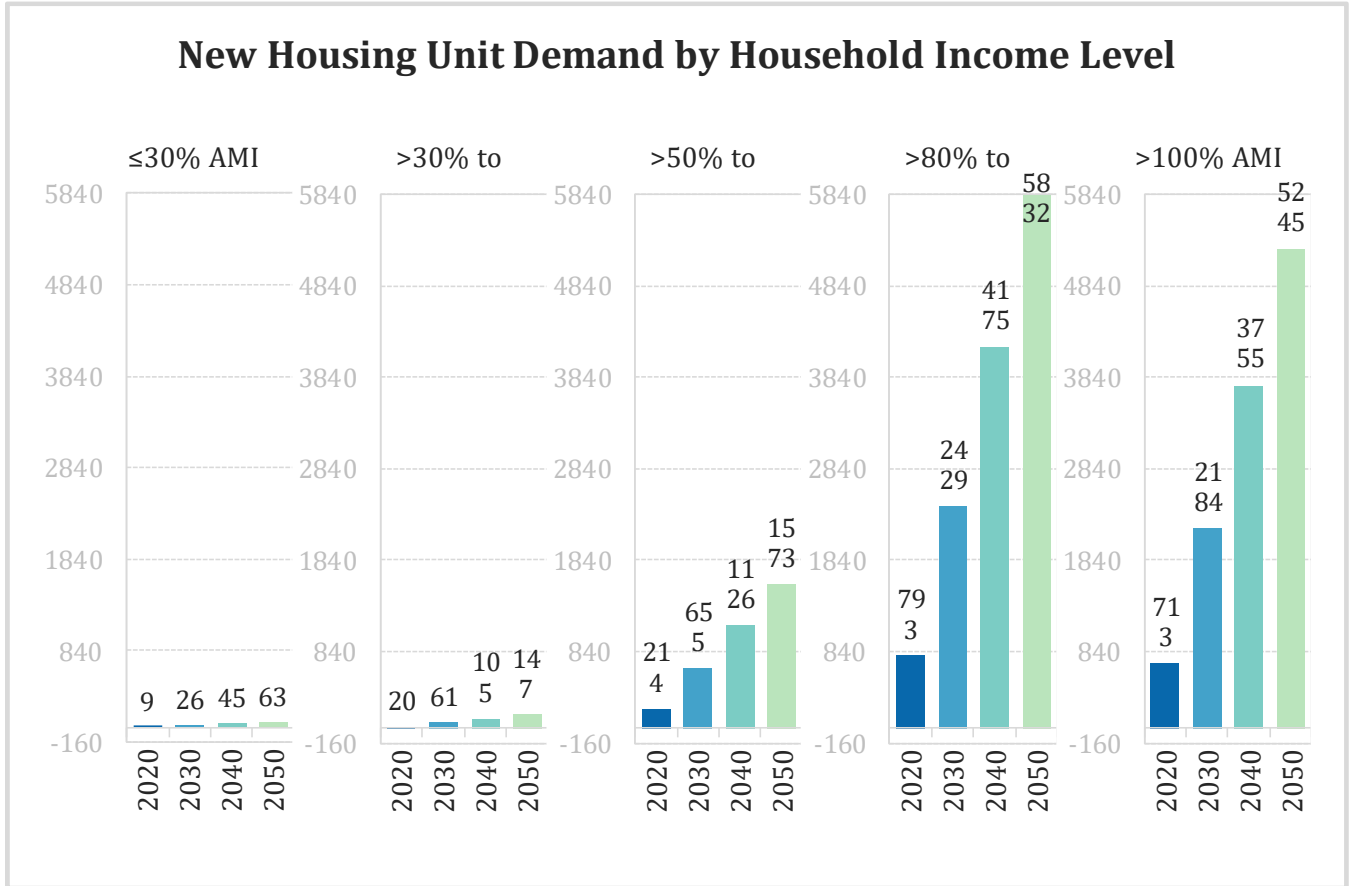
*= actual	2010	2016	2020	2025
Population for	*31,605	32,783	39,833	45,539
Projected number new housing units		*512	2,350	1,902
Projected ramp up of residential construction			600	1,250

Estimated Number of New Housing Units Needed

Income group	2020 New Housing Unit Demand	2025 New Housing Unit Demand
≤30% AMI	9	10
>30% to >50% AMI	26	31
>50% to >80% AMI	45	53
>80% to >100% AMI	63	74
Seniors	193	171
Disabled	193	171
Homeless	23	19
Veterans	178	144
Domestic Violence	12	10

Chart 6 is generated by the UAHFT tool for the 2020 through 2050 population projections for each of the 5 targeted income groups. The 2025 projections would be calculated as half of the 2030 number. The numbers are put into a simple table above. Again the special needs groups may overlap.

Chart 6



Regulatory Environment

Current Zoning and Affordable Housing

Current Tooele City does not have an ordinance specific to affordable housing. There are no fee or permit waivers or density bonuses for affordable housing. Although there are no proactive policies promoting affordable housing, ordinances or policies that prohibit affordable housing do not exist in the City’s code. Manufactured housing is permitted, high density multi-family housing is permitted, and minimum lot sizes for single-family homes are between 7,000 and 8,000 square feet, which helps with affordable housing.

The only City ordinance that may be a barrier to affordable housing or Fair Housing, is the single-family, multi-family residential standards. (Title 7, Chapters 11a & 11b) These ordinances establish minimum standards for covered parking, square footage, minimum masonry percentage and minimum architectural features such as front porches, decorative windows, articulated roof lines and articulated building elevations and others which can increase the cost of a housing unit.

Table 21

ZONING DISTRICT	TOTAL ACREAGE	USED ACRES	PERCENT OF TOTAL	VACANT ACRES	PERCENT OF TOTAL
BISON RIDGE PUD	55.29	0	0.00%	55.29	100.00%
COPPER CANYON PUD	128.74	57.1	44.40%	71.64	55.60%
GLENEAGLES PUD	17.71	6.53	37.00%	11.18	63.10%
General Commercial	988.87	171.71	17.40%	817.16	82.60%
High Density Residential	170.12	82.2	48.30%	87.92	51.70%
Industrial (heavy)	802.26	210.25	26.20%	592.009	73.80%
Light Industrial	385.93	180.94	46.90%	204.99	53.10%
Medium Density Residential	94.74	90.49	95.50%	4.25	4.50%
Mixed Use-160 acres	320.11	34.23	10.70%	285.88	89.30%
Mix Use-Broadway	22.16	18.75	84.60%	3.413	15.40%
Mixed Use-General	101.73	88.169	86.70%	13.563	13.30%
Neighbor Commercial	254.6	2.388	0.90%	252.216	99.10%
Open Space	2,196.33	109.26	5.00%	2087.07	95.00%
OVERLAKE HWY COM	16.45	14.4	87.50%	2.05	12.50%
OVERLAKE MULTI-FAMILY	15	15	100.00%	0	0.00%
OVERLAKE SINGLE FAMILY	149.39	149.39	100.00%	0	0.00%
Peterson Industrial Depo PL	273.63	267.56	97.80%	6.073	2.20%
R1-10	160.06	149.84	93.60%	10.22	6.40%
R1-12	160.58	113.231	70.50%	47.35	29.50%
R1-14	80.37	44.2	55.00%	36.17	45.00%
R1-7	3,726.67	1499	40.20%	2227.665	59.80%
R1-8	306.64	267.119	87.10%	39.52	12.90%
Research and Development	842.1	0	0.00%	842.102	100.00%
Rural Residential – 1 acre	685.81	288.363	42.00%	397.442	58.00%
Rural Residential – 5 acres	827.39	24.38	2.90%	803.01	97.10%
UNKNOWN	54.28	0	0.00%	54.28	100.00%
	12,836.97	3,884.49	30.50%	8,920.69	69.50%
Source: Tooele City Planning and Zoning					

Tooele City has annexed vast areas of vacant property in the last 30 years. A total of 20 square miles (Table 19) is zoned for development (not counting roads). Only 6.1 square miles (30.5%) is developed. The potential for future growth is high. The zone most suitable to affordable housing is the HDR High Density Residential zone (16 units per acre) with 89.92 available acres. Also the MDR zone, 4.25 available acres (8 units per acre) is suitable for affordable housing. The R1-7 zone, 2227.66 available acres (5 units per acre) and the R1-8 zone, 39.52 available acres (4.5 units per acre) are the most suitable zones for affordable single-family homes.

Plans to Meet the Affordable Housing Need

Existing Development for Affordable Housing

With housing values declining after the 1999 peak, several approved Tooele City condominium and townhome projects completed their infrastructure but ceased constructing housing units. Builders claimed they could not construct Townhomes or Condominiums that would be substantially more affordable than single-family homes and so sales ground to a halt. With today’s median home sales price at over \$210,000, Townhomes and Condominiums should now fill the price range under single-family housing. There are 221 condominium or Townhome units platted with site work completed (Table 22) where the residential buildings were never completed in Tooele City. These types of housing units tend to be more affordable.

Table 22

Tooele City unfinished Condominium and Townhome Projects					
Project Name			Total Units	Remaining Units	Project Start Year
West Point Meadows Condominium Amd			64	43	1997
Crescent Court Condominiums Amd			199	133	2001
Comiskey Park Garden Home Condos			88	8	2000
Gleneagles PUD			54	37	2001
Total			405	221	

Source: Tooele City Planning Dept.

Existing Zoning that Typically allows Affordable Housing

Table 23

Current Zoning which Facilitates Affordable Housing				
Zoning	Density Per Acre	Vacant Acres	Projected lots/units	Projected Populations
R1-7	5	2227.0	11,135	33,405
R1-8	4.5	39.5	177	533
Copper Canyon PUD	5	55.3	276	829
Gleneagles PUD	16	2.6	41	123
Crescent Ct Condos	16	7.9	133	399
West Point Meadow Condos	16	2.4	37	111
Medium Density Residential	8	4.3	19	58
High Density Residential	16	87.9	1,400	4,200
Source: Tooele City Planning Department		2426.9	13,218	39,658

Without rezoning more acreage in the future, Tooele City could grow by 13,218 affordable housing units and reach a population of 72,441. Acres set aside for parks, schools, and roads would need to be deducted. Future annexations could offset the deducted acreages. With the thousands of acres of land

surrounding the City, Tooele will continue to annex and grow as City services are increasingly necessary for the expected population growth in Utah.

Existing and Future Mobile Home Parks

Tooele City has 639 mobile home spaces in the existing eight mobile home parks. Mobile homes within a mobile home park can be an affordable housing option. Building pad rents and utilities must be calculated in order to determine the affordability of the housing unit. Tooele City does have an ordinance that would permit new mobile home parks if the need of such housing units was demonstrated to create a balance of housing units and the location satisfied proximity to major roads and commercial centers.

Strategy to meet Current and Forecasted Affordable Housing Needs

Zoning and Annexations

Tooele City does not regularly change zoning on its own, however, the General Plan Land Use Element recommends a balanced and diverse mix of residential housing units and lot sizes and each rezone request should comply with the requirements of the City's Land Use Element.

Tooele City has recently approved several rezones of undeveloped land to R-10 and R1-14 and one rezone for high density residential uses that provides more options in lot size and residential housing unit styles such as apartments, condominiums and town houses.

Tooele City will consider future annexation petitions and has approved one residential annexation as recently as 2015.

Tooele City's current Zoning Map provides sufficient zoning districts to meet the city's affordable housing needs through 2050. More than 2,400 acres of zoning that allows for affordable housing possibilities exists within City boundaries. All zoning change requests are reviewed individually, case by case, as they are submitted.

Tooele City has an in-fill overlay zoning district that provides incentives for residential construction in the older central City area. The incentives include smaller setbacks, reduction of water rights requirements, reduced lot frontage requirements, and increased total lot coverage.

Tooele City also has an effective PUD (Planned Unit Development) ordinance that can be applied to any residential zoning district. The PUD ordinance provides flexibility in development standards such as setbacks, lot sizes, lot coverages and so forth. Flexibility in these standards can serve to reduce per-lot land costs and help to reduce the overall cost of housing within a development.

Strategies for Encouraging the Construction of Moderate Income Housing

The Goals and Strategies should be achievable by the time of the next Moderate Income Affordable Housing Plan update.

Strategy 1 – Rezone for Densities Necessary to Assure the Production of Moderate Income Housing.

Tooele City has recently rezoned various properties to the MR-8 Multi-Family Residential zone permitting up to eight units per acre and the MR-16 Multi-Family Residential zone permitting up to 16 units per acre. The City has also created a new multi-family residential zoning district, the MR-25

Multi-Family zone permitting up to 25 dwelling units per acre and has amended building height and setback restrictions within this zone to be more compatible to developments with this density.

Strategy 2 – Encourage higher density or moderate-income residential development near major transit investment corridors.

Tooele City is in the process of revising the General Plan. Included in this revision are the Land Use and Transportation Elements. These elements will be reviewed and locations within the City near major transportation corridors, mass transit stops, future mass transit corridors and so forth will be identified and considered for medium and higher density residential zoning districts where various housing types may be constructed.

Strategy 3 – Create or Allow for, and Reduce Regulations Related to, Accessory Dwelling Units in Residential Zones.

On August 21, 2019, the Tooele City Council approved an ordinance enacting Chapter 7-14a addressing accessory dwelling units. This ordinance permits detached, attached and interior accessory dwelling units for properties that meet certain qualifications of lot size, setbacks, parking and so forth. Having the Accessory Dwelling Unit ordinance complete, Tooele City will now begin implementing this ordinance through the building permit process.

Strategy 4 – Apply for or Partner with an Entity that Applies for State or Federal Funds or Tax Incentives to Promote the Construction of Moderate Income Housing

Work with Tooele County Housing Authority and have a City representative attend the quarterly meetings. Tooele City has the largest population in Tooele County and has the most to gain from partnering with the Housing Authority to construct more moderate income housing.

Tooele City is also working with the Utah Housing Authority, directing them to new developments where lots can be purchased and developed as moderate income housing with the assistance of subsidies and City reduction of impact fees as permitted by Tooele City Code.

Strategy 5 – Facilitate the Rehabilitation or Expansion of Infrastructure that will Encourage the Construction of Moderate-Income Housing;

Tooele City has created In-Fill Overlay Districts applicable to older portions of the City where existing housing stock is increasingly aging and in need of renovation. The In-Fill Overlay zoning district is formulated to appropriately encourage residential development and redevelopment on lots and parcels of record that may be nonconforming or surrounded by developed land in order to more efficiently utilize residential land, existing public infrastructure, and public services.

Tooele City is always seeking ways to improve the In-Fill Overlay districts to utilize or rehabilitate existing infrastructure and make development more feasible. The City is currently considering amendments to lot width and frontage requirements that would assist subdivision of existing narrow lots into lots able to be developed with smaller and more affordable homes.

Tooele City should also seek to revise the In-Fill Overlay district area’s incentives to encourage replacing or remodeling a dilapidated housing unit that may become a more affordable housing unit than new construction.

Strategy 5 – Reduce Impact Fees, as defined in Section [11-36a-102](#), Related to Low and Moderate Income Housing

Tooele City’s accessory dwelling unit ordinance provides 50% reductions in impact fees for all attached and detached units. Impact fee reductions include culinary water, sanitary sewer, public safety and parks and recreation fees. Interior accessory dwelling units are exempt from payment of any impact fees.

Tooele City’s In-Fill Overlay districts also reduce culinary water fees by 50% which serves to encourage development of smaller less expensive lots within the City. This serves to make lots more affordable in the In-Fill areas and facilitates more affordable housing.

Tooele City ordinances permit the City Council to reduce impact fees for affordable housing units and the City should plan to partner with State organizations such as the Utah Housing Authority to encourage the construction of moderate income housing.

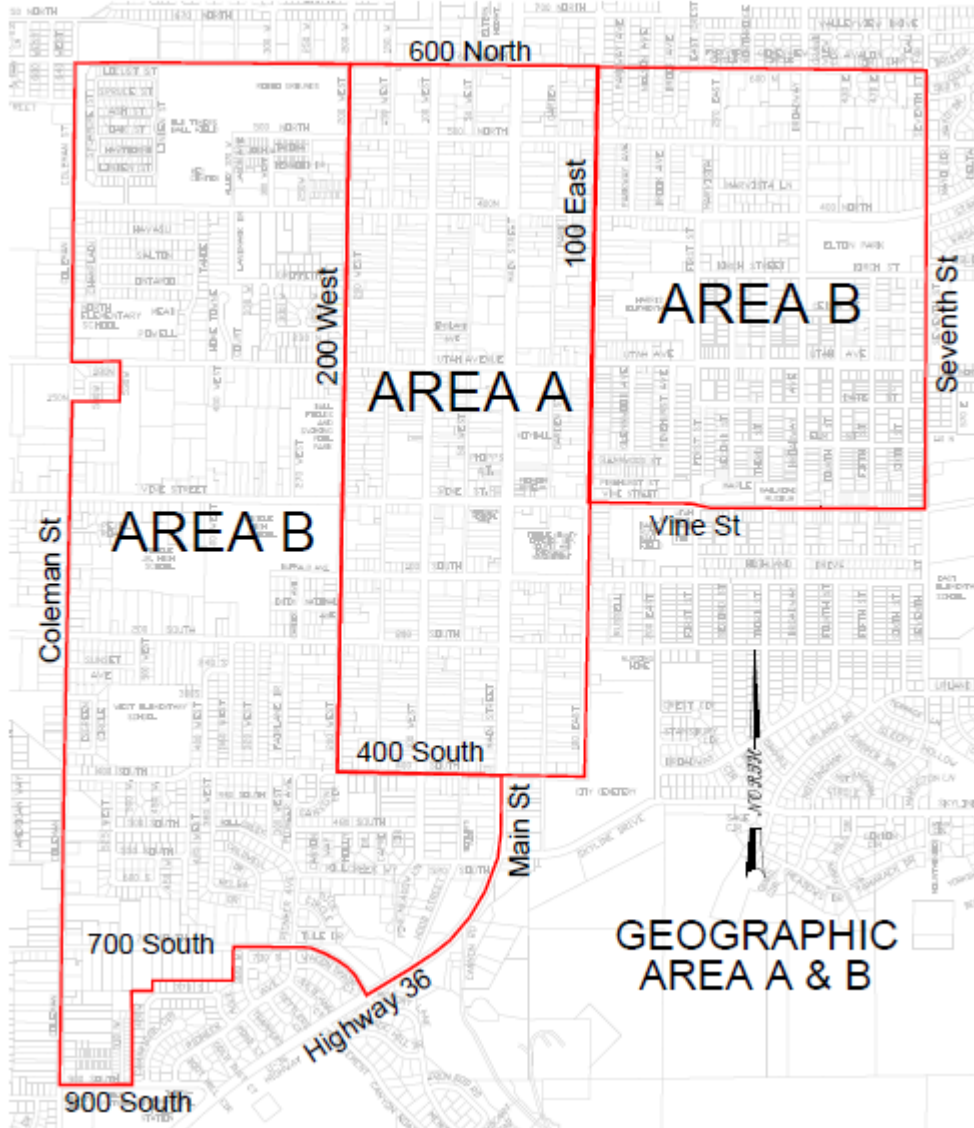
Strategy 6 – Consider General Fund Subsidies or Other Sources of Revenue to Waive Construction Related Fees that are Otherwise Generally Imposed by the City.

