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**PUBLIC NOTICE**

Notice is Hereby Given that the Tooele City Council will meet in a Work Session, on Wednesday, October 7, 2020 at approximately 5:45 p.m. The Meeting will be held at the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah.

*Tooele City has implemented Governor Herbert's low risk (yellow) phase guidelines regarding public gatherings. We strongly encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page, at <https://www.facebook.com/tooelecity>.*

*If you choose to attend we ask that you maintain social distancing and encourage you to wear a face covering. In compliance with public health guidelines Tooele City can accommodate limited capacity at City Hall. Due to limited space and social distancing requirements, we ask that you limit the number of people that attend with you.*

**1. Open City Council Meeting**

**2. Roll Call**

**3. Mayor's Report**

**4. Council Member's Report**

**5. Discussion Items:**

- Sidewalk Replacement Program  
Presented by Mayor Debbie Winn
- Amusement Code Change  
Presented by Jim Bolser, Community Development Director
- Ordinance 2020-40 An Ordinance of the Tooele City Council Amending the Adopted Tooele City Annexation Policy Plan for the Purpose of Identifying & Including One New Potential Expansion Area Into the Plan & its Accompanying Expansion Areas Mapping  
Presented by Jim Bolser, Community Development Director
- Residential Development Standards  
Presented by Jim Bolser, Community Development Director
- Equipment Requests  
Presented by Darwin Cook, Parks & Recreation Director

**6. Closed Meeting**

- Litigation, Property Acquisition, and Personnel

**7. Adjourn**

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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](mailto:michellep@tooelecity.org), Prior to the Meeting.

## Tooele City Corporation

### Sidewalk Repair Matching Grant Program

Statement of Purpose: Tooele City desires to work with property owners to replace damaged sidewalks for the safety of sidewalk patrons and for improved neighborhood appearance.

Program Summary: Tooele City will retain a contractor and pay for City-approved sidewalk repair projects upon property owners paying a matching one-half of the cost of the projects.\*

Preliminary steps:

1. City Council budgets funds for the program with each fiscal year (beginning July 1).
2. City Administration selects contractor(s) through a competitive bid process.
3. City Administration selects a program manager.
4. Program manager establishes project eligibility criteria for project approval.

Program Detail:

1. Property owner completes a City application form online or in person at City Hall.
2. Program manager visits property owner, inspects and measures damaged sidewalk sections, and determines project eligibility.
3. Program manager generates a monthly prioritized sidewalk replacement list, including area measurements and cost per project.
4. Property owner pays 50% of the replacement cost to the Finance Department.
5. Finance Department gives payment receipts to property owner and program manager.
6. After property owner payment, program manager provides prioritized list of approved, paid projects to the City's contractor.
7. Contractor contacts the property owner and schedules both the removal of damaged sidewalk and the pour of new sidewalk.
8. Contractor schedules City inspections with the Public Works Department.
9. Public Works Department inspector inspects the forms prior to each pour, and the final product. Inspections include reports and photographs, delivered to program manager.
10. Program manager adds the completed project to a running list of completed projects. The list should link to the inspection reports and photographs.
11. Contractor submits monthly invoice to program manager for completed projects.
12. Program manager obtains a purchase order to pay contractor invoices, and submits signed documentation to Public Works Director.

*\*Program implementation is subject to adequate funding, contractor availability, weather, project eligibility and approval, and other factors.*

**Tooele City Corporation**  
**Sidewalk Repair Matching Grant Program**  
**Application\***

Date: \_\_\_\_\_

Property owner name: \_\_\_\_\_

Property owner address: \_\_\_\_\_

Property owner phone #: \_\_\_\_\_

Explain nature and extent of sidewalk damage: \_\_\_\_\_

\_\_\_\_\_

Property owner signature: \_\_\_\_\_

(City Use Only Below This Line)

Inspection date: \_\_\_\_\_

Severity of sidewalk damage: \_\_\_\_\_

Measurements of damaged sidewalk sections: \_\_\_\_\_

Prioritization scale (1-10): \_\_\_\_\_

Cost (unit cost x square-foot area): \$ \_\_\_\_\_

Property owner payment information (50% of above cost):

Date: \_\_\_\_\_

Amount: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

Project completion date: \_\_\_\_\_

Contractor invoice payment:

Date: \_\_\_\_\_

Amount: \$ \_\_\_\_\_

\_\_\_\_\_ Completed project added to list of completed projects.

\_\_\_\_\_ Inspection reports and photos linked to list of completed projects.

*\*Program implementation is subject to adequate funding, contractor availability, weather, project eligibility and approval, and other factors.*

### 7-1-5. Definitions.

Amusement Facility – A site or facility providing games or activities operated for the purpose of entertainment for patrons such as haunted houses, video and arcade games, rides, water slides, or other substantially similar uses.

Recreational Facility, Indoor - A ~~recreation~~ facility located within a structure or building and operated ~~as a business or public entity for use by an admission fee, membership fee or other charge~~ for the purpose of physical activities or entertainment through games and activities of skill such as a skating rink, bowling alley, mini-golf course, ~~games and activities of skill or amusement arcade~~ billiards, sport or athletic training facilities, batting cages, swimming pool, tennis and racquetball facilities, or substantially similar uses. Such uses shall not include public parks, membership clubs, or amusement facilities.

Recreational Facility, Outdoor - A ~~recreational~~ facility operated ~~as a business and open to the general public for a fee such as amusement parks, tennis facility, water park, swimming pool, golf driving ranges and baseball batting ranges or substantially similar uses~~ for the purpose of physical activities or entertainment through games and activities of skill such as a skating rink, bowling alley, mini-golf course, billiards, sport or athletic training facilities, batting cages, swimming pool, tennis and racquetball facilities, or substantially similar uses. Such uses shall not include public parks, membership clubs, or amusement facilities.

### 7-2-20. Temporary Uses and Temporary Seasonal Uses.

- (1) Temporary Uses. Temporary uses shall occur over a period not to exceed 40 days in any calendar year including uses incidental to set up and take down of the temporary use.
- (2) Temporary Seasonal Uses. Temporary seasonal uses, as permitted in this Title, shall not exceed the time limits listed herein, or 120 calendar days, whichever is shorter.
  - (a) Permitted Temporary Seasonal Uses. Where temporary seasonal uses are identified in this Title as permitted, the following shall be permitted uses. Where temporary seasonal uses are identified in this Title as conditional, the following shall be conditional uses permissible only following issuance of a Conditional Use Permit:
    - (i) Christmas tree lot, not to exceed 45 calendar days;
    - (ii) Pumpkin patch, not to exceed 45 calendar days;
    - (iii) Corn maze, not to exceed 45 calendar;
    - (iv) Firework sales stand, limited to the period of time as set forth under state law; and
    - (v) Agricultural produce stand and open-air farmer's market, located in a non-residential zone, for the sale of agricultural produce, not to exceed the length of the local outdoor growing season.
  - (b) Conditional Temporary Seasonal Uses. Where temporary seasonal uses are identified in this Title as allowed, the following uses shall be conditional uses allowed only following issuance of a Conditional Use Permit:
    - (i) Agricultural produce stand and open-air farmer's market, located in a residential zone, for the sale of agricultural produce, not to exceed the length of the local outdoor growing season;
    - ~~(ii) Haunted house not to exceed 45 calendar days; and,~~
    - (iii) Other uses determined by the Zoning Administrator to be substantially similar to any of the above.
- (3) Exclusive Uses. For the purposes of this Title, temporary uses and temporary seasonal uses shall be mutually exclusive of each other and mutually exclusive of other uses defined within this Title.

**TABLE 1  
TABLE OF USES**

USE	DISTRICT								
	MU-B Mixed Use- Broadway	MU-G Mixed Use - General	NC Neighborhood Commercial (Maximum individual lot Size 15,000 square feet)	GC General Commercial	RC Regional Commercial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Development
<i>Amusement Facility</i>		C	C	P	P	P	P		
Recreational Facility (Indoor)				P		P	P	P	C
Recreational Facility (Outdoor)				C		C	C		C

**TOOELE CITY CORPORATION**

**ORDINANCE 2020-40**

**AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE ADOPTED TOOELE CITY ANNEXATION POLICY PLAN FOR THE PURPOSE OF IDENTIFYING AND INCLUDING ONE NEW POTENTIAL EXPANSION AREA INTO THE PLAN AND ITS ACCOMPANYING EXPANSION AREAS MAPPING.**

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

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

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

**WHEREAS**, Tooele City retained the firm of Lewis, Young, Robertson & Burningham to prepare an updated Plan in accordance with statutory requirements (reference Resolution 2009-36, approved on July 1, 2009); and,

**WHEREAS**, on September 22, 2010, the Tooele City Planning Commission convened the duly-noticed public meeting and public hearing required by statute, and accepted public comment on a proposed Plan prepared by Lewis, Young, Robertson & Burningham; and,

**WHEREAS**, on October 6, 2010, the City Council convened a duly noticed public hearing and accepted public comment on the proposed Plan prepared by Lewis, Young, Robertson & Burningham; and,

**WHEREAS**, on October 6, 2010, the City Council unanimously adopted Ordinance 2010-15 to adopted the Plan prepared by Lewis, Young, Robertson & Burningham as the official Annexation Policy Plan for Tooele City; and,

**WHEREAS**, on May 27, 2020, the Tooele City Planning Commission convened the duly-noticed public meeting and public hearing required by statute, and accepted public comment on a proposed amendment to the Plan prepared by Lewis, Young, Robertson & Burningham with the intent of identifying and including three new potential expansion areas into the Plan and its accompanying mapping; and,

**WHEREAS**, on June 17, 2020, the City Council convened the duly-noticed public meeting and public hearing required by statute, and accepted public comment on a proposed amendment to the Plan prepared by Lewis, Young, Robertson & Burningham with the intent of identifying and including three new potential expansion areas into the Plan and its accompanying mapping; and,

**WHEREAS**, on June 17, 2020, the City Council unanimously adopted Ordinance 2020-25 to adopted the proposed amendment to the Plan prepared by Lewis, Young, Robertson & Burningham with the intent of identifying and including three new potential expansion areas into the Plan and its accompanying mapping; and,

**WHEREAS**, the Plan prepared by Lewis, Young, Robertson & Burningham in 2010, and as amended and supplemented by Ordinance 2020-25, represents Tooele City’s most recently adopted Plan; and,

**WHEREAS**, this amendment to the Tooele City Annexation Policy Plan attached as **Exhibit A** does not replace that Plan enacted under Ordinance 2010-15; and,

**WHEREAS**, this amendment to the Tooele City Annexation Policy Plan attached as **Exhibit A** does not replace the amendment to the Plan enacted under Ordinance 2020-25; and,

**WHEREAS**, this amendment to the Tooele City Annexation Policy Plan attached as **Exhibit A** serves to supplement that Plan enacted under Ordinance 2010-15 and the amendment to the Plan enacted under Ordinance 2020-25, to address specifically the identification and inclusion of the one additional potential expansion area addressed in this amendment into the Plan and accompanying mapping; and,

**WHEREAS**, on August 26, 2020, the Planning Commission convened a duly noticed public meeting as required by Utah State Code Section 10-2-401.5, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibits B**); and,

**WHEREAS**, on September 23, 2020, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibits C**); and,

**WHEREAS**, on October 21, 2020, the City Council convened a duly-noticed public hearing and accepted written and verbal comment:

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

1. this Ordinance and the Annexation Policy Plan amendments proposed therein are in the best interest of the City and are consistent with the General Plan; and,
2. the Annexation Policy Plan and its accompanying Expansion Areas Mapping is hereby amended to identify and include one new potential expansion area as described and depicted 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)

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Melodi Gochis

\_\_\_\_\_  
Melodi Gochis

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Scott Wardle

\_\_\_\_\_  
Scott Wardle

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

\_\_\_\_\_  
Debra E. Winn

\_\_\_\_\_  
Debra E. Winn

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

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

SEAL

Approved as to Form: \_\_\_\_\_  
Roger Baker, Tooele City Attorney

**EXHIBIT A**

**COMPLETE TEXT AND MAPPING FOR ANNEXATION POLICY PLAN AMENDMENT**

## ***Tooele City Annexation Policy Plan Amendment***

### **Introduction**

In September 2010, Tooele City concluded the process of working with the firm of Lewis, Young, Robertson, and Burningham, Inc. (LYRB) to develop what has become the current Annexation Policy Plan for the city. Through the unanimous adoption of City Council Ordinance 2010-15 on October 6, 2010, this plan became the official Annexation Policy Plan for Tooele City in accordance with Utah State Law. In June 2020, Tooele City concluded the process of reviewing and adopting an amendment to the adopted Annexation Policy Plan. With the unanimous adoption of City Council Ordinance 2020-25 on June 17, 2020, the City's adopted Annexation Policy Plan was amended to include three additional potential expansion areas. The contents herein do not replace or overwrite the contents of the currently adopted Annexation Policy Plan, including its adopted amendment, but, upon adoption by the City Council, becomes a supplement and addition to that amended Plan. Some information of this amendment may not be addressed in the currently adopted Annexation Policy Plan due to changes in legal requirements for the adoption of such plans in the time since its adoption. This amendment has been prepared such that all current requirements of the law have been addressed regarding the areas under consideration in this amendment.

### **Annexation Policy Plan Information**

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

- A map of the Expansion Areas which identify those areas considered reasonable for potential annexation and those that are not.
- A statement of the specific criteria that will guide the city's decision whether or not to approve future annexation petitions, addressing matters relevant to those criteria including:
  - The character of the community
  - The need for municipal services in developed and undeveloped unincorporated areas
  - The city's plans for extension of municipal services;
  - How the services will be financed
  - An estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area
  - The interests of all affected entities
- The justification for excluding from the Expansion Areas any area containing urban development within ½-mile of the city's boundary
- A statement addressing any comments made by Affected Entities at or after the public meeting and public hearings

This amendment, as with the currently adopted Annexation Policy Plan to which it is an amendment, shall be construed neither as an expression of the City's intention or ability to annex property or extend municipal services and infrastructure to any particular property, nor to do so in any particular time frame or at all. Rather it should only be considered as a statement of policy by which consideration of petitions for annexation will be reviewed and areas where that consideration may be possible.

### **Expansion Area Map**

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

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

The City has weighed each of these considerations in determining the proposed Expansion Areas illustrated in the Expansion Area Map. This Tooele City Annexation Policy Plan Amendment anticipates the possible annexation of the following area in addition to those discussed in the currently adopted Annexation Policy Plan and its prior amendment.

Expansion Area K. Expansion Area K is located adjacent to the east edge of Tooele City's current municipal boundaries and is comprised of approximately 61 acres of private property. Area K is a relatively triangular area bounded by: the current incorporated boundary of Tooele City on the west; the current incorporated boundary of Tooele City along the existing Carr Fork Subdivision along most of the northern boundary; private properties in unincorporated Tooele County on approximately the eastern third of this Expansion Area; and other unincorporated private properties on the southeast boundary of Expansion area. The property making up Area K is currently a single undeveloped parcel. This area may be best suited for residential uses. See the Expansion Area Map in Exhibit A to this Plan Amendment for a graphic representation of this Expansion Area.

### **Annexation Petition Criteria**

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

### **Community Character**

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

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

#### Need for Municipal Services

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

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

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

Expansion Area K. There are currently no households in this area. While the area currently contains vacant properties, this area is master planned for Rural Residential land uses by the Tooele County General Plan. The property is currently zoned RR-5 Rural Residential by Tooele County. Thus, if developed under Tooele County jurisdiction, it is anticipated that approximately 40 to 55 new residential properties could result from this Expansion Area. Annexation of property in this area would place the developability and anticipated uses under Tooele City control. With the existing zoning designation requiring significantly higher acreages for development than what could be expected under Tooele City jurisdiction, the development potential for residential uses, if annexed, is anticipated to be a higher yield than under County jurisdiction.

Existing Municipal Services. There is current no known water or sewer service within Area H although the portion of the area east of the railroad corridor lies relatively close to water service existing in the Pine Canyon area. There is no centralized storm drain system in the area. There are no developed roads in this area but there is an existing roadway that runs along the southern edge of Area H on the east side of the railroad corridor. What roads are planned would be under Tooele County jurisdiction, unless it becomes a State road. Public safety is provided by the Tooele County Sheriff's Office and the North Tooele County Fire Protection Service District. Mosquito abatement services are provided by the Tooele Valley Mosquito Abatement District.

Future Municipal Service Needs. There is limited developed Tooele City infrastructure extended into the incorporated area immediately adjacent to this area. Water and sewer mainlines have been extended to the current terminus of the 2400 North right-of-way located in the vicinity of the southwest corner of Area H. If this area is annexed into Tooele City, water and sewer infrastructure would need to be extended to the area and service provided by Tooele City. The presence of the railroad corridor and the distance from the current City boundary east of the railroad corridor each present challenges for the extension of utility infrastructure to the portion of Area H east of the railroad. Future developers would be required to design for and install appropriate storm drain facilities. If annexed, Tooele City will be responsible to maintain and regulate the roads, other than State and County roads. Tooele City's Police and Fire Departments would be responsible to provide emergency services to Expansion Area H. Due to the geographic location of this area and the accessibility to the area from the developed portion of the city, particularly the portion east of the railroad corridor, public safety service provision at an appropriate level could be challenging.

#### Plans for Extension of Municipal Services

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

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

#### How the Services Will be Financed

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

### An Estimate of the Tax Consequences

Petitioners for annexation should be required to prepare and submit a report showing the tax consequences to properties covered by the annexation petition and present these to the City with the petition for annexation. The tax impact, among other considerations, within the municipal boundaries should also be reviewed by the City Council before a final decision is made on annexation.

The impact to the City's General Fund are determined largely on the ultimate development pattern and land use types approved and constructed. Using detached single-family residential uses as an example, the implications are two-fold: 1) developed land, typically through a subdivision, would yield more properties that each provide property tax income than does a single piece of undeveloped property; and 2) a development pattern that yields five units per acre, as an example, results in more properties providing property tax revenues than would a development pattern of two or three units per acre. Additionally, the same works in the inverse for expenditures. The more dense the development, as a general statement, the more efficiently utilized the serving infrastructure becomes providing a more favorable cost to expenditure ratios for the City, although public safety service needs typically are higher. Similar is the case for non-residential development patterns, although the density component plays less of a role.

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

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

annexed land at an average five units-per-acre density with an average \$250,000 home on each property would provide, on average, around \$2,400 in new property tax revenue per unit, of which around \$485 goes to the City coffers. That adds up to around an additional \$2,425 of property tax revenue (0.012% of the City total General Fund budget) per acre of residential development, not considering the costs from the net draw on resources and services.