Tooele City Code already permits General Fund subsidies and the Tooele City Council is considering increasing these for moderate income housing. Any time impact fees are waived there is a requirement that the fee is made up for through General Fund subsidies.

Strategy 7 – Preserve Existing Moderate Income Housing

In many older areas of Tooele City there are some legally non-conforming duplexes, apartment buildings and other housing units that were constructed prior to existing zoning codes. These non-conforming units are protected by Tooele City Code Chapter 7-3; Non-Conforming Uses. This ordinance permits non-conforming buildings and land uses to persist in perpetuity as long as there is not a cessation of use greater than one year and also permits the re-construction of non-conforming buildings if destroyed by fire or other calamity. There are no plans to change or otherwise amend this ordinance and these non-conforming, potentially moderate income housing units will continue without challenge by Tooele City.

Chart 7 – Tooele City Infill Areas A and B



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EXHIBIT B

PLANNING COMMISSION MINUTES

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, October 9, 2019

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

Commission Members Present:

Shauna Bevan
Melanie Hammer
Tyson Hamilton
Chris Sloan
Tony Graf
Phil Montano
Bucky Whitehouse
Ray Smart

Commission Members Excused:

Matt Robinson

City Employees Present:

Andrew Aagard, City Planner
Roger Baker, City Attorney
Jim Bolser, Community Development Director
Paul Hansen, City Engineer

Council Members Present:

Council Member Gochis

Council Members Excused:

Council Member McCall

Minutes prepared by Kelly Odermott

Chairman Graf called the meeting to order at 7:00 pm.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Graf.

2. Roll Call

Chris Sloan, Present
Melanie Hammer, Present
Shauna Bevan, Present
Tyson Hamilton, Present
Tony Graf, Present
Bucky Whitehouse, Present

Phil Montano, Present
Ray Smart, Present

3. Recommendation on Mountain Valley Townhomes Preliminary Plan by Matt Carter at 750 North 100 East, 44 townhome lots, 4.1 acres in the MR-16 Multi-Family Residential zoning District.

Presented by Andrew Aagard

Mr. Aagard stated that the 4.1-acre parcel proposed for subdivision is located east of the Lucky grocery store and northeast of the intersection of 100 East and 700 North. The property is MR-16 Multi-Family Residential zoning. There is some general commercial zoning to the north that is a nonconforming apartment building which is used as residential and general commercial to the southeast and east. There is also some R1-7 residential zoning to the south. The applicant is proposing a townhome subdivision that will subdivide the four-acre parcel into 44 individual lots ranging in size from 2,000 square feet to 2,500 square feet. These lots are proposed to be 24 to 30 feet wide and incorporate a townhouse unit with some private yard space. Townhouses are permitted in the MR-16 zone without restrictions to lots size or lot width. The subdivision plat also creates parcels A, B, C, D, E, F, and G that will be common open space parcels and will be maintained by the HOA. The streets within the subdivision will be privately owned and privately maintained. Lot 101 is a 1.07-acre parcel that is part of the subdivision plat, but not part of the multi-family home developments. Lot 101 is a remnant parcel that will be maintained by the owner of the property. The creation of lot 101 does not create any nonconformities and the single family home can continue as is on the property. Staff has reviewed the proposed preliminary plan and is recommending approval with standard conditions in the Staff Report.

Chairman Graf asked if there were any comments or questions from the Commission.

Commissioner Bevan asked about a street that T's off at the end; how will the garbage be affected by the dead-end area? Mr. Aagard stated that that streets are private and an arrangement will need to be made with a waste removal company other than the City. It is the City's understanding that the garbage cans will be wheeled out to the street and taken back when they are done. Mr. Aagard stated that this concern has been raised with the owner, but the streets are private and up to the owner.

Commissioner Hammer stated that the information states that the front of the lot will be maintained by the private homeowners, but there are common areas and the HOA will take care of the common areas? Mr. Aagard stated that the HOA will take care of the common areas and the roads.

Commissioner Hamilton motioned to forward a positive recommendation to the City Council for the Mountain Valley Townhomes Preliminary Plan Request by Matt Carter, for the purpose of creating 44 town house style residential lots and the accommodating open space parcels, application number P19-201, based on the findings and subject to the conditions listed in the Staff Report dated October 1, 2019. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner, Smart,

“Aye,” Commissioner Montano, “Aye,” Commissioner Bevan, “Aye,” Commissioner Sloan, “Aye,” Chairman Graf, “Aye.” The motion passes.

4. **Decision on a Site Plan Design Review for Mountain Valley Townhomes by Matt Carter at 750 North 100 East, 44 townhome unit development, 4.1 acres in the MR-16 Multi-Family Residential zoning district.**

Presented by Andrew Aagard

Mr. Aagard stated that this is an application for site plan design review and is proposed for the same property that was discussed under item 3. Mr. Aagard stated that all multi-family site plans are required to have design reviewed by the Planning Commission. The previous application was for the subdivision of the property and will create the lots. This application pertains to the design elements of the site. The Staff Report went into the specifics of the site plan and how they comply with Tooele City Code 7-11a Multi-Family Design Standards

Mr. Aagard stated that the site plan shows the actual footprint of the townhome unit, including driveway and yard space. These areas are privately owned, privately landscaped, and privately maintained. The remaining area is classified as common area and will be landscaped and maintained by the HOA. This development includes amenities to be used by the homeowners in the development including a play structure, a sports court, and picnic tables. The buildings are arranged in a manner that varies the setback as required by the City Code. Building code requires building setback to be 20 to 25 feet from the street. The landscape plan as proposed meets the requirements of 7-11a for shrub beds, trees, and groundcovers. The landscape plan also demonstrates private yard space that will be landscaped by the private lot owner. Landscaping and common area do exceed landscape space for common area, number of trees, and ground cover.

Mr. Aagard stated that staff has worked closely with the applicant and architect to ensure the proposed building exteriors meet the minimum exterior requirements for roof line, horizontal relief and façades. The development incorporates six unit buildings, five unit buildings and three unit buildings. The exterior materials are brick stone veneer, hardy board siding, stucco and other sidings. The side elevation is the same for each type of building.

Mr. Aagard stated that there was a slight issue with parking that was missed by staff in the review process. Tooele City Ordinances require that guest parking be one stall for every four units. At 44 units the development requires eleven parking stalls, but only has nine. Staff has added the condition that two additional parking stalls be added to the eastern end of 739 North adjacent to parcel E. With the addition the proposed site plan meets the minimum parking requirements. The development will be fenced by a six foot vinyl fence with masonry columns every eight to ten feet. There will be a storm water retention basin at the northeast of the property and will be maintained by the HOA.

Mr. Aagard stated that staff has added one other condition to the project regarding approval of the owner of the lot 101, place the development monument signs on their property. A letter has been sent to the owner, but it hasn't been received back by the City. Staff concludes that

the property meets or exceeds the requirements of Tooele City Code 7-11a and is recommending approval with the four basic conditions and the two additional conditions.

Chairman Graf asked if there were any further comments or questions, there were none.

Commissioner Smart asked about the future of road development further east of this property and the rights of Tooele City to put in a road. Mr. Aagard stated that with this development there was the proposal of a stub street on the east end to provide connectivity. These are private streets and it is not something that the City could require. If the streets were public streets there would have been a stub street. The City does try to encourage and provide connectivity wherever possible, but because of the private nature of this property it was not possible.

Mr. Bolser added that in the apartment complex going in north of this property, the City did require a stub street on the north end that would provide access to properties to the east. There are avenues and times where that is appropriate. When it comes to development it would have to be something that was specific to the code, for example if it was a road that was identified in the Master Transportation Plan, then the stub could be required.

Mr. Hansen stated that the stub road was considered. Mr. Hansen stated that he had actually recommended that the development not be connected to a public road. The driveways are very close and the density is high and it might not be safe to introduce a lot of public traffic to the development. It has been looked at as to how to accommodate the property to the east. There was a safety aspect as well as the other issues mentions.

Commissioner Sloan motioned to approve the Site Plan Design Review Request by Matt Carter for the Mountain Valley Townhomes located at 750 North 100 East, application P19-202, based on the findings and subject to the conditions listed in the Staff Report dated October 1, 2019 with emphasis on conditions five and six. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner, "Hamilton," Commissioner Bevan, "Aye," Commissioner Sloan, "Aye," Commissioner Smart, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

5. Public Hearing and Recommendation on an update to the Moderate Income Housing Plan, an element of the Tooele City General Plan.

Mr. Aagard stated the staff is proposing an update to the Tooele City Moderate Income Housing Plan and the General Plan to ensure that the City meets the legislative requirements of Senate Bill 34. The update requires city to meet the following criteria.

- Having a plan for residents of all income levels and coordinate that housing with transportation access and employment centers.
- All Cities must choose from a list of 23 moderate income housing planning strategies and implement at least three.
- Requires 82 City's adopt a Moderate Income Housing Plan.
- Requires an annual report on plan implementation in 2020.
- Changes reporting deadlines for City's, not applicable to Tooele City.

Mr. Aagard stated that the first item is being addressed by the City. Number two requires that the City choose at least three strategies out of the 23 provided. The City's Moderate income Plan is being amended to incorporate seven strategies in the plan that the City is already doing. Those seven strategies are;

- Rezone for densities necessary to ensure the production of moderate income housing.
- Encourage higher density or moderate income housing development near major transit or investment corridors.
- Create or allow for reduced regulations for accessory dwelling units in residential zones.
- Apply for or partner with an entity that applies for State or Federal Funds for tax incentives to promote the creation of moderate income housing.
- Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.
- Consider general fund subsidies or other sources of revenue to waive construction fees.
- Reduce impact fees related to low or moderate income housing.

Mr. Aagard stated that the updates to the plan only occur in the Table of Contents and the strategies section of the document of how the City is implementing or will implement these strategies. The rest of the plan will remain unchanged and will be updated as results of the 2020 census and other data become available. Once the Moderate Income Housing Plan is approved and the General Plan amended the plan will be sent to Utah's Workforce Services detailing the compliance with Senate Bill 34. The plan will be posted on the City's website.

Chairman Graf asked if there were any further comments or questions.

Commissioner Sloan asked about items six and seven that are being addressed in the plan in regards to impact fees. Impact fees state wide are under the microscope by the legislature. State Bill 34 was designed for Cities and Municipalities that are not encouraging Moderate Income Housing. Items six and seven were introduced as ways to reduce impact fees and his concern is will this create a shift of the fees to the properties that do not fall under Moderate Income. The entities still need to recover the same of tax dollars and will those be shifted. Mr. Aagard stated that the City has an ordinance that allows for impact fees to be made and requires the general fund to make up those fees that are waived.

Mr. Baker stated that the short answer is yes. Tooele City Ordinance requires that impact fee waivers be made up by the General Fund, which places a greater strain on the General Fund and trickles down to tax payers. Even if the fees are not made up from the General Fund, that is less impact fee revenue to spend on impact fee projects. What isn't covered by impact fees for impact fee projects would need to come from water and sewer rates, the General Fund or scale back on projects. In any event there is an effect from all waivers because it is taking from some fund in the City. Tooele Ordinance today does require the General Fund reimbursement to the impact fee fund for the fees waived. Mr. Baker stated that in a conference he attended the week before this question was asked. Salt Lake City responded that they do not require the impact fees to be reimbursed by the General Fund, but either way a fund is missing the fees waived.

Commissioner Sloan stated that he was in the room when State Bill 34 was written, it wasn't the low and moderate housing that the bill was supposed to fix; it is a whole housing affordability

problem. The stats that the legislature had states that 25 to 33% of single family housing cost is regulatory in nature and the majority of that being impact fees. He stated that he would hate to have the City run into trouble with waiving impact fees. He commended the staff for taking the effort and implementing seven of the strategies.

Mr. Baker stated that the policy that is in place now for waivers and the amount waived is made up from the General Fund. Is a policy that is to hold the impact fee fund harmless to maximize the impact fee projects built. The flip side of that is to dilute the amount of the subsidy across the general population. It is shifting the impact of growth to existing resident and taxpayers in very small amounts.

Chairman Graf asked about impact fees for residential and the cost being about \$9,000 to \$10,000. Mr. Aagard stated that is a ballpark figure. Chairman Graf asked that what is being proposed are just options. Mr. Aagard stated that one of the options is the Infill Overlay area, there is reduction in the water impact fee. Or the creation of an accessory dwelling unit there is a reduction in the impact fee. Standard homes would pay the full impact fee, but in specific areas, or circumstances the impact fee can be reduced. The City has partnered with the Utah Housing Authority for lots and will be looking at reducing impact fees for those specific lots.

Mr. Baker stated that the current impact fees is around \$10,000 and the current waiver (for affordable housing) limits the reduction to \$5,000 per unit. That is a policy matter that is being reviewed.

Commissioner Montano made some opinion statements about impact fees, state mandates, and impact fee policy. He stated that some of this is over the top that the city has to provide the same service and only collect half the money. This is mandated by the state. The city has to provide the same service and collect half the money and he doesn't know how all that works.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Commissioner Sloan commended the staff on their work with the Moderate Income Housing Plan.

Chairman Graf echoed Commissioner Sloan's comments about the work done on the Plan. It is important to be proactive in the plan.

Commissioner Sloan motioned to forward a positive recommendation to the City Council to amend the Moderate Income Housing Element of the General Plan and adopt the draft Tooele City Moderate Income Housing Plan, 2019, based upon the findings listed in the staff report dated October 1, 2019 Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Bevan, "Aye," Commissioner Sloan, "Aye," Commissioner Smart, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

6. Review and Approval of Planning Commission minutes for meeting held September 25, 2019.

Chairman Graf asked the Commission if there were any comments or questions.

Commissioner Hammer moved to approve minutes from the meeting held on September 25, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hammer, “Aye,” Commissioner Hamilton, “Aye,” Commissioner Bevan, “Aye,” Commissioner Sloan, “Aye,” Commissioner Smart, “Aye,” Commissioner Montano, Aye,” Chairman Graf, “Aye.” The motion passes.

7. **Adjourn**

Commissioner Hamilton moved to adjourn. Chairman Graf declared the meeting adjourned at 7:34p.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 23th day of October, 2019

Tony Graf, Chairman, Tooele City Planning Commission

STAFF REPORT

October 1, 2019

To: Tooele City Planning Commission
Business Date: October 9, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Mountain Valley Townhomes – Preliminary Plan Request

Application No.: P19-201
Applicant: Matt Carter
Project Location: Approximately 750 North 100 East
Zoning: MR-16 Multi-Family Residential Zone
Acreage: 4.1 Acres (Approximately 178,596 ft²)
Request: Request for approval of a Preliminary Plan in the MR-16 Multi-Family Residential zone regarding the creation of 44 town house style residential lots and surrounding common open space parcels.

BACKGROUND

This application is a request for approval of a Preliminary Plan for approximately 4.1 acres located on the at approximately 750 North 100 East. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Preliminary Plan be approved to allow for the development of the currently vacant site as multi-family residential townhomes. This application is the first in the process to create 44 town house style residential lots and open space parcels under common development ownership.

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 MR-16 Multi-Family Residential zoning classification, supporting approximately sixteen units per acre. The purpose of the MR-16 zone is to “provide an environment and opportunities for high density residential uses, including single family detached and attached residential units, apartments, condominiums and townhouses.” The MR-16 Multi-Family 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 the east of the subject property are currently zoned GC General Commercial, however, the northern property is utilized as a multi-family residential apartment complex. Properties to the east and south are zoned R1-7 Residential. A small property located at the southeast corner of the development is zoned GC General Commercial but is currently utilized as residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposes to subdivide an existing 4.1 acre parcel into lots and parcels of varying sizes and purposes. The subdivision will consist of 44 individual town house style lots ranging in size from 2,037 square feet up to 2,542 square feet. Townhouses are permitted in the MR-16 zone without restriction to lot size or lot width. These lots are proposed to be 24 to 30 feet wide and are the width of the individual unit that will eventually be constructed there on. These lots will be privately owned and maintained parcels.

The subdivision plat also creates Parcels A, B, C, D, E, F and G which will be common open space owned and maintained by a development HOA. These parcels will be landscaped according to the mandates of Tooele City Code 7-11a, Multi-Family Residential Design Guidelines.

The roads created by the subdivision plat will be private streets, owned and maintained by the development HOA. City Staff and the development Engineers have worked to make the roads as wide as possible while still maintaining enough space for building setbacks, necessary open space, and so forth.

Lot 101 is also part of the subdivision plat but not part of the development. Lot 101 is a remnant parcel totaling 1.07 acres that will remain under the ownership of the previous owner of the overall parcel. Lot 101 exceeds all lot size requirements and building setbacks for a single family home in the MR-16 zone and does not create any non-conformities.

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 submission and has issued a recommendation for approval for the request with the following comments:

1. The MR-16 zoning district allows town house style lots without restriction to lot size, lot width or lot frontages. Therefore the subdivision as proposed has been reviewed against other criteria as found in the City's subdivision ordinance as well as Tooele City's multi-family residential guidelines. The subdivision as proposed does meet or exceed minimum development standards.