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

The Interests of All Affected Entities

In consideration of the Annexation Policy Plan, the determined Affected Entities would be those taxing entities that provide services to currently unincorporated properties within the various Expansion Areas identified within the plan. Tooele City, desiring to be good neighbors and partners, also includes neighboring jurisdictions in the identified roster of affected entities. The affected entities identified for this amendment to Tooele City’s Annexation Policy Plan include: Tooele County School District, Tooele County (acting not only in their own capacity but also under their jurisdictional responsibility to the Pine Canyon Township area, and the Tooele County Recreation Special District), Tooele Valley Mosquito Abatement District, and North Tooele County Fire Protection Special District. The Tooele County School District currently serves the educational needs of the proposed Expansion Areas and will continue to do so whether or not annexations should occur. Therefore, there are no projected impacts to the Tooele County School District other than the effect of revenues from additional development of land, which could occur with or without annexation. Service obligations currently provided by the North Tooele County Fire Protection Special District would be transferred to the Tooele City Fire Department should annexation occur. Annexation would result in properties being removed from the District’s responsibility resulting not only in a reduction of tax revenues for the District but also a corresponding reduction in service requirements. The City has opted out of the Tooele Valley Mosquito Abatement District. Should annexation occur, properties would be removed from the District’s responsibility resulting not only in a reduction of tax revenues for the District but also a corresponding reduction in service requirements. The governmental organization and leadership of Tooele County in their various capacities, has the underlying responsibility for administering the Pine Canyon Township area as well as their own governmental responsibility and law enforcement through the Tooele County Sheriff’s Office for unincorporated properties within the County. Annexation of properties into Tooele City would transfer the governmental oversight and responsibility for those properties from Tooele County to the City but the County would still receive a proportional tax distribution as they do for all private properties within the county. Grantsville City currently has no properties identified within this Annexation Policy Plan Amendment that are currently within their incorporated boundaries.

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

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

SERVICE	CURRENT PROVIDER	PROVIDER, IF ANNEXED
Education	Tooele County School District	Tooele County School District
Mosquito Abatement	Tooele Valley Mosquito Abatement District	None (Tooele City has opted out of the Tooele Valley Mosquito Abatement District)
Water	Area K: None	Area K: Tooele City
Sewer	Area K: No Services	Area K: Tooele City
Storm Drain	No Services	Tooele City



Roads	None	Tooele City (except for County and State Roads)
Fire Protection	North Tooele County Fire Protection Service District	Tooele City Fire Department
Law Enforcement	Tooele County Sheriff's Department	Tooele City Police Department
Emergency Medical Services	Mountain West Ambulance	Mountain West Ambulance

**Exclusions from Expansion Area**

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

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

1. There are three residential neighborhoods located within a ½-mile of Tooele City's northern boundary. These residential developments are part of either the Erda Township or Pine Canyon Township areas. None of these three neighborhoods can be defined as an urban development under the State Code definition. Similarly, according to Tooele County's General Plan, Erda is an agricultural community and includes some of the County's most ideal farmland. The township of Erda faces the greatest development pressure in areas that are already being subdivided into five-acre lots. The County has stated that residents of Erda desire to preserve the agrarian community and maintain the association with the County although the possibility of incorporation of large expanses of the Erda area has also been presented. However, no areas have been excluded from this Annexation Policy Plan Amendment's Expansion Areas that have densities higher than one unit per acre.
2. The Tooele Army Depot administration and maintenance areas are located within the ½-mile buffer of the City. This facility is a United States Government institution and as such is not considered within the Annexation Policy Plan Amendment's Expansion Areas.
3. All other developed areas in the vicinity of the City's current incorporated boundaries, or within ½-mile of those boundaries are already incorporated into other jurisdictions' boundaries whether or not they meet the definition of urban development.

**Considerations Of The Planning Commission And City Council**

The decision whether or not to annex a piece of property for any purpose is one that should not be taken lightly by the City. In the process of their review, the Planning Commission is charged with the weighty task of not only making a recommendation whether or not the petition for annexation is justified as an asset to the community and whether or not it's best served being annexed or remaining outside of the incorporated boundaries of the city, but also what types of land uses should be allowed. Similarly, in making decisions the City Council, in their role as the municipal governing body, not only has to weigh the recommendations of the Planning Commission but also determine the terms and conditions upon which property is to be annexed, should that be the ultimate decision, to reduce or eliminate the burden on the City's existing infrastructure and services. These are not simple decisions to be made by either body and should not be rushed. It is anticipated, and highly appropriate, that these decisions could be debated, discussed possibly at length, vetted

thoroughly, differing opinions expressed, and decided without unanimous consent, any or all of which would be appropriate. Aside from and in addition to the concerns for infrastructure and services involved with annexation, there are other political, social, and financial considerations that should be considered.

#### Relationship with Expansion Areas of Other Municipalities

There are no incorporated municipalities in the vicinity of the proposed Expansion Area K, as shown in Appendix B. As such, there are no Annexation Policy Plans from other jurisdictions that should be directly considered in the adoption of this Plan Amendment.

#### Willingness & Probability of Other Municipality to Annex the Area

Expansion Area K. Currently there are no incorporated communities to the east of Tooele City, thereby making annexation into an incorporated municipality only possible through Tooele City or an incorporation effort to form a new municipality within the county.

#### Current and Projected Costs of Infrastructure

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

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

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

#### Consistency with the General Plan for Additional Land Suitable for Development

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

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

Tooele City is experiencing a pattern of rapid growth that is anticipated to continue. Projections have shown that Tooele City's population can be expected to grow by 10,000 to 15,000 people in the next decade. The City's indicators outside of formal projections suggest that this rate may serve as a baseline for the anticipated growth with actual growth outpacing those projections. The new households that will make up this growth should be accommodated on infill and existing sites within Tooele City's current boundaries primarily and

supplemented by future annexed areas as deemed appropriate. The amount of residential acreage needed for these new households is dependent on the overall density associated with new residential development. In addition, non-residential land uses will also be needed to support a community in which the residents can enjoy the ability to live, work, shop, and recreate.

#### Inclusion of Agricultural, Forest, Recreational & Wildlife Areas

Tooele City has established and pursued a policy of open space acquisition for the protection of values important to Tooele City residents, including viewsheds, scenic vistas, watershed, drinking water source protection, non-motorized recreation, and wildlife habitat. Some of the areas contemplated for possible annexation by this Plan Amendment present unique opportunities to provide open space, recreation activities, and even agricultural preservation integrated with development.

**Agricultural Areas.** Although there are no agricultural areas in Area K, there are active agricultural areas included in various the Expansion Areas and should be considered for annexation when it is consistent with the Agriculture Protection Act of Utah, the General Plan, and the desires of the owners of said properties. In general, agricultural areas should be protected from development as feasible, unless it is the desire of the property owners of said lands to develop their properties.

**Forested Areas.** Forested areas should be considered for annexation with consideration to the preservation and beauty of surrounding environmental land consistent with the General Plan. Hillside protection and cluster housing should be used where practicable to preserve these areas when being considered for annexation. Expansion Area K does not include forested or hillside areas.

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

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

#### Agriculture Protected Areas

This Annexation Policy Plan Amendment intends to recognize Agriculture Protection Areas adopted by the County. Expansion Areas are intended to be sensitive to the future development of these lands with planning in coordination with the property owners in these areas with the intent of protecting agricultural lands consistent with right-to-farm laws. To be included in an agriculture protection area established within Tooele County, land must comply in nature and configuration with the requirements of the state code and applicable Tooele County ordinances. Appendix C to this Plan Amendment shows the relationship between established agricultural protection areas and Expansion Areas of the Tooele City Annexation Policy Plan. Expansion Area K contains no properties within established agricultural protection areas. Nevertheless, these areas should be protected and conserved through the agricultural activities currently operating on those properties until it is the desire of the property owner to have their agricultural designations removed for other types of land use.

#### Comments From Affected Entities

Tooele City's Planning Commission and City Council, in their capacity as the municipal legislative body, have held multiple public meetings and public hearings to consider this Annexation Policy Plan Amendment.

Compliant with the requirements of the Utah State Code, the City has also provided an opportunity for identified affected entities to provide comment on this Annexation Policy Plan Amendment. From this effort, the City has included the following statements regarding comments and information received from those affected entities during the public comment period as well as a complete logging of the comments and information received from the affected entities:

Log of Affected Entities' Comments and Information Received.

Section 10-2-401.5 of the Utah State Code specifies, in part, that the City is to provide a window of time at least 10 days in length for affected entities, as defined in the Utah State Code, to provide written comment regarding the adoption of an Annexation Policy Plan or an amendment to an adopted Annexation Policy Plan. This window of time is called for in the Utah State Code is to occur following an initial discussion of the proposal during a public meeting of the Planning Commission and before a public hearing is held by the Planning Commission. For the review of this proposed amendment to the Tooele City Annexation Policy Plan, the Planning Commission granted a window of time lasting 21 days for affected entities to provide written comment. All written comment received during this window of time can be found in Appendix E to this Plan Amendment.

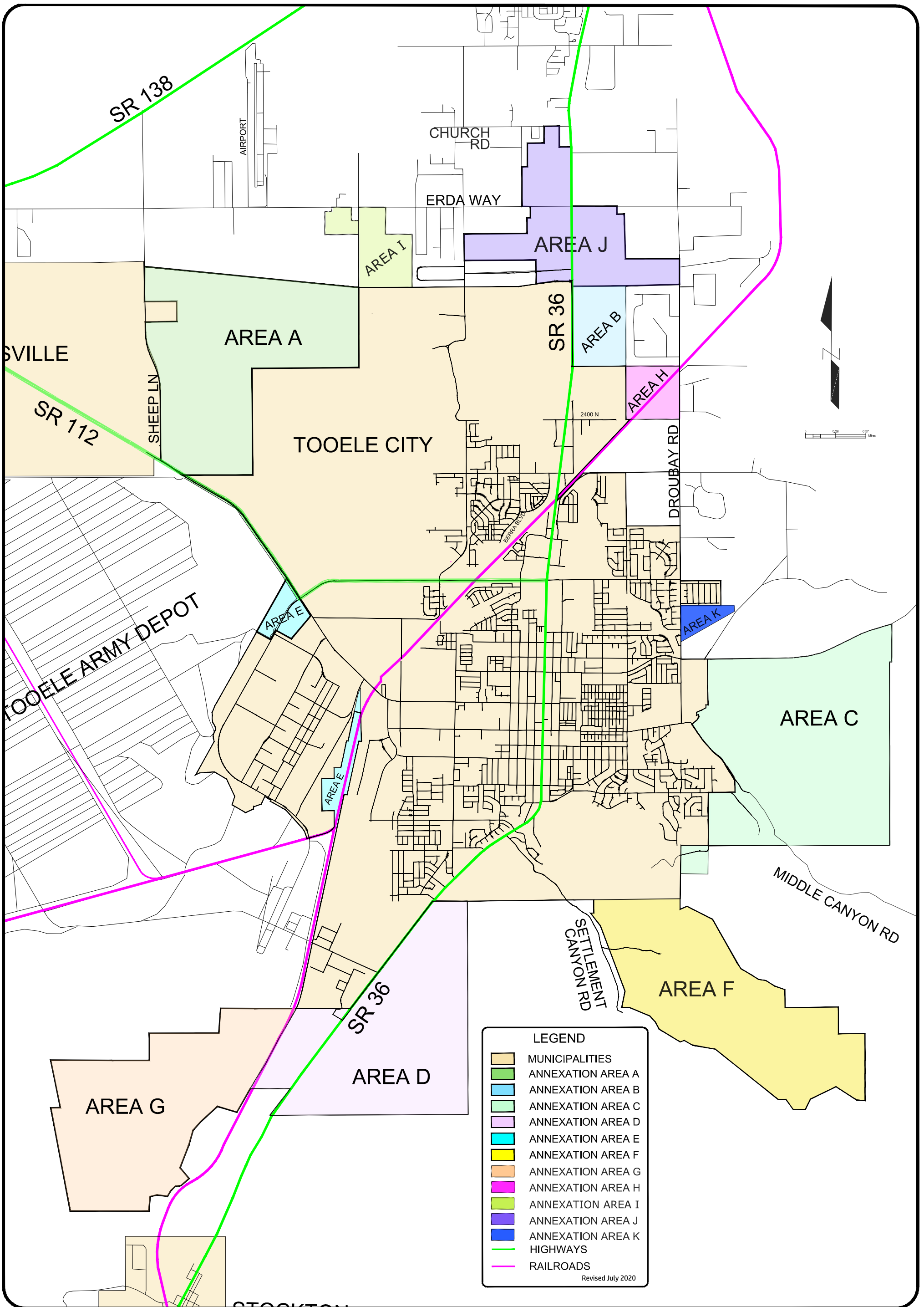
Tooele City Statement from Affected Entities' Comments and Information Received.

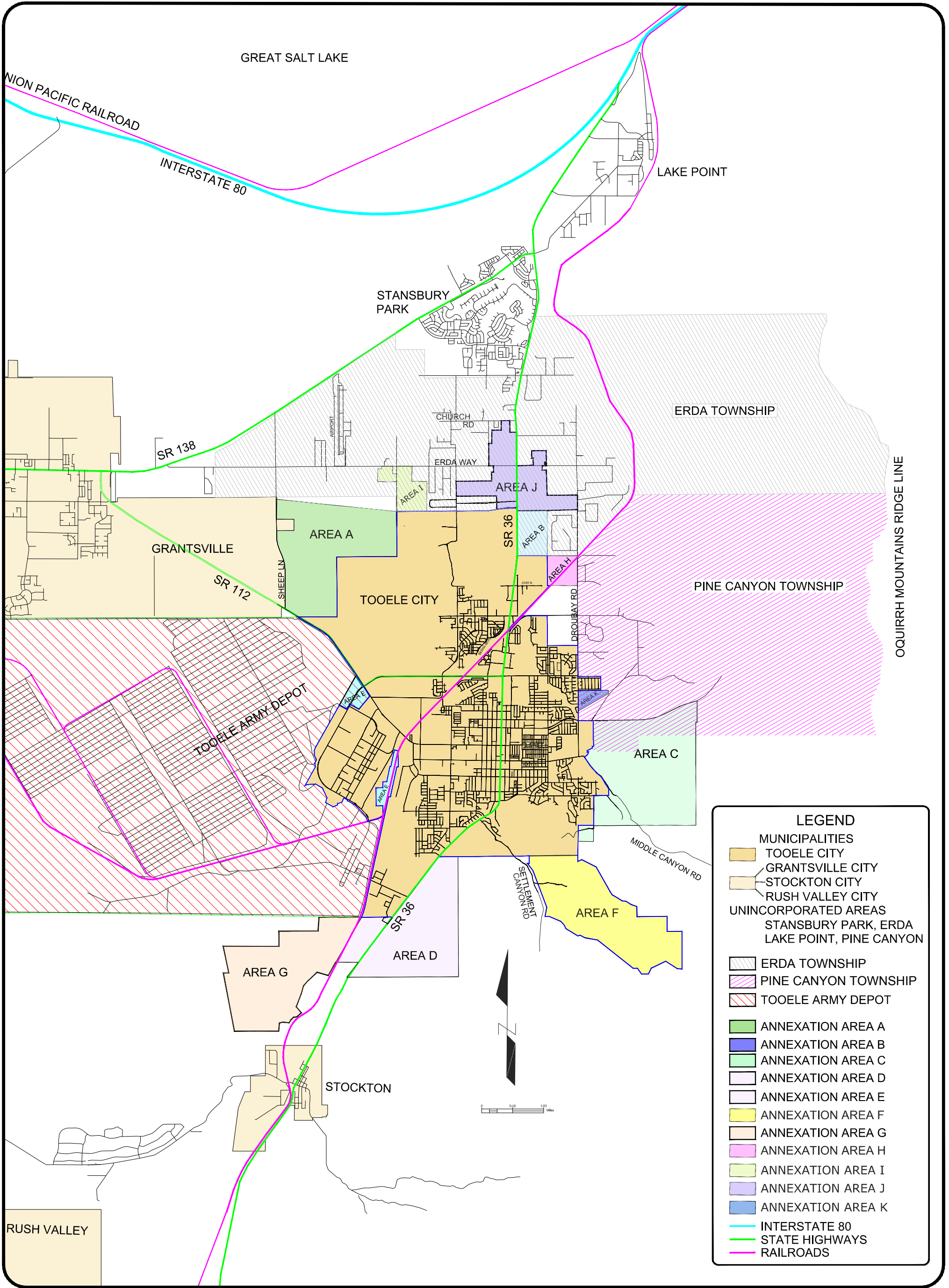
Tooele City is grateful to its affected entity partners that have taken the time and interest to review this proposed amendment for the identification and inclusion of three new expansion areas into the adopted Annexation Policy Plan. Their input and information is valuable to the City. We have great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

**Appendices: Annexation Policy Plan Maps And Information**

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

- Appendix A: Expansion Area Map
- Appendix B: Illustration of Surrounding Municipalities
- Appendix C: Agricultural Protection Areas
- Appendix D: ½-Mile Buffer of Tooele City Municipal Boundaries
- Appendix E: Log of Written Comment Received From Affected Entities