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

1. The developer shall complete all required sewer and water modeling studies.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Preliminary Plan submission and has issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for the Mountain Valley Townhomes Preliminary Plan by Matt Carter, application number P19-201, 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 developer shall complete all required sewer and water modeling studies.
- 6.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Mountain Valley Townhomes Preliminary Plan Request by Matt Carter, for the purpose of creating 44 town house style residential lots and the accommodating open space parcels, application number P19-201, based on the findings and subject to the conditions listed in the Staff Report dated October 1, 2019:”

1. List findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Mountain Valley Townhomes Preliminary Plan Request by Matt Carter, for the purpose of creating 44 town house style residential lots and the accommodating open space parcels, application number P19-201, based on the following findings:”

1. List findings...

EXHIBIT A

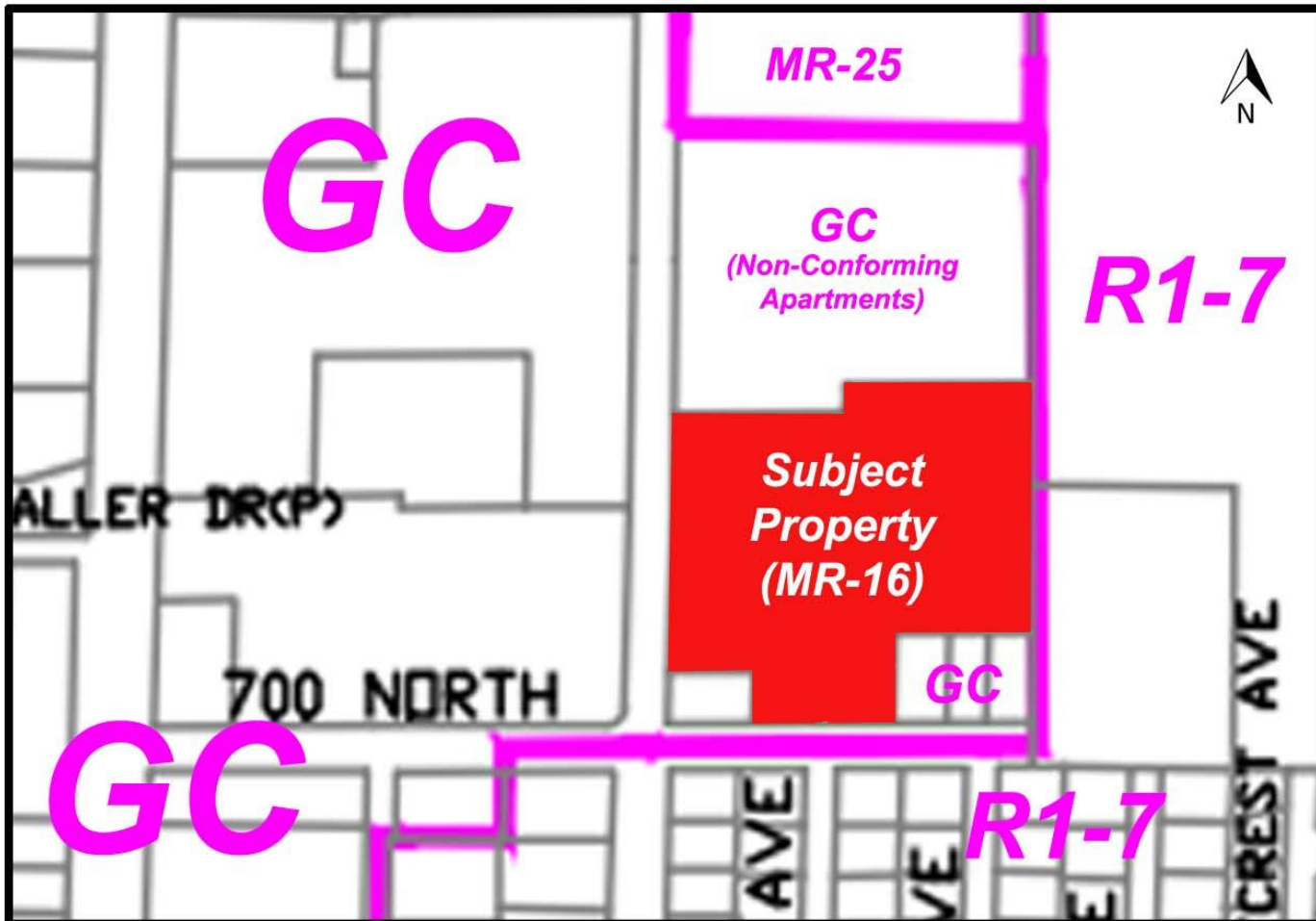
**MAPPING PERTINENT TO THE MOUNTAIN VALLEY TOWNHOMES
PRELIMINARY PLAN**

Mountain Valley Townhomes Preliminary Plan



Aerial View

Mountain Valley Townhomes Preliminary Plan



Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

**PRELIMINARY PLAT
MOUNTAIN VALLEY TOWNHOMES SUBDIVISION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

LAKE VIEW APARTMENTS
MINOR SUBDIVISION
ENTRY #116105

100 EAST STREET

730 NORTH STREET
(PRIVATE STREET)

150 EAST STREET
(PRIVATE STREET)

160 EAST STREET
(PRIVATE STREET)

700 NORTH STREET

LEGEND

SECTION CORNER
FOUND MONUMENT
SET MONUMENT
SET 5/8" REBAR 24" LONG W/ YELLOW PLASTIC CAP OR NAIL STAMPED "ENGIN ENCL. & LAND SURV."
EXIST. WATER METER
EXIST. WATER VALVE
EXIST. FIRE HYDRANT
EXIST. IRRIGATION VALVE
EXIST. SANITARY SEWER MANHOLE
EXIST. STORM DRAIN CLEAN OUT
EXIST. STORM DRAIN CATCH BASIN
EXIST. STORM DRAIN COMBO BOX

EXIST. SIGN
EXIST. UTILITY POLE
EXIST. TREE
EXIST. LIGHT
MINOR CONTOURS 1' INCREMENT
MAJOR CONTOURS 5' INCREMENT
EXIST. BUILDING
EXIST. 30" CURB AND GUTTER
EXIST. FENCE
EXIST. EDGE OF ASPHALT
EXIST. SANITARY SEWER
EXIST. STORM DRAIN LINE
EXIST. WATER LINE
EXIST. WATER LATERAL

CENTERLINE CURVE TABLE

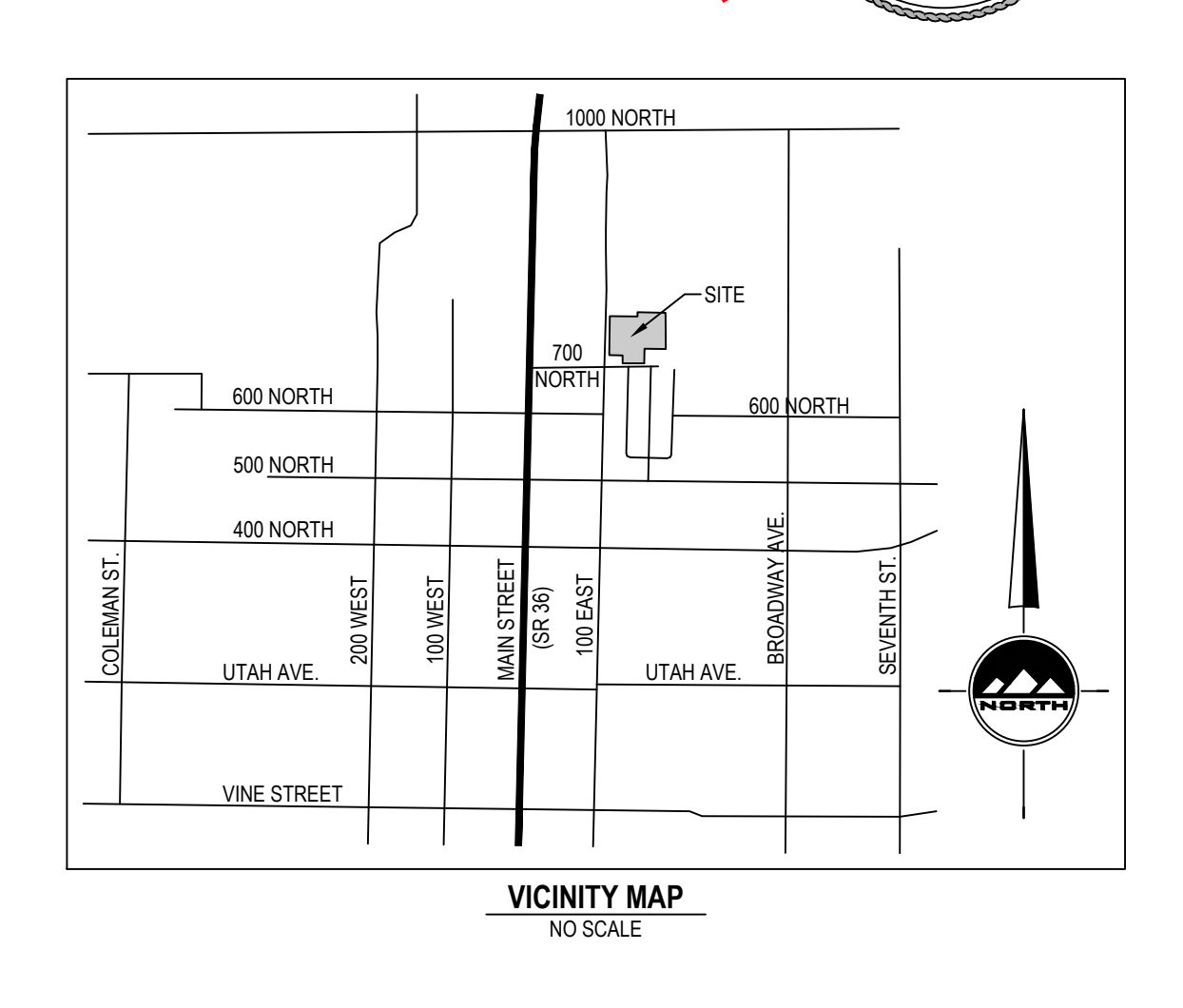
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
CL1	100.00'	18.46'	10°34'33"	N85°28'20"E	18.43'
CL2	100.00'	16.67'	9°32'59"	S84°57'33"W	16.66'
CL3	100.00'	40.76'	23°21'11"	S10°54'58"W	40.48'
CL4	100.00'	40.76'	23°21'11"	N10°54'58"W	40.48'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C5	125.50'	55.71'	25°26'03"	N11°57'24"W	55.25'
C6	74.50'	33.07'	25°26'03"	N11°57'24"W	32.80'
C7	75.00'	12.50'	9°32'59"	S84°57'33"W	12.49'
C8	15.00'	23.83'	91°01'34"	N44°45'10"W	21.40'
C9	20.00'	31.42'	90°00'00"	S45°45'37"W	28.28'
C10	125.00'	23.07'	10°34'33"	S85°28'20"W	23.04'
C11	15.00'	23.29'	88°58'26"	S45°14'50"W	21.02'
C12	15.00'	23.56'	90°00'00"	N45°15'57"W	21.21'
C13	117.00'	43.63'	21°12'00"	S9°55'23"E	43.38'
C14	85.00'	31.70'	21°22'00"	S9°55'23"E	31.51'
C15	125.00'	9.51'	4°21'40"	N82°21'54"E	9.51'
C16	20.00'	31.42'	90°00'00"	S44°14'23"E	28.28'
C17	15.00'	23.56'	90°00'00"	N44°44'03"E	21.21'
C18	125.00'	11.32'	5°11'19"	N87°08'23"E	11.32'
C19	75.00'	13.84'	10°34'33"	N85°28'20"E	13.82'
C20 (TOTAL)	125.00'	20.83'	9°32'59"	S84°57'33"W	20.81'

SURVEYOR'S CERTIFICATE

I, Douglas J. Kinsman do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 334575 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots, parcels, and streets, hereafter to be known as MOUNTAIN VALLEY TOWNHOMES SUBDIVISION and that the same has been correctly surveyed and the stakes on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.



**PRELIMINARY PLAT
MOUNTAIN VALLEY TOWNHOMES
SUBDIVISION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

COMCAST APPROVAL

APPROVED THIS DAY OF _____, 20__
BY COMCAST

CENTURYLINK APPROVAL

APPROVED THIS DAY OF _____, 20__
BY CENTURYLINK

POST MASTER APPROVAL

APPROVED THIS DAY OF _____, 20__
BY POST MASTER

COUNTY HEALTH DEPARTMENT APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE COUNTY HEALTH DEPARTMENT

SCHOOL DISTRICT APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE COUNTY SCHOOL DISTRICT

CHIEF OF POLICE APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE CITY CHIEF OF POLICE

PLANNING COMMISSION

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



COMCAST APPROVAL

APPROVED THIS DAY OF _____, 20__
BY COMCAST

CENTURYLINK APPROVAL

APPROVED THIS DAY OF _____, 20__
BY CENTURYLINK

POST MASTER APPROVAL

APPROVED THIS DAY OF _____, 20__
BY POST MASTER

COUNTY HEALTH DEPARTMENT APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE COUNTY HEALTH DEPARTMENT

SCHOOL DISTRICT APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE COUNTY SCHOOL DISTRICT

CHIEF OF POLICE APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE CITY CHIEF OF POLICE

TOOELE
169 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.255.0929
LAYTON
Phone: 801.541.1100
CEDAR CITY
Phone: 801.953.1000
RICHFIELD
Phone: 435.896.2983

DEVELOPER
MOUNTAIN VALLEY TOWNHOMES, LLC
842 EAST 2150 SOUTH
BOUNTIFUL, UT 84010
MATT CARTER
801-643-4521

KEY NOTES

1 SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS

FIRE CHIEF APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE CITY FIRE CHIEF

PARKS DEPARTMENT APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE CITY PARKS DEPARTMENT

CITY ATTORNEY'S APPROVAL

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

CITY ENGINEER'S APPROVAL

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

COMMUNITY DEVELOPMENT APPROVAL

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

COUNTY RECORDER APPROVAL

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

CITY COUNCIL APPROVAL

APPROVED THIS DAY OF _____, 20__
BY TOOELE CITY COUNCIL

TOOELE CITY FIRE CHIEF

TOOELE CITY PARKS DEPARTMENT

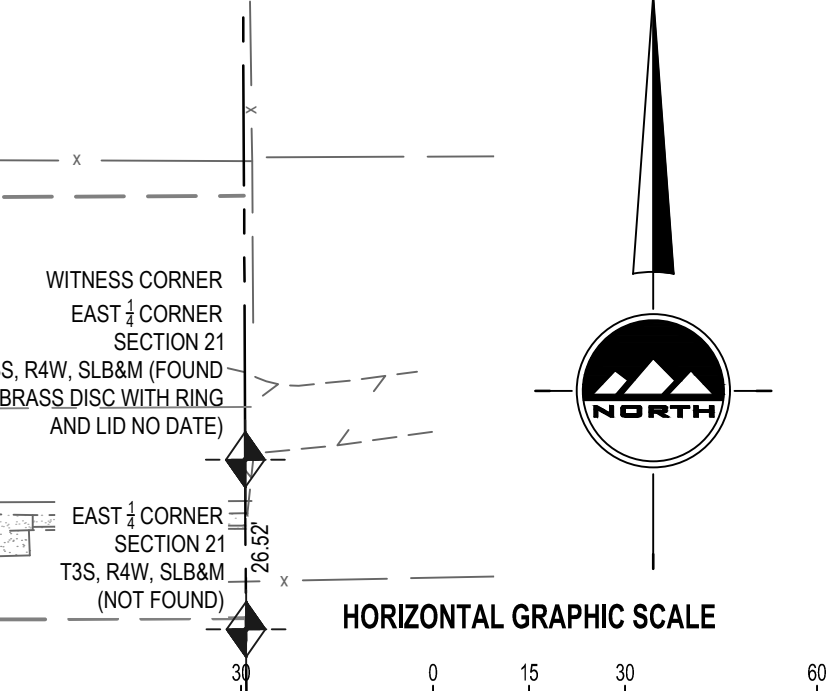
TOOELE CITY ATTORNEY

TOOELE CITY ENGINEER

TOOELE CITY COMMUNITY DEVELOPMENT

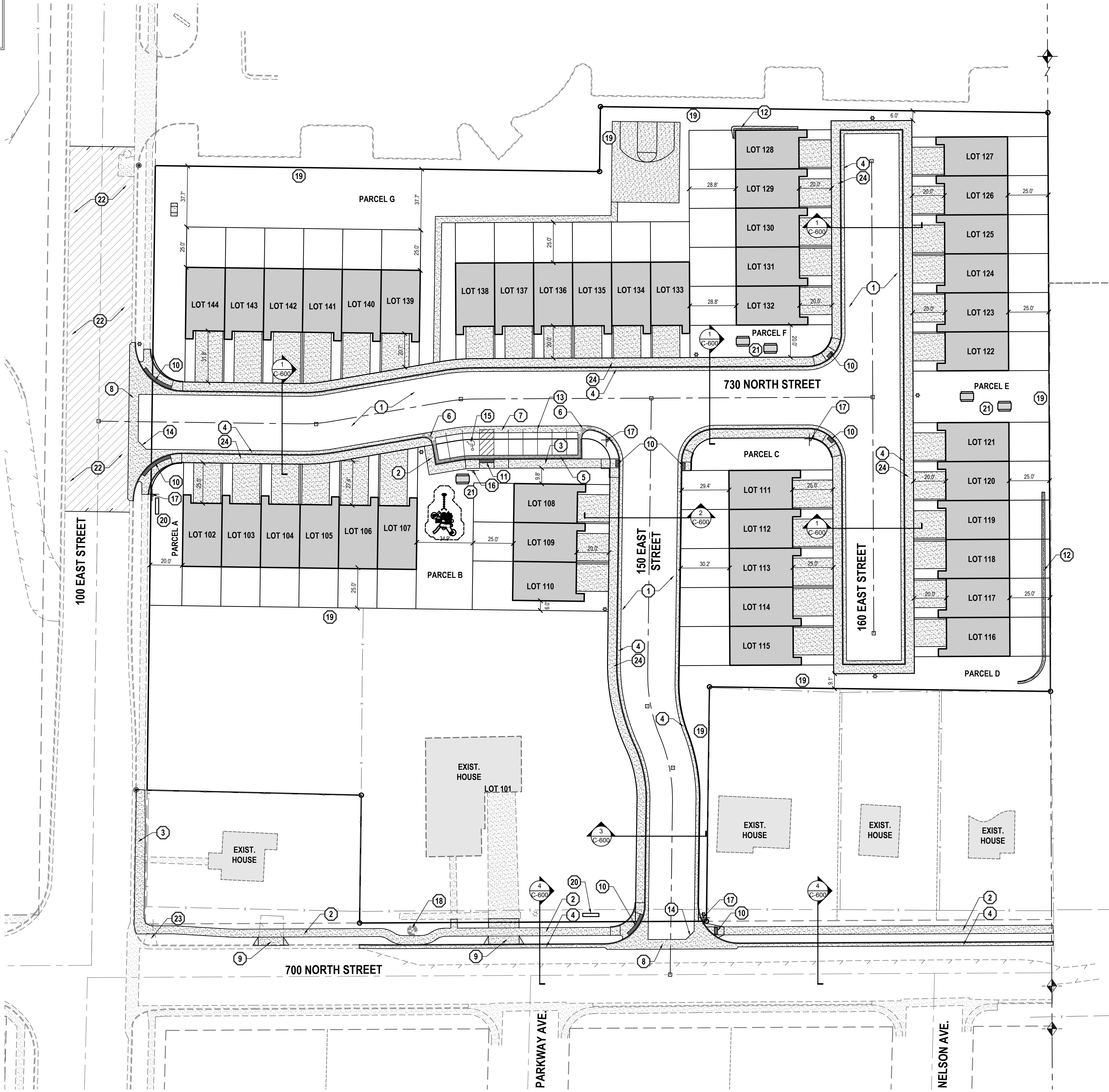
TOOELE COUNTY RECORDER

CHAIRMAN TOOELE CITY COUNCIL



811
CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK
WITNESS TO THE EAST QUARTER CORNER OF
SECTION 21 T3S, R4W, S8&M (FOUND BRASS
DISC WITH RING AND LID NO DATE)
ELEVATION = 4936.73'

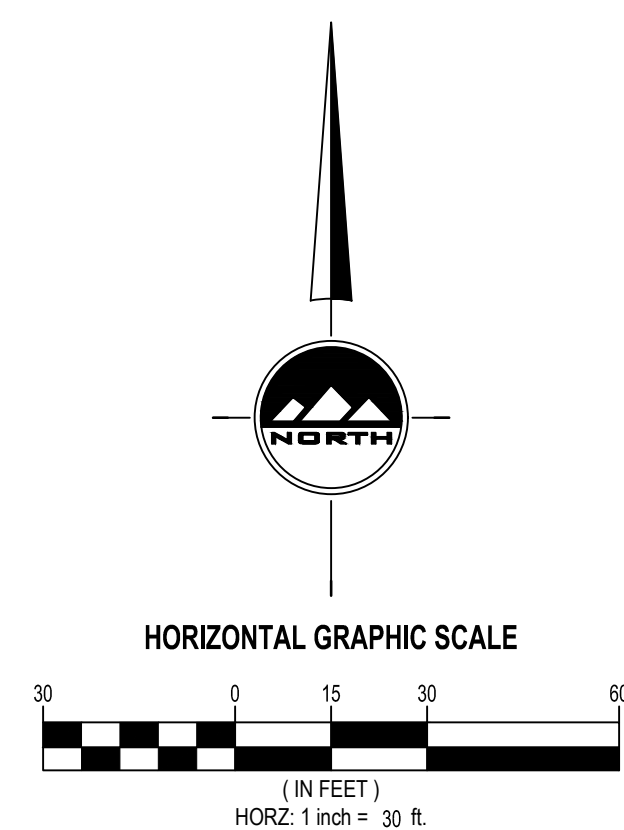


- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE TOOELE CITY STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOIL, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

- SCOPE OF WORK:**
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- 1 ASPHALT PAVEMENT: 3" THICK ASPHALTIC CONCRETE WITH 8" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT AND THE ASSOCIATED CROSS SECTION.
 - 2 6" THICK, 5' WIDE CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231R AND SPECIFICATIONS.
 - 3 6" THICK, 6'-0" WIDE CONCRETE SIDEWALK ADJACENT TO CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 231R AND SPECIFICATIONS.
 - 4 30" TYPE 'A' CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205R AND SPECIFICATIONS.
 - 5 30" REVERSE PAN CURB AND GUTTER SIMILAR TO 30" TYPE 'A' CURB AND GUTTER PER TOOELE CITY STANDARD PLAN, SEE DETAIL 6/C-600 FOR DIFFERENCES.
 - 6 TRANSITION BETWEEN COLLECTION CURB AND GUTTER AND REVERSE PAN CURB AND GUTTER.
 - 7 4" WATERWAY AND WATERWAY TRANSITION STRUCTURE PER APWA PLAN 211 AND TOOELE CITY STANDARD PLAN 213R.
 - 8 6" WATERWAY AND WATERWAY TRANSITION STRUCTURE PER APWA PLAN 211 AND TOOELE CITY STANDARD PLAN 213R.
 - 9 OPEN DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221.1 AND SPECIFICATIONS.
 - 10 HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 235 WITH DETECTABLE WARNING SURFACE PER TOOELE CITY STANDARD PLAN NO. 238R AND SPECIFICATIONS. SEE DETAIL 7/C-600.
 - 11 HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 236 WITH DETECTABLE WARNING SURFACE PER TOOELE CITY STANDARD PLAN NO. 238R AND SPECIFICATIONS. SEE DETAIL 8/C-600.
 - 12 RETAINING WALL PER DETAIL 9/C-600. SEE GRADING PLAN FOR ELEVATION INFORMATION.
 - 13 4" WIDE SOLID YELLOW PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS, TYPICAL.
 - 14 5' FROG ON THE UPHILL SIDE OF THE WATERWAY.
 - 15 PAINTED ADA SYMBOL AND ASSOCIATED HATCHING PER M.U.T.C.D. STANDARD PLANS, INCLUDING THE WORDS "VAN ACCESSIBLE" IN THE STALL.
 - 16 "VAN ACCESSIBLE HANDICAP PARKING" SIGN PER M.U.T.C.D. STANDARD PLANS. SEE DETAIL 10/C-600.
 - 17 BLUE PRIVATE STREET SIGN PER TOOELE CITY STANDARD PLAN NO. 292R, NO. 284R, AND SPECIFICATIONS. SIZE, LETTERING HEIGHT AND REFLECTIVITY SHALL CONFORM TO MUTCD.
 - 18 PRESERVE EXISTING TREE AND TRANSITION SIDEWALK AROUND THE TREE AS SHOWN.
 - 19 INSTALL 6'-0" MIN. TALL VINYL FENCING WITH VERTICAL COLUMNS OR PIERS EVERY 8'-10" APART, SIMILAR IN FINISH AS BUILDINGS, AROUND PERIMETER OF SITE PER TOOELE CITY CODE. SEE DETAIL 11/C-601.
 - 20 LIGHTED MONUMENT SIGN CONSTRUCTED OF SIMILAR MATERIALS AS SITE BUILDINGS. SIGN TO BE PLACED ON ADJACENT LANDOWNERS PROPERTY WITH PERMISSION FROM SAID LANDOWNER.
 - 21 PROVIDE PICNIC TABLES WITH TRASH RECEPTACLES PER TOOELE CITY ORDINANCE 7-11A-22-5.
 - 22 ASPHALT OVERLAY OVER EXISTING ASPHALT AND NEW T-PATCHES. PROPERLY PREPARE THE ASPHALT FOR THE OVERLAY PRIOR TO INSTALLATION OF OVERLAY. (HATCHED AREA)
 - 23 RECONSTRUCT FULL RAMP IF NOT COMPLIANT WITH FEDERAL ADA REGULATIONS.
 - 24 6" THICK, 5'-8" (6'-0" FROM FACE OF CURB TO BACK OF SIDEWALK) WIDE CONCRETE SIDEWALK ADJACENT TO CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 231R AND SPECIFICATIONS.

SITE STATISTICS (INCLUDING LOT 101)			
DESCRIPTION	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
LANDSCAPING	109,329 sq. ft.	2.51 acres	47.74%
BUILDINGS	44,548 sq. ft.	1.02 acres	19.45%
HARDSCAPING	75,129 sq. ft.	1.72 acres	32.81%
TOTAL	229,006 sq. ft.	5.26 acres	100.00%

SITE STATISTICS (EXCLUDING LOT 101)			
DESCRIPTION	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
LANDSCAPING	67,741 sq. ft.	1.56 acres	37.19%
BUILDINGS	41,116 sq. ft.	0.94 acres	22.57%
HARDSCAPING	73,297 sq. ft.	1.68 acres	40.24%
TOTAL	182,154 sq. ft.	4.18 acres	100.00%



ENSIGN
THE STANDARD IN ENGINEERING

TOOELE
169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

www.ensigneng.com

FOR:
MOUNTAIN VALLEY TOWNHOMES, LLC
842 EAST 2150 SOUTH
BOUNTIFUL, UTAH 84010

CONTACT:
MATT CARTER
PHONE: 801-643-4521

MOUNTAIN VALLEY TOWNHOMES

750 NORTH 100 EAST
TOOELE, UTAH

For Review
09/12/2019 8:54:37 AM

PRELIMINARY

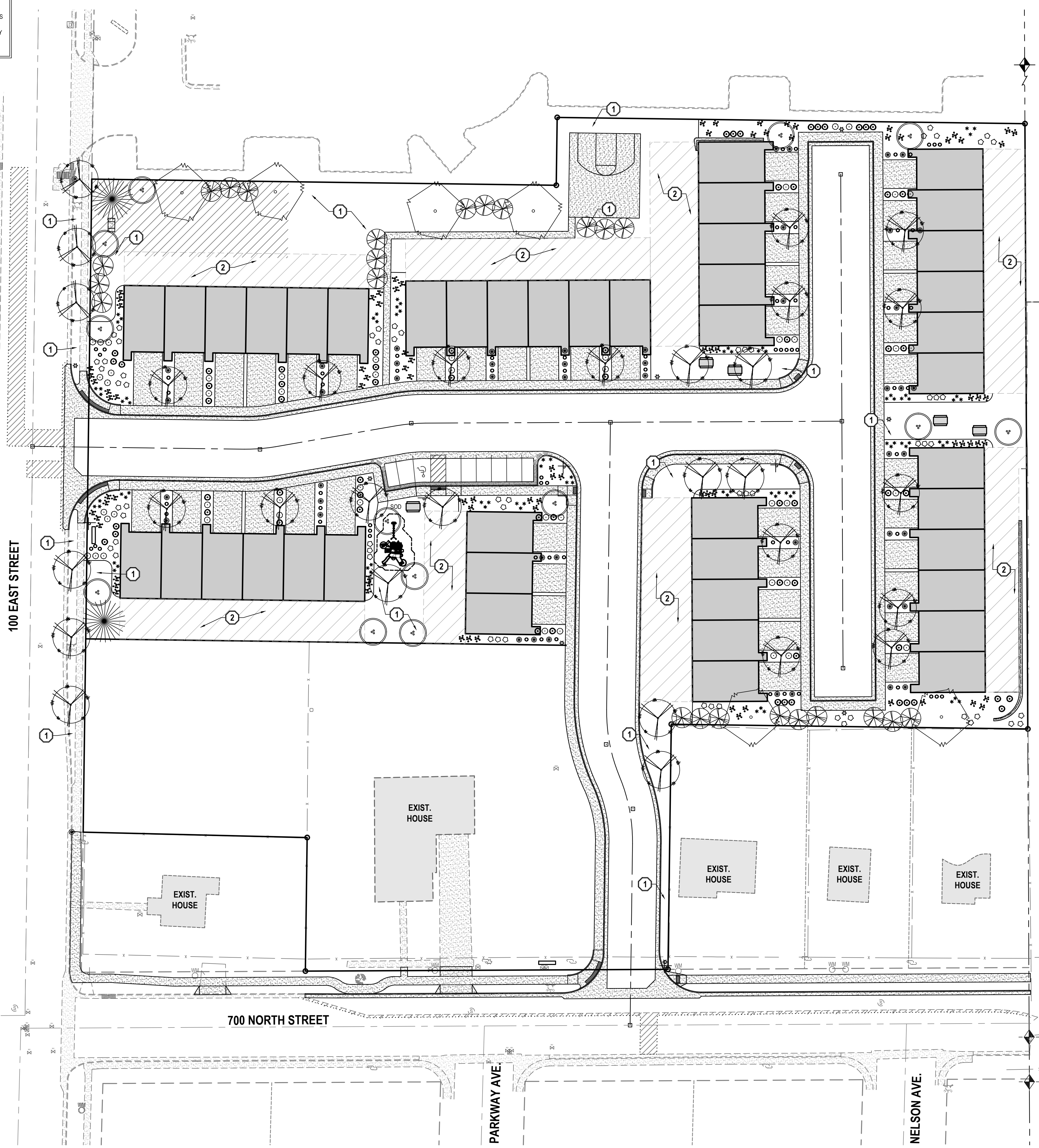
SITE PLAN

PROJECT NUMBER: T1348H PRINT DATE: 9/12/19
DRAWN BY: R. FISH CHECKED BY: J. CLEGG
PROJECT MANAGER: J. CLEGG

C-200

811
 CALL BLUESTAKES
 @ 811 AT LEAST 48 HOURS
 PRIOR TO THE
 COMMENCEMENT OF ANY
 CONSTRUCTION.
 Know what's below.
 Call before you dig.

BENCHMARK
 WITNESS TO THE EAST QUARTER CORNER OF
 SECTION 21 T3S, RAW, SL 8&M (FOUND BRASS
 DISC WITH RING AND LID NO DATE)
 ELEVATION = 4936.73'



Landscape

Trees

Qty	Symbol	Common Name	Botanical Name	Plant Size
24		Maple, 'Columnar'	Acer platanoides 'Columnare'	2" Cal.
3		Spruce, Colorado Blue	Picea pungens 'Glauca'	6' Min.
13		Hedge Maple	Acer campestre	2" Cal.
30		Eastern Redbud	Cercis canadensis	2" Cal.
6		Linden, Littleleaf 'Greenspire'	Tilia cordata 'Greenspire'	2" Cal.

Shrubs

Qty	Symbol	Common Name	Botanical Name	Plant Size
60		Cinquefoil	Potentilla fruticosa 'Abbotswood'	5 Gallon
43		Barberry, 'Crimson Pygmy'	Berberis thunbergii atropurpurea nana	5 Gallon
68		Blue Oat Grass	Helictotrichon sempervirens	1 Gallon
49		Feather Reed Grass 'Karl Foerster'	Calamagrostis acutiflora 'Karl Foerster'	1 Gallon
63		Littelleaf Boxwood	Buxus microphylla	1 Gallon
86		Black-Eyed Susan	Rudbeckia hirta	1 Gallon
83		Daylily	Hemerocallis	1 Gallon

Landscape Notes: Install 4" metal edging between all planter bed and soil areas. In all planter bed areas, install 4" deep 2'-3" dia. Nephri Rock & Gravel color "Southtown" or equiv. decorative rock over weed barrier, typ.

- 1 Install Buffalo grass seed or equivalent drought tolerant grass.
- 2 Area to be installed by future homeowners.

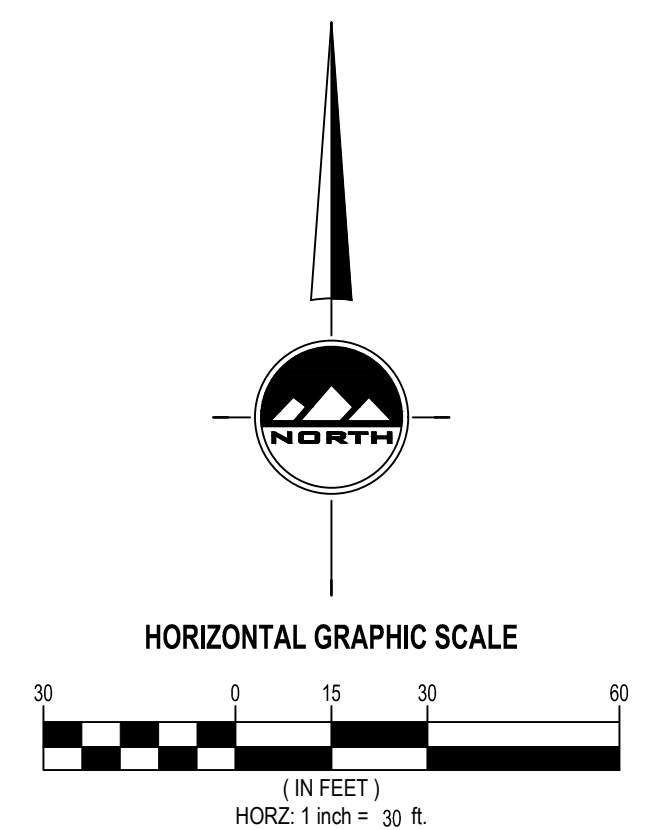
Landscape Calculations:
 Total site area = 229,006 sq. ft.
 Total landscape area = 65,595 sq. ft. (29%)
 Total hardscape area = 160,698 sq. ft. (71%)

SITE STATISTICS (INCLUDING LOT 101)

DESCRIPTION	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
LANDSCAPING	109,329 sq. ft.	2.51 acres	47.74%
BUILDINGS	44,548 sq. ft.	1.02 acres	19.45%
HARDSCAPING	75,129 sq. ft.	1.72 acres	32.81%
TOTAL	229,006 sq. ft.	5.26 acres	100.00%

SITE STATISTICS (EXCLUDING LOT 101)

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LANDSCAPING	67,741 sq. ft.	1.56 acres	37.19%
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HARDSCAPING	73,297 sq. ft.	1.68 acres	40.24%
TOTAL	182,154 sq. ft.	4.18 acres	100.00%



ENSIGN
 THE STANDARD IN ENGINEERING

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 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 MOUNTAIN VALLEY TOWNHOMES, LLC
 842 EAST 2150 SOUTH
 BOUNTIFUL, UTAH 84010

CONTACT:
 MATT CARTER
 PHONE: 801-643-4521

MOUNTAIN VALLEY TOWNHOMES

**750 NORTH 100 EAST
 TOOELE, UTAH**

For Review
 09/12/2019 8:54:38 AM

PRELIMINARY

LANDSCAPE PLAN

PROJECT NUMBER: T1346H PRINT DATE: 9/12/19
 DRAWN BY: R. FISH CHECKED BY: J. CLEGG
 PROJECT MANAGER: J. CLEGG

L-100

STAFF REPORT

October 17, 2019

To: Tooele City Planning Commission
Business Date: October 23, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Golf Course View Subdivision – Preliminary Plan Request

Application No.: P19-252
Applicant: Bryton Lawrence
Project Location: Approximately 1366 Smelter Road
Zoning: R 1-7 Residential Zone
Acreage: 5.86 Acres (Approximately 255,260 ft²)
Request: Request for approval of a Preliminary Plan in the R 1-7 Residential zone regarding the creation of 13 single-family residential lots

BACKGROUND

This application is a request for approval of a Preliminary Plan for approximately 5.86 acres located at approximately 1366 Smelter Road. The property is currently zoned R 1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to allow for subdivision of the 5.86 acre parcel into 13 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 R 1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R 1-7 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 R 1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the south and west are zoned R1-7 Residential. Properties to the east and north are located in unincorporated Tooele County. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision plat proposes to subdivide an existing 5.8 acre parcel into 13 lots ranging in size from 10,300 square feet up to 23,000 square feet. All lots within this subdivision meet or exceed requirements for lot width, lot frontages and lot sizes as required by the R1-7 Residential zoning ordinance.