**LEGEND**

**MUNICIPALITIES**

- TOOELE CITY
- GRANTSVILLE CITY
- STOCKTON CITY
- RUSH VALLEY CITY

**UNINCORPORATED AREAS**

- STANSBURY PARK, ERDA LAKE POINT, PINE CANYON

**TOWNSHIPS**

- ERDA TOWNSHIP
- PINE CANYON TOWNSHIP
- TOOELE ARMY DEPOT

**ANNEXATION AREAS**

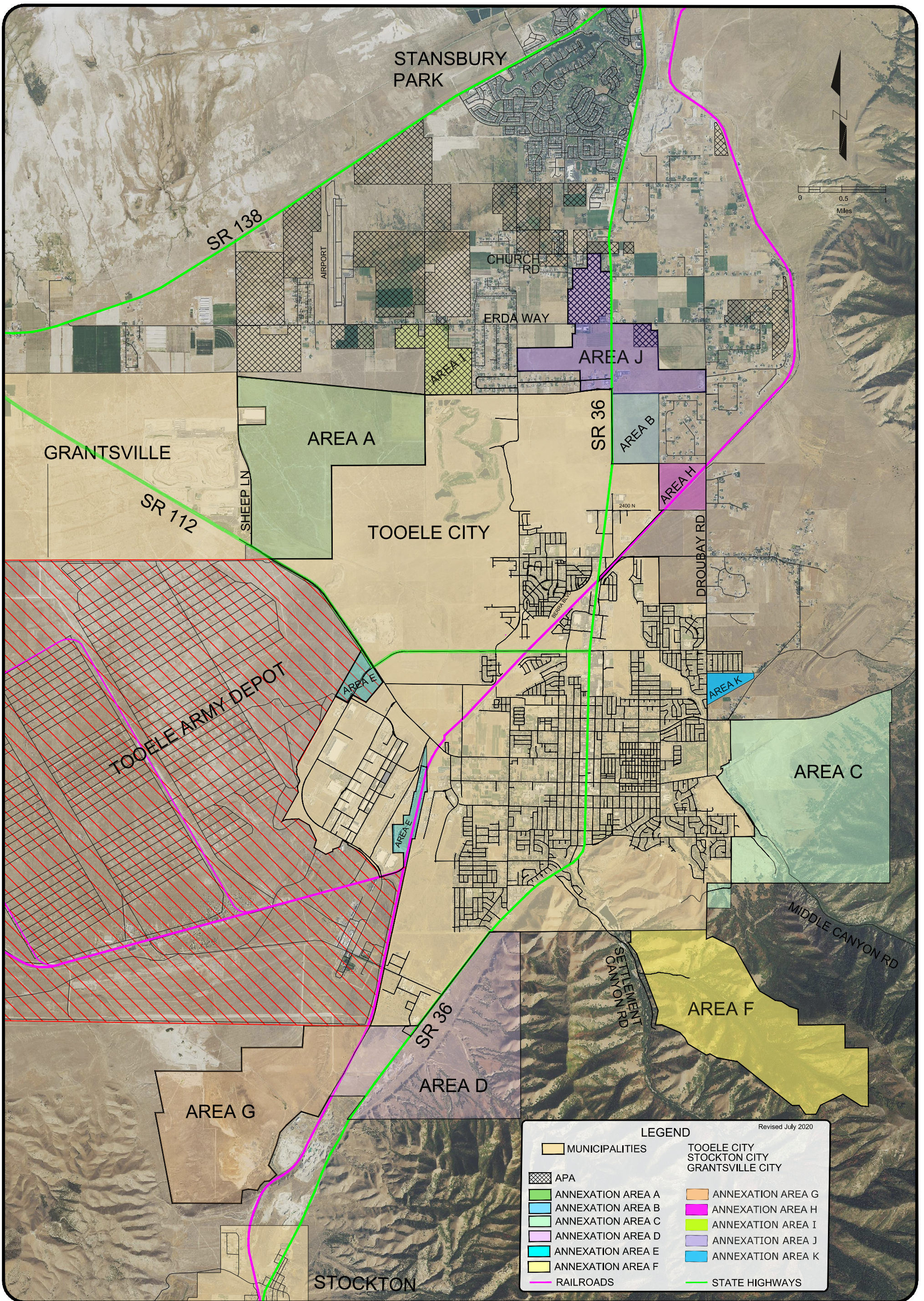
- ANNEXATION AREA A
- ANNEXATION AREA B
- ANNEXATION AREA C
- ANNEXATION AREA D
- ANNEXATION AREA E
- ANNEXATION AREA F
- ANNEXATION AREA G
- ANNEXATION AREA H
- ANNEXATION AREA I
- ANNEXATION AREA J
- ANNEXATION AREA K

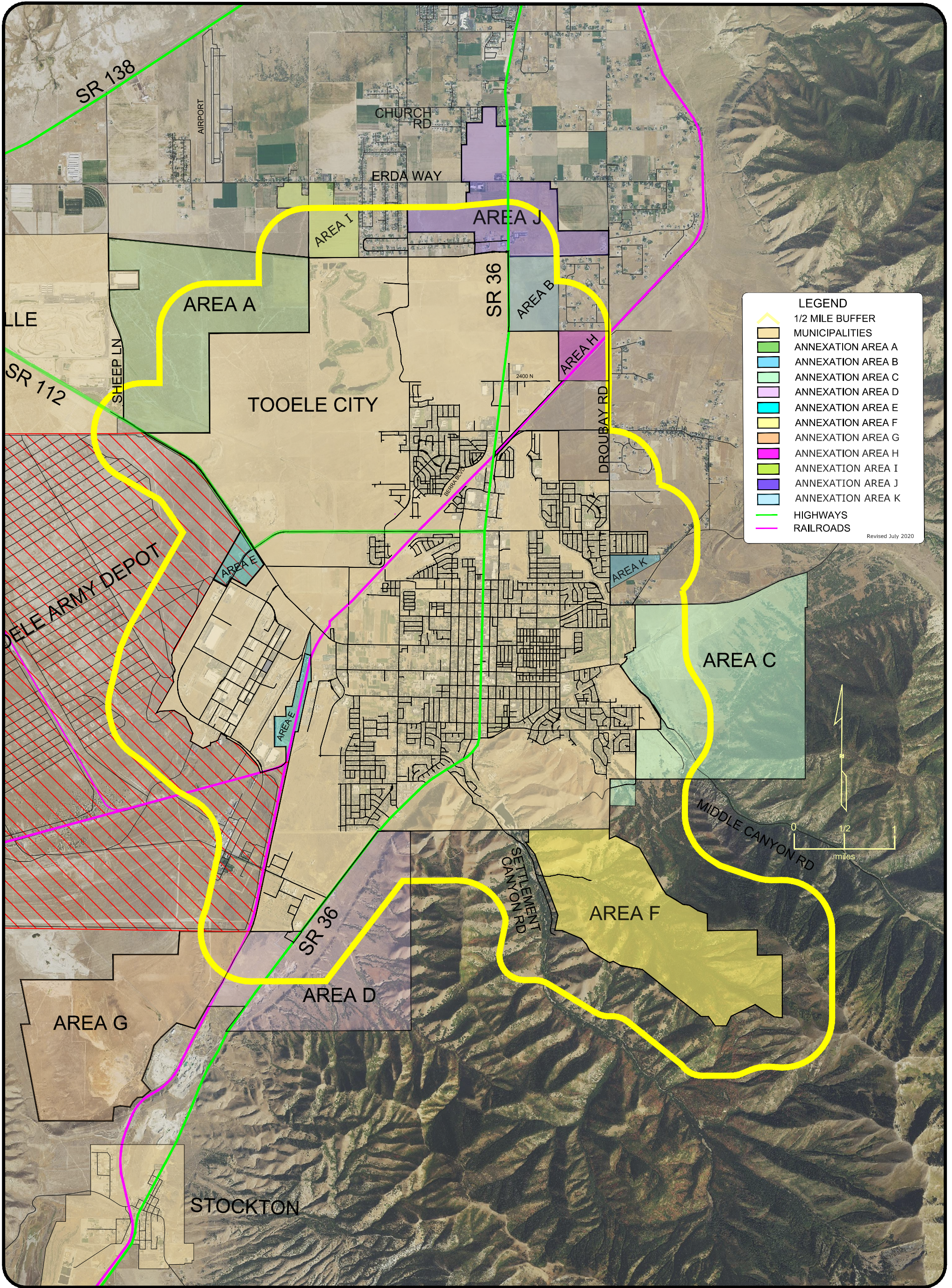
**TRANSPORTATION**

- INTERSTATE 80
- STATE HIGHWAYS
- RAILROADS

**APPENDIX B  
TOOELE CITY GENERAL PLAN  
ANNEXATION POLICY PLAN  
SURROUNDING MUNICIPALITIES**







**LEGEND**

- 1/2 MILE BUFFER
- MUNICIPALITIES
- ANNEXATION AREA A
- ANNEXATION AREA B
- ANNEXATION AREA C
- ANNEXATION AREA D
- ANNEXATION AREA E
- ANNEXATION AREA F
- ANNEXATION AREA G
- ANNEXATION AREA H
- ANNEXATION AREA I
- ANNEXATION AREA J
- ANNEXATION AREA K
- HIGHWAYS
- RAILROADS

Revised July 2020



***Appendix E***

***Log of Written Comment Received  
From Affected Entities***

DRAFT

Tooele City received no written comment from defined affected entities during the 21-day comment window for this Annexation Policy Plan Amendment.

DRAFT

**EXHIBIT B**

**AUGUST 26, 2020 PLANNING COMMISSION MINUTES**

## TOOELE CITY PLANNING COMMISSION MINUTES

**Date:** Wednesday, August 26, 2020

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

**Commission Members Present:**

Tyson Hamilton  
Shauna Bevan  
Dave McCall  
Melanie Hammer  
Matt Robinson

**Commission Members Excused:**

Chris Sloan  
Nathan Thomas  
Bucky Whitehouse

**City Employees Present:**

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

**Council Members Present:**

Council Member Ed Hansen  
Council Member Justin Brady

Minutes prepared by Kelly Odermott

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Robinson.

**2. Roll Call**

Dave McCall, Present  
Tyson Hamilton, Present  
Melanie Hammer, Present  
Shauna Bevan, Present  
Matt Robinson, Present

**3. Public Hearing and Recommendation on a Zoning Map Amendment from the R1-7 Residential zoning district to the LI Light Industrial zoning district by Tooele Associates, LP, for 170.87 acres located at approximately 2000 North, 1200 West**

Presented by Andrew Aagard

Mr. Aagard stated the application proposes to reassign the zoning for 170 acres. The majority of the property currently surrounding the parcels is undeveloped land. The property does not have any frontage onto improved roads. The property is surrounded by various zoning districts, to the north RR-5 Residential zoning, east is R1-7 Residential, to the south is R1-7 Residential and a recently rezoned parcel for I Industrial and GC General Commercial to the west of the subject property. The applicant is requesting the property be reassigned to the LI Light Industrial zoning district which is intended for light industrial assembly and manufacturing along with various commercial activities that produce no negative impacts to adjacent properties. The R1-7 Residential zone is entirely a single family residential zone which permits two family dwellings, such as duplexes. The only commercial business permitted in the zone is a home occupation business. There are not any industrial activities permitted within the R1-7 Residential zone. The southern western portions of the subject property are adjacent to commercial and industrial districts. The northern and eastern portions of the property are adjacent to single family residential zones, which could potentially be developed as homes. Typically, in Tooele City there are highways or railroad corridors to buffer residential zones from LI Light Industrial and I Industrial zones. The buffer zones could be addressed later in development as more property is developed. Mr. Aagard stated that the 170 acres is within the boundary of the 1000 North West Industrial Community Investment Area adopted by the Tooele city Council in 2017. This item is a public hearing and notices were sent to property owners within 200 feet of the property; no comments or concerns were registered by staff.

Chairman Hamilton asked if there were any questions or comments from the Commission, there were no comments.

Chairman Hamilton opened the public hearing.

Mr. Bruce Baird stated he is council for the applicant. He stated there is a reference in the Staff Report about a cap and he was not sure cap was the right word. There was more discussion about capping the residential density during the settlement agreement. There was no concern for rezoning the use for more tax generating and provides services. They think this is a good use for the property. It could provide substantial tax revenue to the city once developed and they think this will benefit the community. He stated two of the surrounding property owners are Tooele Associates and Perry Homes and have no objections.

Commissioner Bevan asked about the one piece of R1-7 Residential property to the west that is surrounded by LI Light Industrial and I Industrial. Mr. Baird stated he believed the property is owned by Tooele Associates. That property owner has received notice.

Commissioner Robinson asked why leave it as residential if it is a Tooele Associates property? Mr. Baird stated the property owner Mr. Hall would have the answer, but he assumed that it has been taken into account.

Chairman Hamilton closed the public hearing.

Commissioner Robinson asked about a statement stated during the presentation about buffering could be done later. Mr. Aagard stated that was brought up if the Commission had a concern about LI Light Industrial being next to residential. If that was the case, as the properties to the east are rezoned or developed as a subdivision, buffering could be reviewed. Commissioner Bevan asked if that is something that needs to be stated. Mr. Aagard stated that could be dealt with later on. Commissioner Robinson stated he is okay with that, but there is an island. Chairman Hamilton stated it was discussed when the Bolinder's brought the rezone application. Commissioner Hammer stated that her only concern was the island.

Mr. Baker stated that to keep in mind that in the zoning implemented after the settlement agreement, the R1-7 zoning district designation is a holding district zone pending further discussion and applications. It is still within the City Council's discretion legislatively to decide what is best for the City, a property, but this is understood for Overlake that the R1-7 designation was a holding designation. Mr. Baird confirmed Mr. Baker's statement.

Mr. Baird stated he received a text from the property owner and the residential island of property, is owned by Tooele Associates and it is not intended to be developed in the future as residential.

**Commissioner McCall motioned to forward a positive recommendation to the City Council for the Overlake Industrial Park Zoning Map Amendment Request by Drew Hall, representing Tooele Associates, LP to reassign the zoning of approximately 171 acres of property to the LI Light Industrial zoning district, application number P20-389, based on the findings listed in the Staff Report dated August 19, 2020.** Commissioner Hammer seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

**4. Recommendation on a Subdivision Preliminary Plan request for Settlement Acres by Park Capital Homes, LLC, for property located at approximately 560 West 900 South in the R1-7 Residential zoning district on 1.16 acres**

Presented by Andrew Aagard

Mr. Aagard stated the application proposes to subdivide the 1.1 acre parcel located at 900 West and east of Coleman Street. The property is currently vacant land. The property is zoned R1-7 Residential, as are the properties to the north, east, and west. Properties to the north and east are currently utilized as existing legally non-conforming mobile home subdivisions. Properties to the south are zoned GC General Commercial and are utilized as the Tooele County Public Works Shops. The application proposes to subdivide the property into six single-family residential lots, each lot being 7,700 square feet in size. Each lot is 60 feet wide and is the minimum requirement for lot width as required by the R1-7 Residential zoning district. Approximately 10 feet of frontage will be dedicated to Tooele City and will complete the public right-of-way, along the entire frontage of the subdivision. Curb and gutter are already installed and the development will be installing the necessary five foot sidewalk along the entire frontage. Staff is recommending approval with the basic staff conditions listed in the Staff Report.

Chairman Hamilton asked the Commission if there were any comments or concerns.

Council Member Bevan stated it will be a nice addition to 900 South.

**Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Settlement Acres Preliminary Plan Subdivision Request by Brett Mascaro, representing Park Capital, LLC for the purpose of creating six single-family residential lots at approximately 560 West 900 South, application number P20-15 based on the findings and subject to the conditions listed in the Staff Report dated August 20, 2020.** Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Hammer, “Aye,” Commissioner Robinson, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

**5. Recommendation on a Subdivision Plat Amendment request for Lexington at Overlake Minor Subdivision Plat by Zenith Tooele, LLC for 32.24 acres of property located at approximately 400 West 1200 North in the MR-16 Multi-Family Residential zoning District.**

Presented by Andrew Aagard

Mr. Aagard stated this application was heard at the previous meeting. Due to miscommunication and an error by the City Planner, the incorrect plat was presented to the Commission at the previous meeting. The previous plat demonstrated five lots in the plat amendment along with road dedication of Frank’s Drive and Berra Boulevard. The correct plat is for eight lots. Five of the lots will be for future residential development, while the three additional lots are the roads that will be dedication to Tooele City as public streets. The correct plat dedicates Frank’s Drive, Berra Boulevard, and Carol’s Way and 680 West. The overall configuration of the lots remains the same. Mr. Aagard stated that the correct Mylar was signed at the previous meeting. The staff felt it should come back for the correct plat approval.

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

**Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Lexington Greens 5 Lot Minor Subdivision Plat Amendment Request by Charles Akerlow, Zenith Tooele, LLC thus amending the Lexington at Overlake 5 Lot Minor Subdivision, application number P20-372, based on the findings and subject to the conditions listed in the Staff Report dated August 6, 2020.** Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Hammer, “Aye,” Commissioner Robinson, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

**6. Review and Discussion on a proposed amendment to the adopted Tooele City Annexation Policy Plan to identify one new potential expansion areas and include that area into the adopted Annexation Policy Plan and accompanying Expansion Area maps.**

Presented by Andrew Aagard

Mr. Bolser thanked Mr. Aagard for his professionalism and integrity but the previous item was not an error by the City Planner. Mr. Bolser stated that in April and May the Planning Commission had the opportunity to review and approve three new areas into the existing and

adopted Annexation Policy Plan. This is another amendment to the Annexation Policy Plan and is not an annexation.

Mr. Bolser gave his doctor's office analogy. There are two portions to the doctor's office, the waiting room and the exam room. The waiting room parallels into the Annexation Policy Plan process; plan preparation, less-specific areas considered, no petitions for annexation and no conditions for annexation or decisions made while in the waiting room. An application cannot get to the exam room without going through the waiting room. After going to the exam room, it parallels the annexation process. This is a specific property there is a petition for annexation, the application is discussed with conditions and a decision is made. By state law cities are preempted from considering an annexation application and making a decision on it if it does not lie within one of the expansion areas in the adopted Annexation Policy Plan.

Mr. Bolser stated this is a proposal to amend the Annexation Policy Plan. This is an amendment to the currently adopted Annexation Policy Plan, which was adopted in 2010. The city is undergoing a significant general Plan review and revision. The Annexation Policy Plan was revised by Ordinance 2020-25 in June 2020 and added areas I, H, and J. This could include an Area K. The process does not mean any properties will or won't be annexed. If the properties are annexed, the process does not identify when the property will be annexed. The City is not required to annex, but this process allows the conversation to happen.

Mr. Bolser stated that the Annexation Policy Plan is governed by State Code 10-2-401.5. The state requires that there is an initial public presentation that happens before the Planning Commission. That is what is happening in the meeting. No decisions can be made on the application during the meeting. Following the meeting, state law requires a minimum 10 day window for what is defined as affected entities to provide written comment to the city. After the 10 day minimum window, the Planning Commission would hold a public hearing. Following the public hearing the Planning Commission can forward a recommendation to the City Council. The City Council then holds their own public hearing.

Mr. Bolser stated the potential area is K. It is east of Droubay Road and immediately above area C. It is south of the existing Carr Fork subdivision. The Carr Fork subdivision is within City limits. It is vacant land. There is a public utility substation on the property and would not be affected if the property was developed.

Mr. Bolser stated following this meeting, the staff will open the 10 day minimum window for Affected entities. He asked the Commission to determine when they would like to close the window and set the public hearing date. He proposed that noticing requirement would not allow for adequate noticing for the next Planning Commission public meeting. The earliest public hearing meeting would be September 23. The 10 day window could remain open to the September 16 and allow for a 21 day window for affected entities.

Chairman Hamilton stated that he appreciated the presentation. Mr. Bolser stated that the City Council initiated the process for this revision, based on a request of a property owner. Commissioner Robinson asked if that is what has changed since the prior policy revision. Mr. Bolser stated that this came to the Council right as the previous revision was being considered.



A determination was made to hold this one and approve the other. Commissioner Robinson asked why didn't the City just take a big plot over on that side of the City. He doesn't appreciate the piecemeal thing with adopting little pieces and it may do nothing, but what does it hurt to put it out there. Mr. Bolser stated that the comment is well taken, but the difficulty to a certain degree, they are bound to what a property owner requests. Where this came as a specific request, the Council opted for staff to prepare it as requested. Commissioner Robinson stated the land just south of the triangle, it is between two expansion areas. He stated he is hearing that the City doesn't want to mess with the property until there is a request by a property owner. Mr. Bolser stated he did not know if that was the specific decision that was made, but what is presented, is what was presented to the Council.