The lots will be accessed by a public street terminating in a cul-de-sac turn around extending south from

Smelter Road. The cul-de-sac length exceeds standard cul-de-sac length, however, the ordinance does provide the City Public Works Director authority to grant variances to the length if it can be demonstrated the variance request meets certain criteria. Steve Evans, Public Works Director, has authorized the cul-de-sac to be longer than the standard 250 feet.

Lot 7 has a 15 foot wide sewer easement in favor of Tooele City for golf course purposes. Lot has a 15 foot water line easement in favor of Tooele City for the purposes of providing a looped water line that will benefit the development but also Tooele City.

The existing home on lot 1 will remain. The property owners of lot 1 will be required to maintain the new frontage along 1360 East and have submitted a letter to the City stating that they are aware of this and will maintain the park strip frontage.

Lot 13 is proposed to be an irregularly shaped lot. Instead of being a rectangle the lot is more of a wedge shape with a flag pole extending north to Smelter Road. Being 12,000 square feet and 130 feet deep at its deepest point staff is confident a home of sufficient size to comply with City ordinance will fit on the parcel. The reason for this irregular lot shape is because of Parcel A, a proposed storm water detention basin, being located to the west. This basin is located here as this is the lowest location within the subdivision. It is proposed that the basin will be dedicated to Tooele City for ownership and maintenance and an access easement across lot 13 will provide access to the pond from 1360 East for City maintenance vehicles, storm water overflow, etc. A landscape plan for the pond has not been provided during the preliminary plan approval. The applicant will be required to submit a landscape plan for the basin during the final plat approval process and a condition has been added requiring this.

Fencing. There are not any ordinance requirements for fencing in conjunction with this subdivision.

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 submission and has issued a recommendation for approval for the request with the following proposed condition:

1. A complete landscape and irrigation plan shall be provided during the final subdivision approval process for Parcel A, storm water detention basin.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for Golf Course View Subdivision Preliminary Plan by Bryton Lawrence, application number P19-252, 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. A complete landscape and irrigation plan shall be provided during the final subdivision approval process for Parcel A, storm water detention basin.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. 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.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. 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 Golf Course View Subdivision Preliminary Plan Request by Bryton Lawrence, for the purpose of creating 13 single-family residential lots, application number P19-252, based on the findings and subject to the conditions listed in the Staff Report dated October 17, 2019:”

1. List any additional findings and conditions...

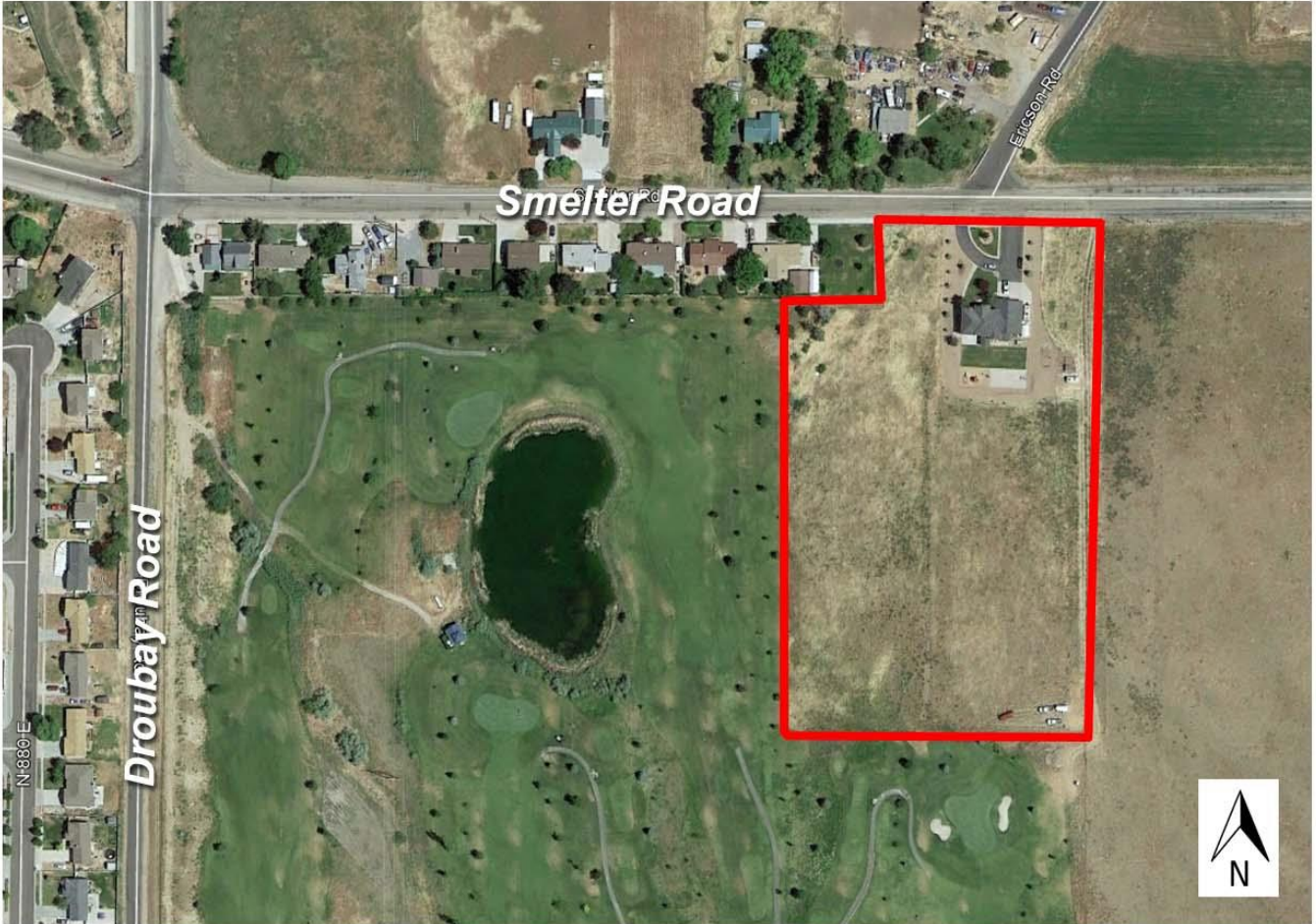
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Golf Course View Preliminary Plan Request by Bryton Lawrence, for the purpose of creating 13 single-family residential lots, application number P19-252, based on the following findings:”

1. List findings...

EXHIBIT A

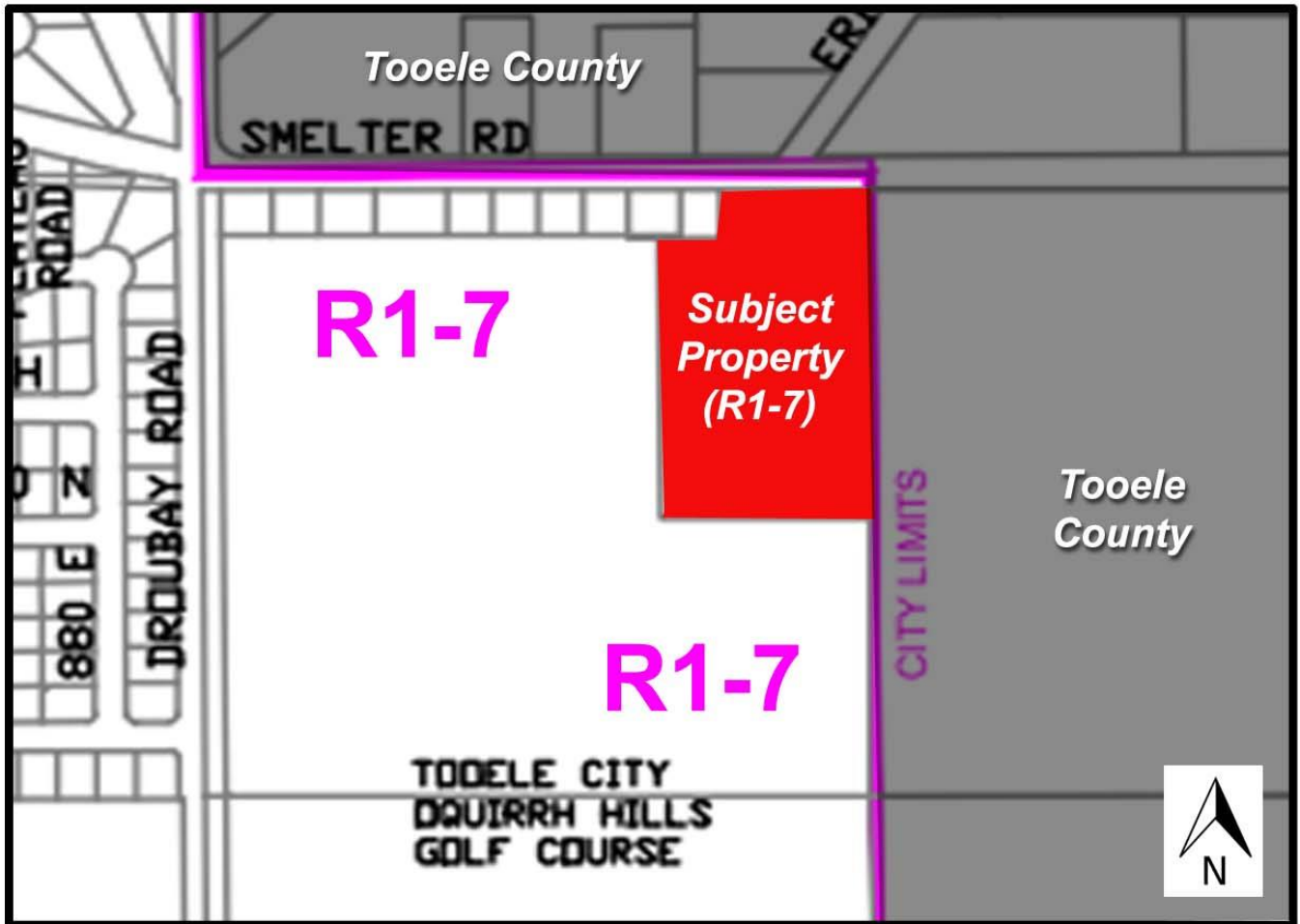
MAPPING PERTINENT TO THE GOLF COURSE VIEW PRELIMINARY PLAN

Golf Course View Subdivision Preliminary Plan



Aerial View

Golf Course View Subdivision Preliminary Plan



Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS

DEVELOPER
BRYTON LAWRENCE
 1366 EAST SMELTER ROAD
 TOOELE, UT 84074
BRYTON LAWRENCE
 801-859-8727

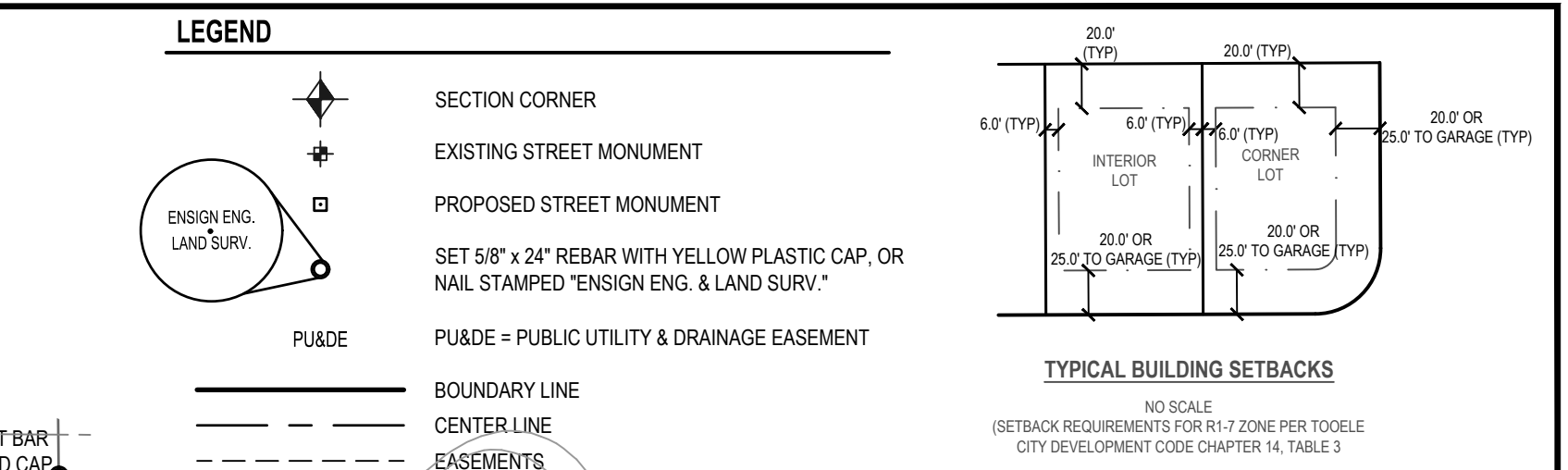
- KEYNOTES:**
- MIDDLE CANYON WATER PIPE EASEMENT
 - SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS
 - NO TREES OR DEEP ROOTED VEGETATION MAY BE PLANTED IN EASEMENTS IN FAVOR OF TOOELE CITY



BENCHMARK
 SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN
 ELEV = 5111.62

PRELIMINARY PLAT
GOLF COURSE VIEW SUBDIVISION
 LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

CURVE TABLE					CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	15.00'	23.56'	90°00'00"	N45°06'26"W	21.21'	C8	75.00'	54.70'	41°47'08"	S56°23'01"E	53.49'
C2	15.00'	23.56'	90°00'00"	S44°53'34"W	21.21'	C9	75.00'	101.46'	77°30'45"	S3°15'55"W	93.90'
C3	28.00'	27.23'	55°43'45"	S27°58'16"E	26.17'	C10	28.00'	27.23'	55°43'45"	N27°45'26"E	26.17'
C4	75.00'	32.65'	24°56'27"	N43°21'57"W	32.39'	C11 (TOTAL)	75.00'	59.82'	45°42'04"	N79°52'24"E	58.25'
C5	75.00'	62.23'	47°52'12"	N7°07'38"W	60.46'	C12	75.00'	17.80'	13°36'01"	S48°49'18"W	17.76'
C6	75.00'	52.86'	40°22'53"	N36°49'55"E	51.77'						
C7	75.00'	59.82'	45°42'04"	N79°52'24"E	58.25'						



SURVEYOR'S CERTIFICATE
 Douglas J. Kinsman do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 334575 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and shares, hereafter to be known as **GOLF COURSE VIEW SUBDIVISION** and that this same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

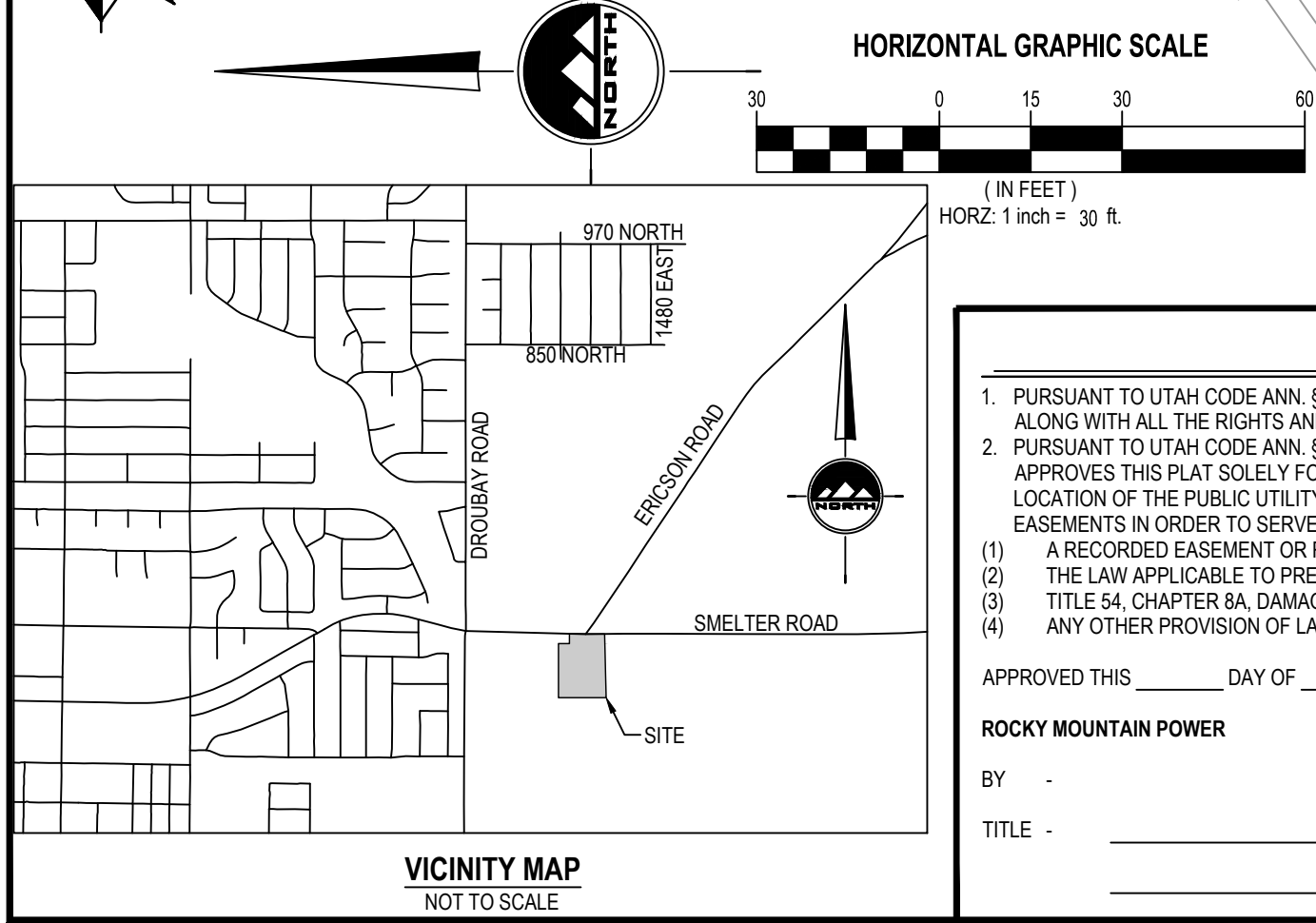
BOUNDARY DESCRIPTION
 A parcel of land, situate in the Southwest Quarter of the Southwest Quarter of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
 Beginning at a point on the South line of Smelter Road, which is located South 0°19'45" East 1313.99 feet along the Section line and North 89°53'34" East 1035.14 feet along the centerline of Smelter Road, and South 0°06'26" East 543.01 feet from the found monument, dated 1982, at the West Quarter Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running

thence North 89°50'39" East 290.06 feet;
 thence South 0°19'34" East 690.82 feet;
 thence South 89°50'39" West 413.92 feet;
 thence North 0°19'34" West 590.82 feet;
 thence North 89°50'39" East 123.88 feet;
 thence North 0°20'07" West 100.00 feet, to the Point of Beginning.
 Parcel contains: 273,558 square feet, or 6.28 acres.