Mr. Bolser stated there has been a lot of dialogue around the Valley regarding what property owners want and don't want. There is a delicate balance to be struck by Cities and governments and how best to proceed forward for any one property owner. The most straight forward way to go about it, is to listen to their desires and in this case, this property was identified to go forward.

Mr. Baker stated putting property in the Annexation Expansion Map does not give the City any legal obligation to annex those properties. In building off the medical analogy, in going to the doctor you may be waiting awhile, but you do expect to be seen. There may be no legal obligation, but there can be pressure from the property owner in the Expansion Area Map to be included in the City.

Commissioner Robinson asked about how the Carr Fork subdivision was added to City limits. Mr. Bolser stated it was before his time with the City and he has not researched that specific question. Commissioner Robinson stated that there is funky land up there. Mr. Bolser stated that there is a lot of property to the north of Area C that has some fairly stringent protections on it resulting from the mining activities at Anaconda. There isn't a lot of pressure or desire to annex that property. There is a boundary of reasonability on how far the city can go. Commissioner Robinson asked if K and the land south of Area K have those restrictions. Mr. Bolser stated Area K does not. He didn't think the area south of Area K did either, but he thought that it started when crossing Erikson road which lined Area K. Commissioner Robinson asked about the property north of Carr Fork. Mr. Bolser stated there are homes along Erikson Road there is a water well and homes. He is not sure along the west side of Erikson Road north of Smelter Road.

Commissioner Robinson stated that it has been spoken in previous meetings about the legislature making annexation petitions. Has that changed?

Mr. Baker stated that Senate Bill 5004, is still the current state of affairs. It creates a direct conflict between the annexation statute and the incorporation statutes. It has not been resolved. It does not apply to this property.

Chairman Hamilton suggested to close the window for written comment from affected entities to close September 16 and to have the public hearing on September 23. The Commission agreed.

Commissioner Robinson asked who gets notices? Mr. Bolser stated that by state law the definition of affected entities is similar to taxing entities, Tooele County, Tooele Valley Mosquito Abatement District, North Tooele Fire District, and Tooele County School District.

Chairman Hamilton asked with the window dates would leave 21 days for responses. Mr. Bolser stated with it opening this after the meeting, written comments would be accepted through midnight on September 16, which would be 21 days.

7. **Review and Approval of Planning Commission minutes for meeting held on August 12, 2020, including the joint meetings for the combined Council/Commission meeting.**

**Commissioner Hammer motioned to approve the minutes.** Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Hammer, “Aye,” Commissioner Robinson, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

Mr. Bolser reminded the Commission and public that there is a comprehensive update happening on the General Plan. It is out for public review on the Tooele City website, [www.tooelecity.org](http://www.tooelecity.org) where it can be downloaded or viewed. There is a link through the website for public comment to be directed to staff. There is an email address, [generalplancomment@tooelecity.org](mailto:generalplancomment@tooelecity.org), for feedback. There are also hard copies at City, one at the reception desk, one in the Community Development Department Office, and one in the City Records Office. Each of those copies has a stack of comment cards for public comment. Mr. Bolser stated there has been a notice in the newspaper and in the Mayor’s Ninety North main Newsletter. There will be two public open houses scheduled for Thursday September 17, 2020, 6:00pm – 9:00pm and Tuesday October 6, 2020, 6:00pm – 9:00pm. There will be larger versions of the map as well as comment cards. Staff and Planning Commissioners will be in attendance to answer questions. There will be two formal public hearings and two public hearings with the City Council.

Chairman Hamilton stated the main goal is to be transparent and asked the public to input on the General Plan.

8. **Adjourn**

Chairman Hamilton declared the meeting adjourned at 7:53p.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 9th day of September, 2020

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Tyson Hamilton, Chairman, Tooele City Planning Commission

**EXHIBIT C**

**SEPTEMBER 23, 2020 PLANNING COMMISSION MINUTES**

**7-4-8. Access Requirements.**

- (4) General Standards for All Uses. All access to properties shall be provided to meet the following general requirements:
- (d) Spacing and location of drive approaches for residential uses in relation to an intersection of two streets shall be as follows:
- (i) a driveway serving an individual dwelling unit, regardless of unit type or configuration, shall be located at least ~~30~~ ten feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.
  - (ii) a driveway providing access to a collective parking area serving multiple dwelling units, regardless of unit type or configuration, shall be located at least ~~50~~ 30 feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.

**TABLE 3**  
**SITE PLANNING AND DEVELOPMENT STANDARDS FOR PRIMARY BUILDINGS AND STRUCTURES**

	RESIDENTIAL ZONING DISTRICT												
	MR-25	MR-16	MR-8	R1-7	R1-8	R1-10	R1-12	R1-14	R1-30	RR-1	RR-5	RR-20	MU-160
Minimum Lot Width (at front property line)	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	100 feet	200 feet	250 feet	1,320 feet
Minimum Lot Width ( <i>interior lots</i> at front setback, single-family)	50 feet	50 feet	60 feet	60 feet	75 feet	85 feet	85 feet	90 feet	100 feet	100 feet	200 feet	250 feet	1,320 feet
<i>Minimum Lot Width<sup>3</sup> (corner lots at front setback on each frontage, single-family)</i>				<i>80 feet</i>	<i>90 feet</i>	<i>100 feet</i>	<i>110 feet</i>	<i>120 feet</i>	<i>120 feet</i>	<i>120 feet</i>	<i>200 feet</i>	<i>250 feet</i>	<i>1,320 feet</i>
Minimum Lot Width (at front setback, two-family)	60 feet	60 feet	60 feet	60 feet	75 feet	85 feet	85 feet	90 feet	100 feet	100 feet	200 feet	250 feet	1,320 feet
Minimum Lot Width (at front setback, all other residential uses)	70 feet	70 feet	75 feet	60 feet	75 feet	85 feet	85 feet	90 feet	100 feet	100 feet	200 feet	250 feet	1,320 feet
Minimum Lot Width (at front setback, all other uses)	80 feet	80 feet	80 feet	80 feet	80 feet	100 feet	100 feet	100 feet	100 feet	100 feet	200 feet	250 feet	1,320 feet
Minimum Front Yard Setback	25 feet <sup>2</sup>	25 feet <sup>2</sup>	25 feet <sup>2</sup>	20 feet 25 feet for garages	20 feet 25 feet for garages	25 feet	25 feet	25 feet	30 feet	30 feet	30 feet	30 feet	30 feet

	RESIDENTIAL ZONING DISTRICT												
	MR-25	MR-16	MR-8	R1-7	R1-8	R1-10	R1-12	R1-14	R1-30	RR-1	RR-5	RR-20	MU-160
Minimum Rear Yard Setback (Interior Lot)	20 feet <sup>2</sup>	20 feet for detached single-family 25 feet for all others <sup>2</sup>	20 feet for detached single-family 25 feet for all others <sup>2</sup>	20 feet for detached single-family	20 feet for detached single-family	<del>30</del> 25 feet <sup>1</sup>	30 feet <sup>1</sup>	30 feet <sup>1</sup>	30 feet	30 feet	60 feet	60 feet	60 feet
Minimum Rear Yard Setback (Corner Lot)	20 feet <sup>2</sup>	20 feet <sup>2</sup>	20 feet <sup>2</sup>	20 feet <sup>1</sup>	20 feet <sup>1</sup>	<del>30</del> 25 feet <sup>1</sup>	30 feet <sup>1</sup>	30 feet <sup>1</sup>	30 feet	30 feet	60 feet	60 feet	60 feet
Minimum Side Yard Setback (Interior Lot)	10 feet <sup>2</sup>	6 feet <sup>2</sup>	6 feet <sup>2</sup>	6 feet	8 feet	10 feet	10 feet	10 feet	12 feet	20 feet	20 feet	60 feet	60 feet
Minimum Side Yard Setback (Corner Lot)	15 feet <sup>2</sup>	15 feet <sup>2</sup>	15 feet <sup>2</sup>	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	30 feet	60 feet	60 feet	60 feet
Maximum/Minimum Building Height	45 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story	35 feet / 1 story
Total Lot Coverage (all buildings)	40%	40%	40%	35%	35%	35%	35%	35%	25%	20%	10%	10%	10%

<sup>1</sup> The minimum rear yard setback may be reduced ~~to~~ by up to 25% feet for not more than 20% of the width of the rear yard, measured at the rear yard property line

<sup>2</sup> Multi-family developments subject to Chapter 7-11a of this Title shall follow setback requirements in Section 7-11a-6.

<sup>3</sup> Minimum lot width for corner lots may be reduced to the minimum lot width requirement of interior lots when proper notation on the approved plat determines and restricts the orientation of the primary residential structure on the lot to that frontage only.

## CHAPTER 11a. DESIGN STANDARDS: MULTI-FAMILY RESIDENTIAL

7-11a-1	Defined Terms
7-11a-2	Purpose and Scope
7-11a-3	General Provisions
7-11a-4	Project Application, Procedure
7-11a-5	Context and Setting
7-11a-6	Design Standards: Building Orientation
7-11a-7	Design Standards: Vertical Alignment
7-11a-8	Design Standards: Horizontal Alignment, Facades
7-11a-9	Design Standards: Windows
7-11a-10	Design Standards: Building and Dwelling Unit Entries
7-11a-11	Design Standards: Project Entrances
7-11a-12	Design Standards: Landscaping
7-11a-13	Design Standards: Parking and Internal Circulation
7-11a-14	Design Standards: Signage
7-11a-15	Design Standards: Lighting
7-11a-16	Design Standards: Utilities
7-11a-17	Design Standards: Walls and Fences
7-11a-18	Design Standards: Building Materials
7-11a-19	Design Standards: Color
7-11a-20	Design Standards: Vents
7-11a-21	Design Standards: Dumpster Enclosures
7-11a-22.	Design Standards: Common Areas
7-11a-23	Design Standards: Pedestrian Pathways
7-11a-24	Design Standards: Zoning
<a href="#">7-11a-25</a>	<a href="#">Deviation From Design Standards.</a>
7-11a-26 <sup>5</sup>	Figures
7-11a-27 <sup>6</sup>	Photo Groups

### 7-11a-10. Design Standards: Building and Dwelling Unit Entries.

- (1) All open building entries (i.e., without doors) shall be clearly designated with lighted directional and/or building identification signage.
- (2) All closed building entries (i.e., with doors) and dwelling unit entries located on exposed building facades (i.e., not located on a breeze-way internal to a building or between otherwise connected buildings) shall be covered with a portico, pediment, or similar covering that is architecturally integrated into, not merely attached to, a building. See **Photo Group 8** for examples. Covers shall be of dimensions sufficient to cover one person standing at the entry.
- (3) All dwelling unit entries shall utilize trim, at least 4 inches in width, of a color different than the wall sections surrounding the entry.
- (4) Building entries shall be directly accessible from a publicly-owned sidewalk or a privately-owned pathway open to the public.
- (5) Buildings may not have stairwells or stair cases of more than six stairs leading directly to or from dwelling unit entries.
- (6) All multi-family dwelling units that include a front-facing attached garage shall have the garage door **recessed from the front facade by a minimum of five feet. The garage door shall also** be of a color matching that of the color palette of the unit's front facade.

### [7-11a-25](#) [Deviation From Design Standards.](#)

- (1) *[Purpose.](#) In the event an applicant requests a deviation from the development standards of this Chapter and has submitted a project that contains features design above and beyond those required, the Planning Commission*

shall have the discretion, but be under no obligation, to approve a deviations to some or all of the design standards as long as:

- (a) such deviation is consistent with the purpose and intent of the policies and development standards described in this chapter; and
  - (b) all required findings of this Section are satisfied.
- (2) Scope. Deviations from the design standards of this Chapter, as outlined in this Section, shall apply only to standards identified in this Chapter. Deviations may be requested for applications for development projects to be applicable on a project-wide basis. Deviations from design standards shall not be permitted on unit-by-unit, lot-by-lot, building-by-building, or similar basis unless such deviation is approved with the specific finding of creating variety prior to approval of the project to which it would apply. Requests for deviations shall not be permitted to the standards of density or the method of calculation of density.
- (3) Deviation Criteria. The Planning Commission shall take into consideration at least three of the following criteria in considering a request for deviation to the design standards of this Chapter:
- (a) the deviation being requested serves to further the purposes and intents of this chapter, as identified in Section 7-11a-2, beyond what could be achieved without the deviation;
  - (b) the project contains amenities such as pedestrian and bike connectivity in excess of what is required in the General Plan and this Title;
  - (c) the overall percentage of dedicated public or private landscape, open space area, and amenities exceeds the required amount by at least 10%;
  - (d) the deviation being requested serves the specific purpose of addressing and minimizing or eliminating impacts, potential impacts, or nuisance on surrounding neighborhoods, including but not limited to traffic and viewsapes, are minimized through creative design;
  - (e) accumulation or clustering of building materials on the most publicly visible sides of structures where:
    - (i) the overall utilization of building materials exceeds that of the base standard being deviated;
    - (ii) the amount of primary materials used for street facing facades is at least 10% greater than the minimum required by this Chapter; and
    - (iii) the design of the structure meets or exceeds the intent and purpose of the standard being deviated; and
  - (f) the deviation request serves to increase the functionality of the features within the project;
  - (g) the deviation requested will not result in an increase in the number of dwelling units within the project;
  - (h) the building design is a specific architectural style which utilizes facade materials differently than prescribed in this Chapter, is designed by a licensed architect, but still meets the intent of the requirement being deviated; and
  - (i) the deviation requested serves to preserve, protect, and enhance an environmentally sensitive feature which is included into the design of the project.
- (4) Request Responsibility. It shall be the responsibility of the applicant to demonstrate to the Planning Commission the benefit of deviating from the standards of this Chapter by:
- (a) providing a written request for a design review for the project application in which the deviation would be applied;
  - (b) providing a written description and analysis of the specific development standards to be deviated prepared by a licensed professional, such as an architect, engineer or landscape architect; and
  - (c) providing a written justification that addresses each of the required findings listed in Subsection 5 of this Section.
- (5) Findings Required. The Planning Commission may approve deviations from the development standards listed in this Chapter only if it finds:
- (a) that the requested deviations are based upon a finding of facts in the record, from specific criteria identified in Subsection 3 of this Section;
  - (b) that the deviation is in the benefit of the health, safety and welfare of the residents of and visitors to the project;
  - (c) that the deviation is in the benefit of the health, safety and welfare and the community as a whole;
  - (d) that the deviation from any one design criteria approved will not create the potential for an increased impact or nuisance from any other design criterion, either within the same project or upon neighboring properties; and



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

7-11a-26~~5~~ **Figures.**

7-11a-27~~6~~ **Photo Groups.**

DRAFT



VERSALIFT

6VW 10000  
USDOT# 1096679 UT

RESERVED  
PARKING





## Elton & Settlers Park Playground Enclosure Project, Bid Results

<b>CONTRACTOR</b>	<b>BID AMOUNT</b>
<b>SFT Concrete</b>	<b>\$13,800.00</b>
<b>TB Construction</b>	<b>\$15,800.00</b>
<b>England Construction</b>	<b>\$23,869.00</b>

**JLG man lift estimated pricing from state contract**

<b>Equipment Description</b>	<b>AMOUNT</b>
<b>Genie S-40XC Manlift</b>	<b>\$75,993.00</b>
<b>Genie S-45XC Manlift</b>	<b>\$79,400.00</b>
<b>Genie 60' S-60XC Manlift</b>	<b>\$102,949.00</b>
<b>Genie 65' s-65XC Man lift</b>	<b>\$110,198.00</b>



10242419

JLG

660SJ

V&E  
EQUIPMENT  
SERVICES



P.O. Box 26903  
 Salt Lake City, UT 84126-0903  
 Phone: (801) 566-3256  
 Fax: (801) 566-5889

# INVOICE

UPC VENDOR	INVOICE DATE	INVOICE NO.
000000		451068-00
P.O. NO.		PAGE #
GM3320 demo		1

CUST.#: 17120

SHIP TO: OQUIRRH HILLS GOLF COURSE  
 ATTN: BRIAN ROTH  
 1255 EAST VINE  
 TOOELE, UT 84074

CORRESPONDENCE TO: TEI  
 P.O. Box 26903  
 Salt Lake City, UT 84126-0903

BILL TO: CITY OF TOOELE

90 N. MAIN  
 TOOELE, UT 84074

INSTRUCTIONS		TERMS
		Net 10th Prx
SHIP POINT	SHIP VIA	SHIPPED
Turf Equipment		

LINE NO.	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY BACK ORDERED	QUANTITY SHIPPED	QTY. U/M	UNIT PRICE	AMOUNT (NET)
1	04530 Greensmaster 3320 TriFlex Hybrid	1			EA	38481.99	38481.99
2	04626 NARROW WIEHLE ROLLER DPA	1			EA	0.00	0.00
3	04554 Light kit - Riding Greensmowers	1			EA	0.00	0.00
4	121-2260 REAR ROLLER SCRAPER KIT, 21"	3			EA	0.00	0.00
5	04655 DPA 14 Blade cutting unit - Triflex	3			EA	0.00	0.00
6	CM535-04530 TPP 04530 60mo/3500hrs	1			each	0.00	0.00
6	Lines Total		Qty Shipped Total	10		Sub Total	38481.99
						Invoice Total	38481.99
						Balance Due	38481.99
						Cash Discount	0.00 If Paid Within Terms

Last Page

CONDITIONS OF SALE: It is agreed that title and ownership of above listed merchandise is to remain with Turf Equipment and Irrigation, Inc. until all such indebtedness and finance charges are fully paid. It is further agreed that the foregoing account is placed for collection, the purchaser agrees to pay reasonable attorney fees, costs, and interest. In the event the buyer defaults on payment of this sale, the buyer hereby irrevocably grants to the seller the right to enter at any time, with or without notice, any premises wherein the within described property may be located, to take possession of property. The buyer expressly waives any right or action that may accrue by reason of seller taking possession of property. ALL PAST DUE ACCOUNTS WILL BE CHARGED A FINANCE CHARGE OF 2% PER MONTH. THIS IS AN ANNUAL RATE OF 24%





TORO

117

TORO

GREENMASTER  
3100 T/FLEX

TORO  
MULE  
MULTI PRO

REELMASTER  
5400-D

G-PLPX III



TORO

116

JACOBSEN

Ultimate Turf

LAWSON PRODUCTS, INC.



TORO

115

GREENSMASTER 3150

CAUTION  
NEVER PLACE HANDS OR FEET IN  
REEL AREA WHILE ENGINE IS RUNNING

CAUTION  
NEVER PLACE HANDS OR FEET IN  
REEL AREA WHILE ENGINE IS RUNNING

ISO 4326/4328  
ISO 4326/4328  
ISO 4326/4328

TURFCO

CUS