Date: Douglas J. Kinsman License no. 334575



- NOTES**
- ALL PUBLIC STREETS ARE HEREBY DEDICATED TO TOOELE CITY AS RIGHT-OF-WAY ("R.O.W.") FOR PUBLIC USE.
 - NO DRIVEWAYS SHALL BE CONSTRUCTED SO AS TO SLOPE TOWARD ANY STRUCTURES WITHOUT WRITTEN PERMISSION FROM TOOELE CITY ENGINEER.
 - 5/8" X 24" REBAR AND CAP TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE INDICATED.
 - UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.



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 ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET 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 ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.
 APPROVED THIS _____ DAY OF _____, 20____ BY _____ TITLE _____
 DOMINION ENERGY

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

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

COMMUNITY DEVELOPMENT APPROVAL
 APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____ A.D. 20____ BY _____ TOOELE CITY COMMUNITY DEVELOPMENT

CITY ENGINEER
 APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ BY _____ TOOELE CITY ENGINEER

ROCKY MOUNTAIN POWER COMPANY
 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)(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 _____
 ROCKY MOUNTAIN POWER

PLANNING COMMISSION
 APPROVED THIS _____ DAY OF _____, 20____ BY THE TOOELE CITY PLANNING COMMISSION.
 ATTEST: CITY RECORDER

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

CHIEF OF POLICE
 APPROVED THIS _____ DAY OF _____, 20____ BY THE TOOELE CITY CHIEF OF POLICE.
 TOOELE CITY CHIEF OF POLICE

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

COMCAST
 APPROVED THIS _____ DAY OF _____, 20____ BY THE COMCAST CABLE

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

CENTURY LINK
 APPROVED THIS _____ DAY OF _____, 20____ BY THE CENTURY LINK

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

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

PARKS DEPARTMENT
 APPROVED THIS _____ DAY OF _____, 20____ BY THE TOOELE CITY PARKS DEPARTMENT.

PRELIMINARY PLAT
GOLF COURSE VIEW
SUBDIVISION
 LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

ENSIGN
 SALT LAKE CITY Phone: 801.255.0528
 LAYTON Phone: 801.547.1100
 CEDAR CITY Phone: 801.895.1610
 TOOELE 169 North Main Street Unit 1 Tooele, Utah 84074 Phone: 435.843.3590 Fax: 435.578.0108 www.ensigneng.com

SHEET 1 OF 1
 PROJECT NUMBER: 8554A
 MANAGER: D. KINSMAN
 DRAWN BY: C. CARPENTER
 CHECKED BY: D. KINSMAN
 DATE: 2019-10-16



BENCHMARK	
SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN	ELEV = 5111.62

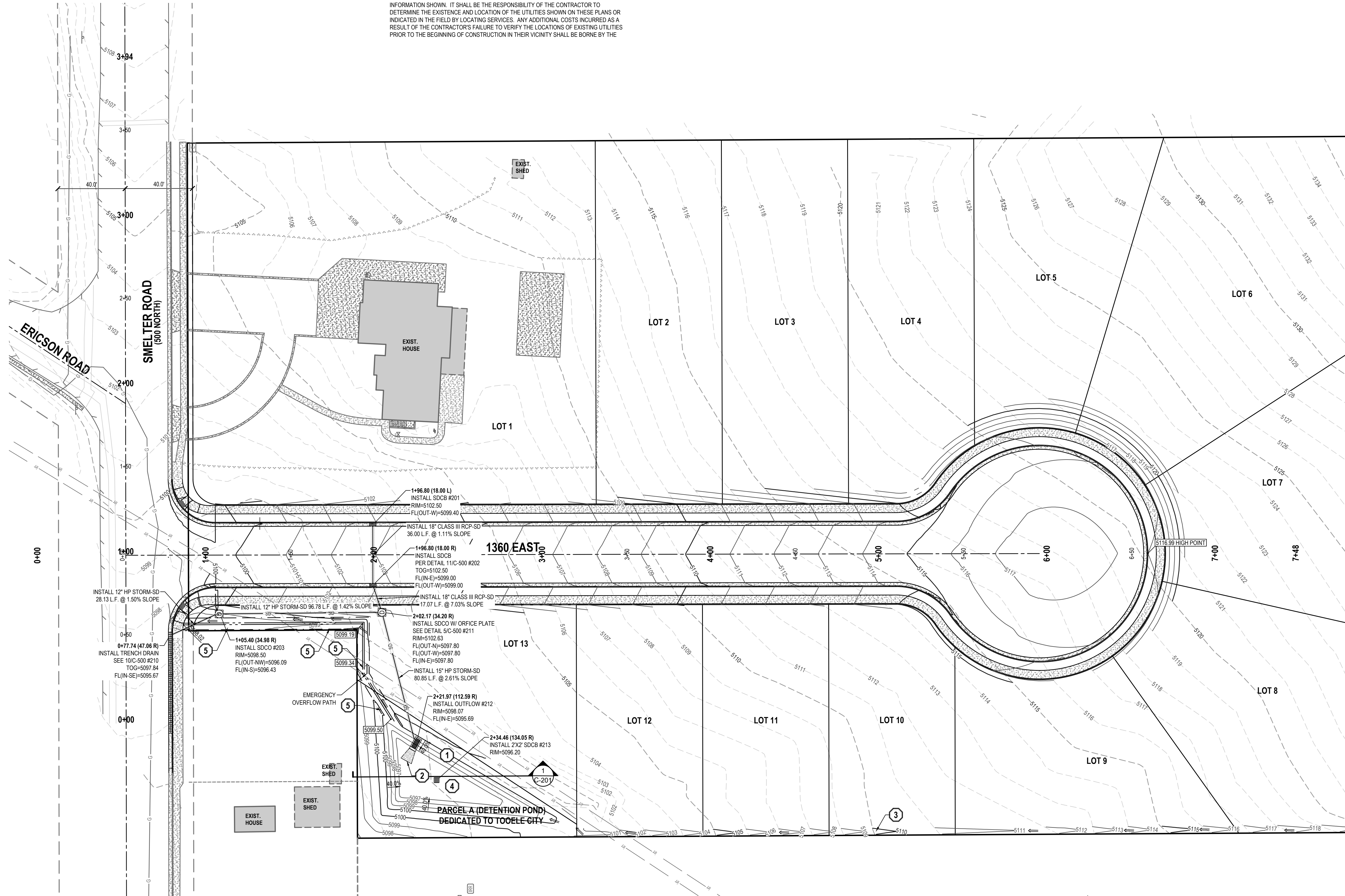
GENERAL NOTES

- ALL WORK TO COMPLY WITH TOOELE CITY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH TOOELE CITY OR ADA STANDARDS AND RECOMMENDATIONS.
- ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
- LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED.
- SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE

- CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER TOOELE CITY STANDARDS OR APWA STANDARD PLANS AND SPECIFICATIONS.
- THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
- ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
- FOR FINAL SUBMITTAL, ROUGH FINAL GRADING PLAN WILL BE REQUIRED FOR LOTS 2 THRU 8 IN ORDER DEMONSTRATES BUILDABLE PADS.

KEY NOTES:

- RETENTION BASIN**
TOP OF BASIN = 5100.20'
BOTTOM OF BASIN = 5096.20'
WIDTH OF BERM TOP = 3.00'
VOLUME REQUIRED = 5662 CF
VOLUME PROVIDED = 6075 CF.
- SEE C-503 FOR ROCK OUTFALL DETAIL
- INSTALL 4.0' WIDE SWALE
- INSTALL GRAVEL SUMP SEE 1/C-201
- INSTALL 7.0' WIDE EMERGENCY OVERFLOW SWALE



TOOELE
169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.866.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSGNENG.COM

FOR:
BRYTON LAWRENCE
1366 SMELTER ROAD
TOOELE, UTAH 84074

CONTACT:
BRYTON LAWRENCE
PHONE: 801-895-8727

**GOLF COURSE VIEW SUBDIVISION
PRELIMINARY DESIGN**
1366 SMELTER ROAD
TOOELE, UTAH 84074

For Review
10/16/2019 10:24:32 AM

**GRADING
AND DRAINAGE
PLAN**

PROJECT NUMBER: 8554A
PRINT DATE: 10/16/19
DRAWN BY: C. CARPENTER
CHECKED BY: D. KINSMAN
PROJECT MANAGER: J. CLEGG

C-200

STAFF REPORT

October 16, 2019

To: Tooele City Planning Commission
Business Date: October 23, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: England Ridge – Preliminary Plan Request

Application No.: P19-231
Applicant: Joe Garlington, representing Garlington Development, LLC
Project Location: Approximately 810 North 520 East
Zoning: R1-7 Residential Zone
Acreage: 22.3 Acres (Approximately 971,390 ft²)
Request: Request for approval of a Preliminary Plan in the R1-7 Residential zone regarding the subdivision of 22.3 acres into 87 single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan for approximately 22.3 acres located at approximately 810 North 520 East. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to allow for the subdivision of the property into 87 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. All surrounding properties are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposes to create 87 single-family residential lots ranging in size from 7000 square feet up to 13,000 square feet. Each lot within the subdivision meets the minimum lot frontage and lot width requirements as required by the R1-7 Residential zoning code. The subdivision will connect to existing stub streets at 620 East and 690 East as well as 7th Street. All roads within the subdivision will be dedicated public rights-of-way.

The Middle Canyon drainage runs almost the entire width of the property along the northern lots adjacent

to Wolverhampton Way. Middle Canyon drainage does infrequently flood during major weather events but usually does not have any water. Due to the infrequent flooding, portions of the lots on the north side of Wolverhampton Way are located within the special flood hazard area and each lot will need to provide a FEMA flood elevation certification and L.O.M.A. prior to construction on the lot to ensure each home will remain outside of the special flood hazard area.

A storm water management basin labeled as Parcel B is located at the northwest corner will collect storm water generated by impervious areas within the development. This storm water basin will be privately owned and maintained and a landscape plan will be required during final plat subdivision.

The developer will be required to improve their side and up to 30 feet of asphalt on 7th Street as is typically required by City code of new developments.

Fencing. This subdivision does not result in any areas where fencing is required by ordinance.

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 submission and has issued a recommendation for approval for the request.

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

1. Provide final revised copy of the HEC Flow Model which reflect all proposed modifications to site grading and drainage plan, as well as any impact to 100 year flood plain limits.
2. Provide a copy of the geotechnical report and confirm that unconsolidated soils are addressed and shown on the final subdivision plans.
3. Correct the location of the storm drain line in 520 East so that it is not in conflict with the existing water line.
4. All roadway cross sections shall be corrected to show an 8" minimum road base.
5. Modify riprap shown on plans to match new detail information added with sheet C-504.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan by Joe Garlington, representing Garlington Development, LLC, application number P19-231, 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. Provide final revised copy of the HEC Flow Model which reflect all proposed modifications to site grading and drainage plan, as well as any impact to 100 year flood plain limits.
6. Provide a copy of the geotechnical report and confirm that unconsolidated soils are addressed and shown on the final subdivision plans.
7. Correct the location of the storm drain line in 520 East so that it is not in conflict with the existing water line.
8. All roadway cross sections shall be corrected to show an 8” minimum road base.
9. Modify riprap shown on plans to match new detail information added with sheet C-504.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the England Ridge Preliminary Plan Request by Joe Garlington, representing Garlington Development, LLC for the purpose of creating 87 single-family residential lots, application number P19-231, based on the findings and subject to the conditions listed in the Staff Report dated October 16, 2019:”

1. List any additional findings and conditions...

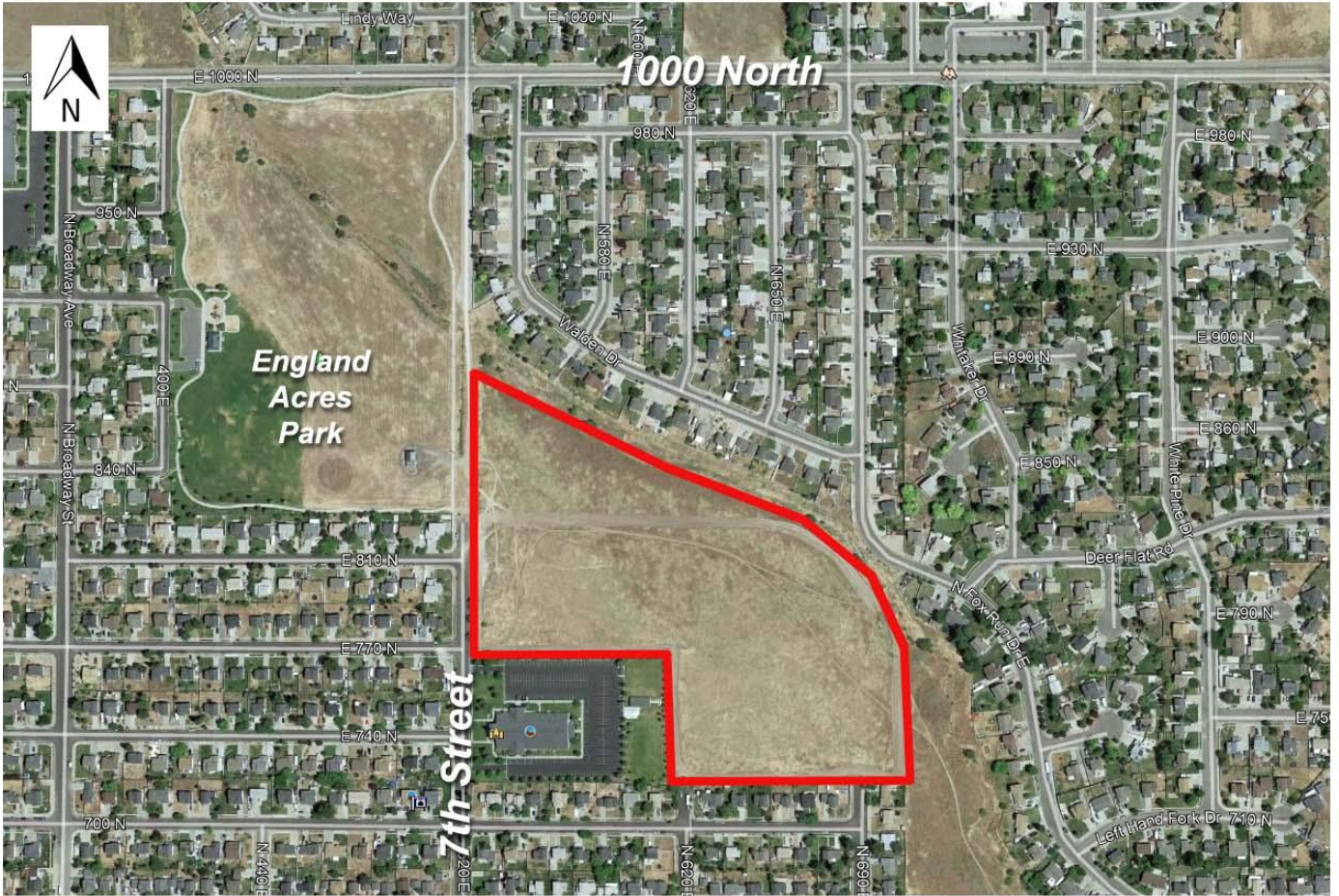
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the England Ridge Preliminary Plan Request by Joe Garlington, representing Garlington Development, LLC for the purpose of creating 87 single-family residential lots, application number P19-231, based on the following findings:”

1. List findings...

EXHIBIT A

MAPPING PERTINENT TO THE ENGLAND RIDGE PRELIMINARY PLAN

England Ridge Preliminary Plan



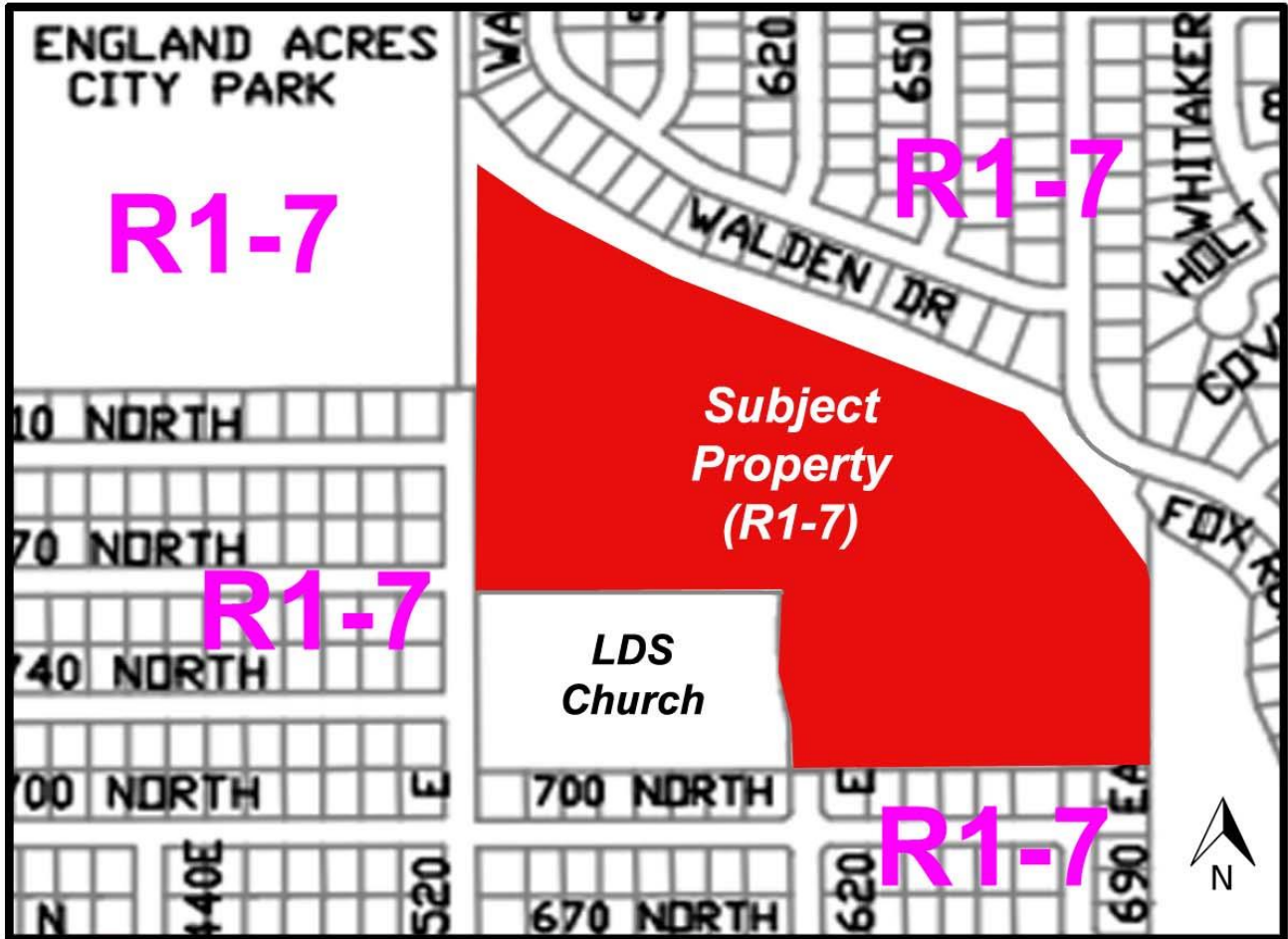
Aerial View

England Ridge Preliminary Plan



Aerial View

England Ridge Preliminary Plan



Current Zoning

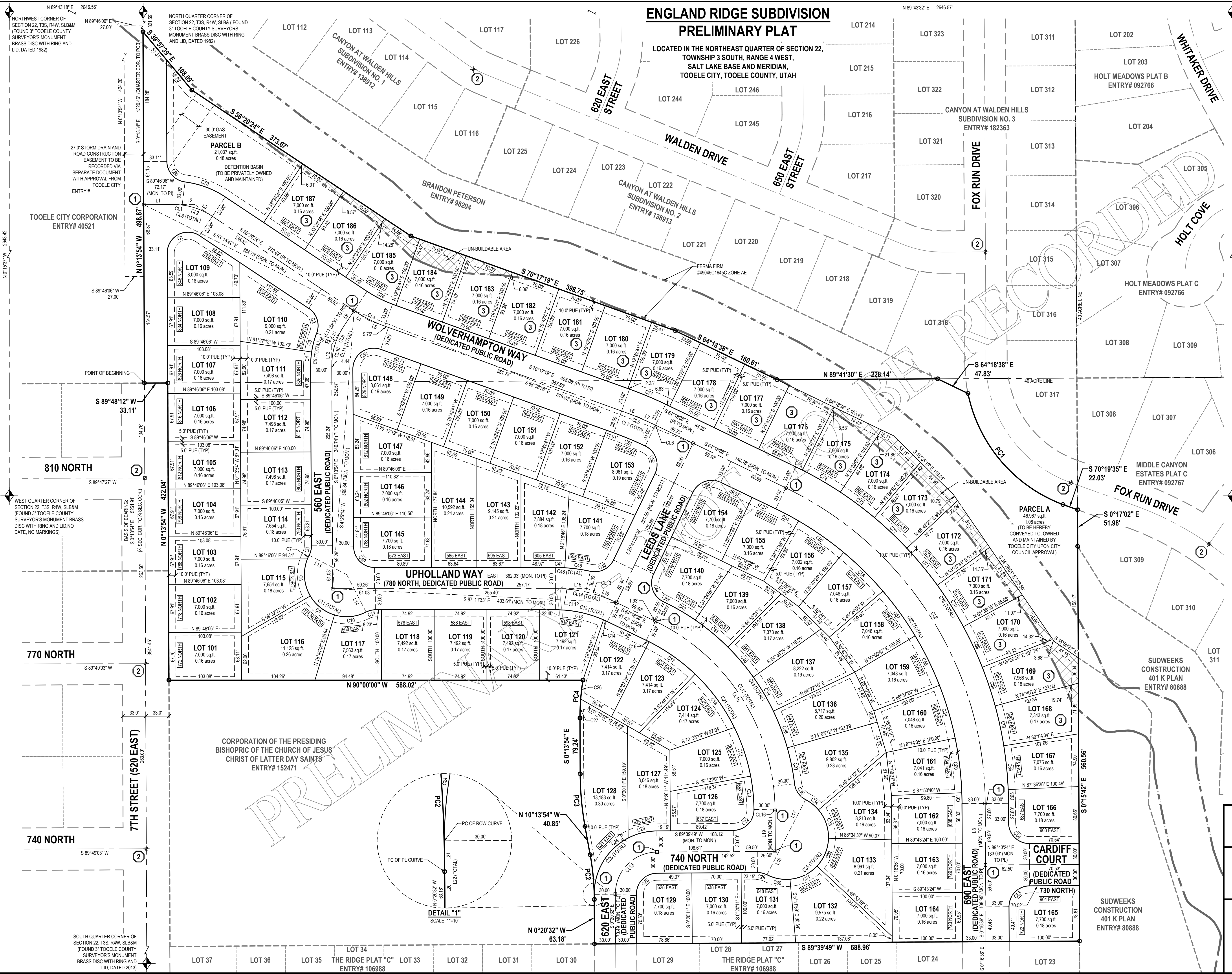
EXHIBIT B

PROPOSED DEVELOPMENT PLANS

ENGLAND RIDGE SUBDIVISION

PRELIMINARY PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH



- LEGEND**
- EXISTING STREET MONUMENT
 - PROPOSED STREET MONUMENT TO BE SET
 - SECTION CORNER
 - 5/8"X24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED WITH "ENSG. & LAND SURV."
 - PUBLIC UTILITY & DRAINAGE EASEMENT
 - BOUNDARY LINE
 - ADJACENT PROPERTY LINE
 - SECTION LINE
 - CENTER LINE
 - EASEMENT LINE
 - RIGHT OF WAY LINE
 - ADJACENT RIGHT OF WAY LINE
 - TANGENT LINE

- NOTES**
1. 5/8" X 24" REBAR AND CAP TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE INDICATED.
 2. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY AND DRAINAGE EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.&D.E. AT THE OWNERS EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNERS EXPENSE AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.&D.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.&D.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.&D.E.

- KEY NOTES**
- 1 SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS
 - 2 EXISTING STREET MONUMENT
 - 3 FEMA FLOOD ELEVATION CERTIFICATION AND LOMA ARE REQUIRED FOR CONSTRUCTION ON THIS LOT.

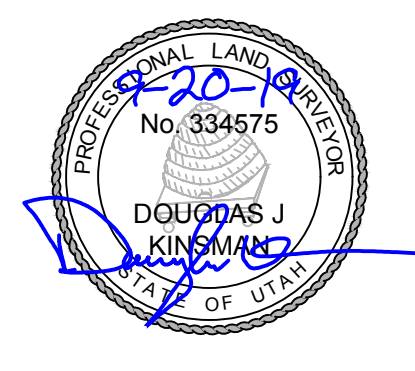
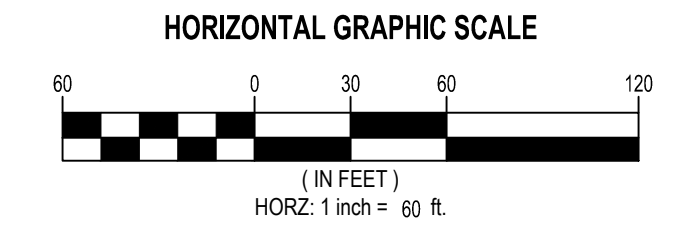
EAST QUARTER CORNER OF SECTION 22, T3S, R4W, SLB&M (FOUND 3" TOOELE COUNTY SURVEYORS MONUMENT BRASS DISC WITH RING AND LID, DATED 1982)

NORTHEAST CORNER OF SECTION 22, T3S, R4W, SLB&M (FOUND 3" TOOELE COUNTY SURVEYORS MONUMENT BRASS DISC, DATED 1982)

NORTHWEST CORNER OF SECTION 22, T3S, R4W, SLB&M (FOUND 3" TOOELE COUNTY SURVEYORS MONUMENT BRASS DISC WITH RING AND LID, DATED 1982)

WEST QUARTER CORNER OF SECTION 22, T3S, R4W, SLB&M (FOUND 3" TOOELE COUNTY SURVEYORS MONUMENT BRASS DISC WITH RING AND LID, NO MARKINGS)

SOUTH QUARTER CORNER OF SECTION 22, T3S, R4W, SLB&M (FOUND 3" TOOELE COUNTY SURVEYORS MONUMENT BRASS DISC WITH RING AND LID, DATED 2013)



ENGLAND RIDGE SUBDIVISION PRELIMINARY PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE
159 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.551.0529

LAYTON
Phone: 801.551.1100

CEGAR CITY
Phone: 435.865.1463

REHOBOTH
Phone: 435.866.2983

WWW.ENSGENSG.COM

DEVELOPER
ANDERSON DEVELOPMENT
9537 SOUTH 700 EAST
SANDY, UT 84070
JOE GARLINGTON
801-999-0267

PROJECT NUMBER: 8806
MANAGER: J. CLEGG
DRAWN BY: R. FISH
CHECKED BY: D. KNSMAN
DATE: 9/23/2019

811
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK
NORTH QUARTER CORNER OF SECTION 22,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN
ELEV = 4921.71'

- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOO, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

ENSIGN
THE STANDARD IN ENGINEERING

TOOLE
169 N. Main Street, Unit 1
Tooele, UT, 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
ANDERSON DEVELOPMENT
9537 SOUTH 700 EAST
SANDY, UT 84070

CONTACT:
JOE GARLINGTON
PHONE: 801-999-0267

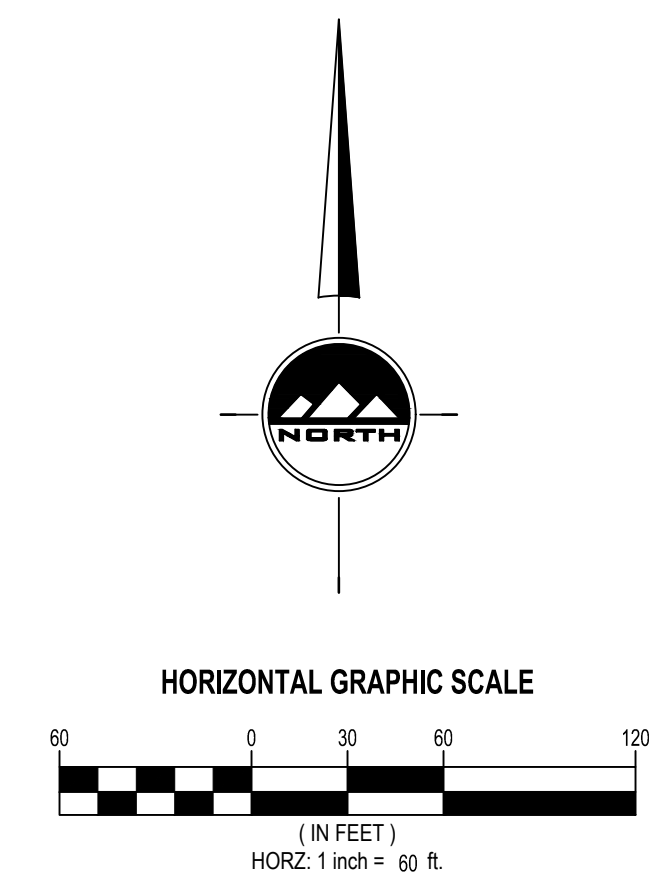
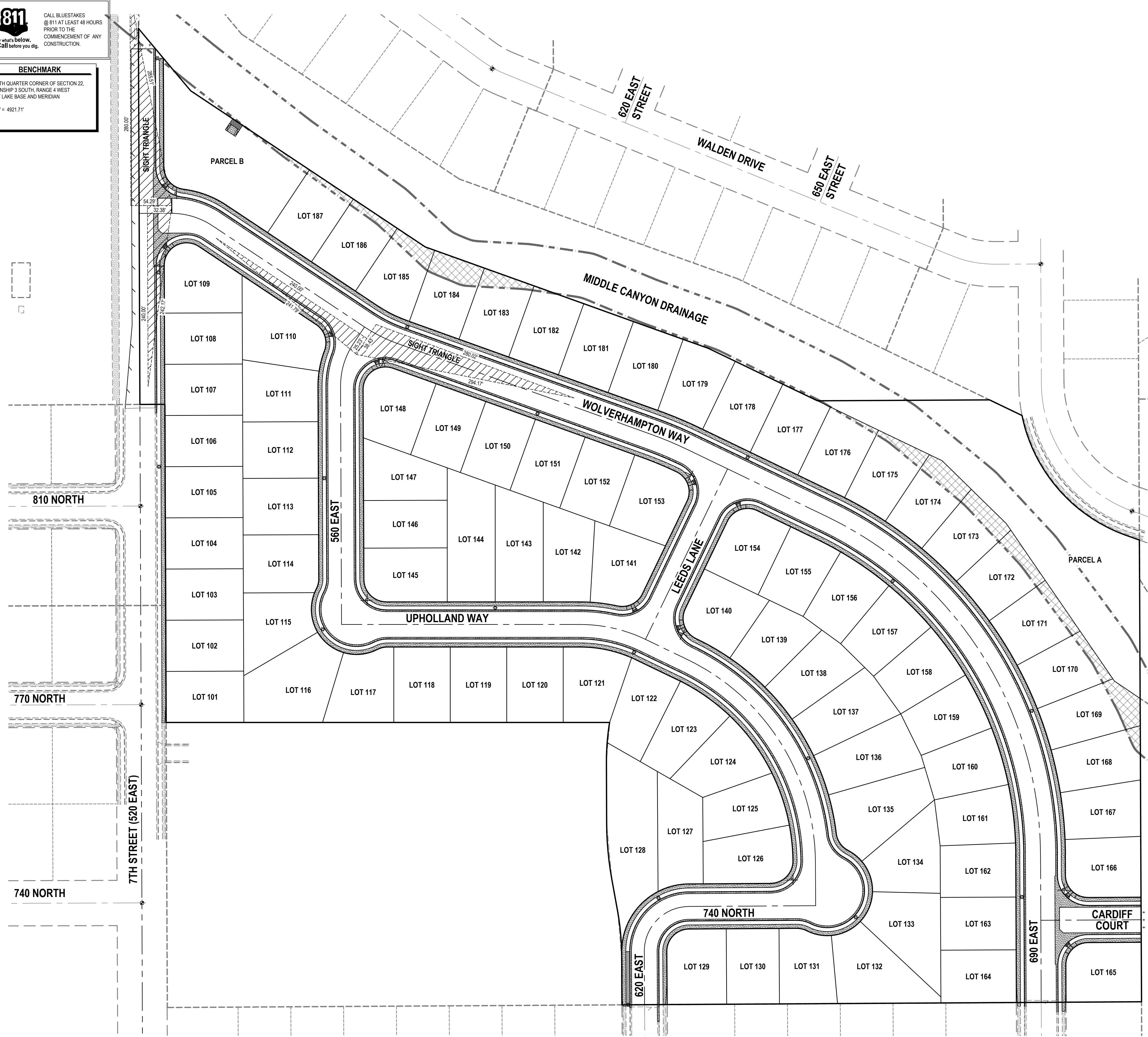
**ENGLAND RIDGE SUBDIVISION
PRELIMINARY DESIGN
810 NORTH SEVENTH STREET
TOOELE, UTAH 84074**

For Review
09/23/2019 5:07:14 PM

OVERALL SITE PLAN

PROJECT NUMBER: 8806
PRINT DATE: 9/23/19
DRAWN BY: R. FISH
CHECKED BY: J. CLEGG
PROJECT MANAGER: J. CLEGG

C-100



TOOELE CITY CORPORATION

RESOLUTION 2019-76

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A SERVICE AND MAINTENANCE AGREEMENT WITH HUBER TECHNOLOGY, INC., TO REPAIR AND MAINTAIN THE SOLAR DRYING EQUIPMENT AT THE CITY WATER RECLAMATION FACILITY.

WHEREAS, on April 6, 2011, the City Council approved Resolution 2011-18, a resolution of the Tooele City Council approving and ratifying an equipment procurement proposal from Huber Technology, Inc. (Huber) to provide solar drying equipment for the phase 1b expansion and upgrade of the existing water reclamation facility; and,

WHEREAS, the technology associated with the drying of wastewater bio-solids is limited to a specialized and relatively small group of manufacturers, one of which is Huber; and,

WHEREAS, the City Administration recommends that it is in the best interest of Tooele City to provide for the regular repair and maintenance of the solar drying equipment installed by Huber, including with a five-year maintenance agreement, at a cost of \$37,000, paid from waste water enterprise funds, plus \$13,180.83 for parts needed at the outset of the maintenance agreement, for a total of \$50,180.83 (see the agreement attached as Exhibit A):

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Service and Maintenance Agreement (Exhibit A) with Huber Technology, Inc., to repair and maintain the solar drying equipment at the Tooele City water reclamation facility is hereby approved in the amount of \$50,180.83.

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

Exhibit A

Huber Technology, Inc.,
Service and Maintenance Agreement



AVOID THE LATE NIGHT AND WEEKEND
CALLS THAT YOUR EQUIPMENT IS DOWN

HUBER
TECHNOLOGY
WASTE WATER Solutions

Service & Maintenance Protection Program

Protection from unexpected repair costs beyond the manufacturer's warranty.

Preventative Maintenance = Equipment Longevity

Keep your equipment up and running to maximize the life of your equipment.

From the initial installation, through years of operation, to making plans for updates or improvements, Huber Technology stands beside you to make recommendations and implement an action plan to maximize the life cycle of your systems. Prompt service and planned inspections are the key to meeting this goal.

Service + Maintenance Knowledge

Our expert service technicians know the products and have the knowledge to keep them running for years past their projected lifecycle.

Money & Time Savings

Each agreement is tailored to meet your budget and operating needs.

- Maintain efficiency and reduce energy cost
- Reduce downtime
- Retain/increase facility value
- Extend equipment life
- Keep equipment condition in focus so informed decisions can be made on repairs and updates
- Ensure safe operation
- Reduce plant manager stress

Take comfort in knowing your equipment is in good hands.

HUBER Technology Service and Maintenance Contract:

Machine	Quantity
Tooele, UT	
SRT Solar (291128)	3
RoS3.2 (291128)	2
WAP/1 (287136)	1
SSL Stepscreen (07071)	2
Duration of Contract	5 Year
Days on site per visit	5
Visits Annually	2
10% Discount on parts with 5-year contract	

\$7,400/year

Total PO Amount: \$37,000

We provide the convenience of a qualified field service specialist for regular inspection for the working reliability of your Huber Technology products. The Field Service specialist will inspect the above-specified machinery. The maintenance and inspection will be done through a manufacturer specific checklist. For every checkpoint, the condition will be evaluated and recorded into a service report.

Inspection list includes (but not limited to):

- Gear motor
- Wiper
- Basket
- Rollers
- Auger
- Cleaning Cycle
- Operational Set points
- Chains
- Drive sprockets

*NEED NOW:
 SCREW PRESSES
 ROLLERS
 CHAINS*



The technician will observe and confirm if equipment is in compliance and the performance is as expected. The service specialist will finalize his report/findings to the customer prior to departure.

The conclusion of the inspection and recommended spare parts or needed wear parts for the machine will be listed separately. No parts or shipping costs are included in this contract.

The customer will receive a copy of the findings of the maintenance and inspection work.

Huber Technology will arrange a service date with the customer at least 4 weeks before actual inspection is scheduled. Customer must provide lifting equipment to pivot or pull machine from channel for proper inspection.

By signing below, Tooele agrees to all stipulations within this three (3) year contract. After the contract has been fulfilled, there will be an option to renew at a new rate.

For Maintenance Contract, service, or parts related questions, please contact Johan van Ettehoven at 704.990.2442 or email at Johan.van.Ettehoven@hhusa.net

Printed Name: _____

Title: _____

Signature: _____

Date: __/__/__



Billing Address

Tooele City Corporation
 90 North Main Street
 Tooele, UT 84074
 UNITED STATES

Delivery Address

Tooele City Corporation
 3300N 1200W
 Tooele, UT 84074
 UNITED STATES

OFFER: **71006371 / V1**
 Project: Tooele, UT 291128

Date printed: Sep 11, 2019
 Our Reference: van Ettehoven, Johan
 Phone:
 Fax:
 Email: johan.van.ettehoven@hhusa.net

Your Letter/Your Reference:

Customer No: 113948
 Phone: +1-435-843-2110
 Fax: +1-435-843-2118

All parts in stock unless otherwise indicated below.

Pos	Qty	Unit	Item Description	Country of origin HS-Code	Price USD	Total USD Tax (%)
10/1	2.00	pcs	10118522 S-Press Bushing/Seal Kit		4,090.60	8,181.20 0%
20/1	2.00	pcs	10118524 S-Press Brush Kit		1,742.90	3,485.80 0%
30/1	2.00	pcs	504977 pinion z17 d17 D77,2 L51		347.54	695.08 0%
40/1	3.00	m	700787 chain DIN 8187 08B1 p12,7 L##	DE 40161000	159.05	477.15 0%
50/1	4.00	pcs	709552 connecting link 11/462 RF		10.40	41.60 0%
60/1	1.00	pcs	410300 Freight		300.00	300.00 0%



Quotation No: 71006371
Date: Sep 11, 2019
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Total net	USD	13,180.83
including Tax	USD	0.00
Total gross	USD	13,180.83

Valid for: 90 days
Delivery: prepaid and add
Payment terms: Net 30 days

Best regards

van Ettehoven, Johan
Huber Technology, Inc.



Quotation No: 71006371
Date: Sep 11, 2019
Page: 3 (7)

Aftermarket Sales & Service Rates 2019

Field Service Base Rates

Continental U.S., Mexico and Canada... \$145.00 per hour
Outside Continental U.S., Mexico and Canada... \$217.50 per hour

Training

Product Training... \$145.00 per hour

Travel

Travel (time)... \$110.00 per hour
Mileage... \$0.58 per mile

Manufacturing/Engineering Services in house

Services include failure analysis of returned hardware... \$145.00 per hour

Premium Rates

Overtime rate (in excess of 8 hours per day)... \$217.50 per hour
Standby rate... Applicable base rate
Double time rate (Sunday, Holiday, or in excess of 12 hours)... \$295.00 per hour

Expenses

Travel and accommodations... Actual cost
Per Diem... Business Rate Plan 1.. \$60.00 per day
High Cost Area Rate 2.. \$70.00 per day
Service Truck Rate ... \$80.00 per day
Materials, Equipment Rental, Supplies... Actual cost plus 20%
Laboratory testing... Actual cost plus 20%

Fees

Visa, work permits, taxes, user fees or special assessments, etc... Actual cost

Cancellation Charges

Prior to departure for travel expenses incurred (i.e. airline / change fees)... Actual cost

Quotation No: 71006371
Date: Sep 11, 2019
Page: 4 (7)

Aftermarket Sales & Service Rates 2019

Field service Base Rate. Rates are calculated from the day the Service Specialist departs Huber Technology, Huntersville, North Carolina until the day the Service Specialist returns to Huber Technology, Inc., Huntersville, North Carolina. Rates include weekends and holidays. If a Service Specialist is required to travel from any other location, including, Germany the rates are calculated from when the Service Specialist departs the home office until the day the Service Specialist returns to the home office.

Travel. Time includes transportation to and from the airport, security clearance, time between flight changes, driving time and local travel to and from worksite. Travel time in excess of eight (8) hours may be billed at the premium rate.

Double Time. Any Sunday or **Recognized Huber Technology, Inc. Holiday.**

Transportation. The customer is responsible for reimbursing Huber Technology, Inc. for all transportation charges associated with service work. Flights will be booked as coach-tourist class unless it is unavailable. Rental car, gas, taxis, airport / hotel limousines, company or personal vehicles will be used when necessary.

Standby rate. Applies to the time a Service Specialist is available for work and is located at or near the job site but unable to work due to circumstances beyond his control. Time shall be considered time worked and will be charged at the applicable base or premium rate.

Accommodations and Meals. Meals are charged at \$60.00 per day or \$70.00 per day depending on the area (See Business Rate Plan 1 and 2). If an overnight stay is required, the customer is required to reimburse Huber Technology, Inc. for lodging charges. Hotel rooms will be booked on a business executive, single occupancy basis.

Visa, Work Permits & Local Taxes. The customer is responsible to pay any and all taxes, user fees or special assessments. If a visa or work permit is required before departing for an international assignment, the fee will be charged to the customer at actual cost (including any expediting charges).

Warranties. Per Huber Technology, Inc.'s Terms and Conditions of Sale, Huber Technology, Inc. warrants Field Service work performed at site. "Breach of Warranty" claims do not entitle the customer to refuse payment for field service work.

HUBER TECHNOLOGY, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, WITH REGARD TO THE DESIGN, SALE, MERCHANTABILITY OR FITNESS OF THE GOODS FOR A PARTICULAR PURPOSE OR USE EXCEPT AS EXPRESSLY SET FORTH IN HUBER TECHNOLOGY, INC.'S TERMS AND CONDITIONS. HUBER TECHNOLOGY, INC. IS NOT SUBJECT TO ANY OTHER OBLIGATIONS OR LIABILITIES ARISING OUT OF BREACH OF CONTRACT OR WARRANTY, TORT CLAIMS INCLUDING NEGLIGENCE AND STRICT LIABILITY, OR ANY OTHER THEORIES OF LAW. HUBER TECHNOLOGY, INC. IS UNDER NO EVENT LIABLE FOR ANY SPECIFIC, INDIRECT, INCIDENTAL OR CONSEQUENTIAL LOSS, DAMAGES, EXPENSE, INJURY, DISMEMBERMENT, OR DEATH OF ANY KIND WHATSOEVER.

SCHEDULING – 10 Working Days Notice. Request for field service should be made in writing (letter, fax or e-mail) to Huber Technology, Inc. at least ten (10) working days prior to the date for which services are requested. Confirmation of the service will be conveyed verbally by Huber Technology, Inc.

Insurance. All Huber Technology, Inc. Service Specialists are insured. Liability insurance certificates may be provided upon request by the customer in order to allow for sufficient time for document processing, the request must be made at least seven (7) working days prior to the date of services.

Huber Technology, Inc. can not offer fixed lump sum contracts for Field Service activities. The duration of site visitation is neither under our direct control nor influence, and as such we can only provide estimates of time on-site to affect the required service actions. Field service published rates and terms are valid through December 2019.

Hazardous Locations.

Huber Technology, Inc. reserves the right to recall its personnel if the worksite does not meet governmental health and safety standards.

Minimum Daily Charge. For all Field Service Base Rates or combinations of Base Rates, the minimum fee will be for eight (8) hours. If services are performed on the same day as travel, travel time will be billed in addition to service time.

Overtime. The overtime rate applies to work or travel in excess of eight (8) hours per day (weekdays) and all Saturday work. Workdays in excess of (16) hours are prohibited. Service specialist are NOT required to perform, and may decline, work in excess of twelve (12) hours. The overtime charge shall be at the base rate plus a one hundred percent (100%) premium.

Recognized Huber Technology, Inc. Holidays New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Eve and Christmas Day.

Expenses. The customer is responsible for ALL expenses associated with service work. All travel expenses including airfare, taxi, mileage for personal or company owned vehicles or any other chauffeured vehicle, living

accommodations and meals will be invoiced. Invoices will include a cost break-down. Copies of receipts will not be furnished unless specifically requested. Original receipts cannot be provided. Receipts for under \$25.00 cannot be provided. Use of personal or company owned vehicles will be invoice at the rate set by IRS mileage regulations.

Payment. All field service invoices are in U.S. Currency and all payments must be in U.S. Dollars. **Payment is due NET 30 DAYS from the date of invoice.**

Purchase Orders. A purchase order is required BEFORE any field service arrangements will be made. The purchase order is to be made out to Huber Technology, Inc. and must contain the following information:

- 1) Customer's name, 2) company, 3) billing address, 4) dates of service, 5) type of service requested (i.e. installation, commissioning, troubleshooting, training, etc.), 6) serial number / model number, 7) equipment purchase order number, and 8) equipment tag numbers. A "confirming-copy" purchase order must follow any preliminary arrangements. Equipment location including city, state, plant site, directions to the site, a local contact and telephone number must also be included.
- 2) Amended Purchase Orders. An amended PO is required if services are extended beyond the cost of the original PO. If the Service Specialist is on site and an amendment is required, the PO must be completed and submitted to Huber Technology, Inc. before the Service Specialist can continue working.

Applicable law. Any purchase order accepted by Huber Technology, Inc. in conjunction with Field Service work, shall be deemed to have been executed, delivered and accepted in the State of North Carolina, USA and shall be governed, construed and enforced pursuant to the laws of the State of North Carolina, USA

Quotation No: 71006371
Date: Sep 11, 2019
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Warranty and Returns Policy & Instructions

Huber Technology, Inc. ("Huber") warranties any **original** Huber part (mechanical or electrical) for a period of:

A. Twelve (12) months from the date of purchase and only when part(s) are installed by a Huber factory trained technician. Should the part(s) fail within the warranty period, a replacement shall be supplied at no cost to the owner ("Replacement Part")

1. Only valid if the product is operated in accordance with the manufacturer's instructions.
2. The replacement part(s) must not be modified or changed in anyway.
3. The replacement part(s) must be installed by a qualified person to the manufacturer's specifications

Or

B. Three (3) months from the date of purchase and/or installed by a non-Huber factory trained technician.

1. Only valid if the product is operated in accordance with the manufacturer's instructions
2. The replacement part(s) must not be modified or changed in anyway.
3. The replacement part(s) must be installed by a qualified person to the manufacturer's specifications

This warranty does not apply to any damage or defect arising out of any of the following circumstances:

- Part(s) needing repair or replacement due to events or circumstances outside of normal use and operation of the equipment.
- Part(s) or components damaged due to power surges, short circuits, loss of power, lightning strikes, fire or water damage, vandalism, theft, or any other causes outside of normal use and operation of the equipment or that would normally be covered by casualty insurance on the equipment.
- Damage or defects caused by neglect, incorrect application, abuse, or by accidental damage of the parts or components.
- Repair or replacement of part(s) or components due to improper or negligent operation of the equipment.
- Damage or defects to the part(s), component(s), or equipment caused by the attempted repair by an unauthorized or unqualified person.

All Huber parts warranties are non-transferable, and cannot be sold, assigned or transferred in any other way.

This warranty of **original** Huber Service parts does not include the labor to remove the defective part nor the labor to install the new part. **All labor costs associated with the replacement of the part is the responsibility of the owner.** The request for assistance of a certified Huber technician is available upon the issuance of a purchase order by the owner. The fee for the assistance of a Huber technician includes labor (billed at prevailing Huber Field Service Base Rates) plus associated expenses for travel to and from the jobsite.

Return of New Wear or Spare Parts:

- Any original Huber part(s) returned to Huber after a purchase order has been submitted is subject to a flat twenty percent (20%) restocking fee for each part returned.
- The customer has up to thirty (30) days to return a part from the purchase order submittal date to Huber. **Returns will not be accepted past thirty (30) days.**
- Part(s) must be new and never installed. Any indication of wear or installation, at Huber's sole discretion, may result in the part(s) being shipped back to owner, at the owner's cost, and no credit shall be issued.
- **Exception:**
The owner may exchange, without a restocking fee, if the incorrect part(s) is delivered and/or sold to the



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Date: Sep 11, 2019
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owner by a Huber team member. Huber will ship the correct part(s) to the owner expeditiously. A refund will be issued to the owner upon Huber's receipt of the incorrect part(s) warehouse.

The customer may return, without a restocking fee, any original Huber part(s) if said part(s) was sold as part of a complete rebuild and the Huber technician concluded the part(s) were not needed. The customer has thirty (30) days from the date the service was completed. After thirty (30) days have expired, the normal Huber restocking fee shall apply.

Quotation No: 71006371
Date: Sep 11, 2019
Page: 7 (7)

Warranty and Returns Policy & Instructions

Return of Damaged / Defective Items

- In the event of a damaged or defective part, the return process can often be expedited by providing a digital image of the damage or defect (along with a clear description of the problem) in an email to the Huber Aftermarket Team ("Aftermarket Team") at the following email address: returns@hhusa.net. The phone and fax numbers for Aftermarket Team are: 704.990.2045; Fax: 704.896.2830. Huber reserves the right to inspect in person even if a digital image is provided as outlined above.
- If the damage or defect **cannot be verified over the phone or via email** contact, the item may be required to be returned to Huber Technology, Inc. for inspection before a determination can be made as to the state of the product.
- The Aftermarket Team will validate the warranty claim for the defective part.
- If the Aftermarket Team determines that the part is under warranty and should be replaced, the Aftermarket Team will provide a Return Merchandise Authorization ("RMA") number and a shipping address to the Customer for the return of the defective part.
- The Customer shall ship the part to the specified address with the RMA number listed on the outside of the package.
- When the warranty part has been repaired (or replaced) by Huber, the part will be shipped to the "ship-to" address included in the RMA information provided by the Customer.

Return shipping cost

- ONLY in the event that an incorrect part is sold to the Customer by a Huber team member, will Huber pay for shipping. The Customer will be provided with a prepaid return shipping label.
- UNDER ALL OTHER CIRCUMSTANCES, the Customer returning the part(s) is responsible for any freight costs incurred for returning the part(s).
- UNDER NO CIRCUMSTANCE will Huber reimburse (or provide credit) for return shipping costs incurred by the Customer.

How to Request an RMA (Return Merchandise Authorization)

Contact the Huber Technology Aftermarket Sales Team and request a Return Merchandise Authorization ("RMA") number.

- Completely fill out the RMA form.
- Include the completed RMA form in the package along with the item(s) to be returned.
- Write the RMA number conspicuously on the outside of the package to ensure proper routing upon receipt by the Aftermarket Team.
- Ship the package to:

o Huber Technology, Inc.
Aftermarket Sales and Service
9735 NorthCross Center Court , Suite A
Huntersville NC 28078

Phone: 704.990.2050 Fax: 704.896.2830 Email: returns@hhusa.net