

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council and the Municipal Building Authority will meet in a Business Meeting on Wednesday, May 15, 2019 at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Mayor's Youth Recognition Awards**
4. **Public Comment Period**
5. **Resolution 2019-41** A Resolution Of the Tooele City Council Affirming Tooele City's Decision to Pay the Net Amount Declared by the District Court to Aposhian Sod Farms, Inc., in Equal Annual Installments as Provided by the Lease Agreement and as Allowed by the Utah Governmental Immunity Act
Presented by Roger Baker
6. **Water Quality Report**
Presented by Paul Hansen
7. **Resolution 2019-40** A Resolution of the Tooele City Council Approving the Municipal Wastewater Planning Program Annual Report for Tooele City for 2018
Presented by Steve Evans
8. **Public Hearing and Decision** on Ordinance 2019-04 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District for 16.4 Acres of Property Located at 600 West and 650 West Utah Avenue
Presented by Jim Bolser
9. **Subdivision Preliminary Plan** for Par Fore Estates, Application by Par 4 Estates LLC, Located at Approximately 775 East Vine Street, in the R1-7 Residential Zoning District, for the Purpose of Creating 62 Single-Family Residential Lots
Presented by Jim Bolser
10. **Public Hearing and Decision** on Ordinance 2019-12 An Ordinance of the Tooele City Council Amending the Text of Chapter 7-4 of the Tooele City Code Related to Parking and Making Related Technical Changes to Chapter 7-15, Chapter 7-15a and Chapter 7-16 of the Tooele City Code
Presented by Jim Bolser
11. **Minutes**
 - a. May 1, 2019 Work Session and Business Meeting
 - b. May 8, 2019 Work Session
 - c. April 17, 2019 MBA Business Meeting
12. **Invoices**
13. **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.

For more information Contact:

Tooele City
Attn: Public Works Director
90 North Main
Tooele, UT 84074
Phone: (435) 843-2132



Public Works Department

2018 Tooele City Water Quality Report

ATENCION! Este informe contiene informacion muy importante sobre la calidad de su agua beber. Traduscalo o hable con alguien que lo entienda bien.

Is My Water Safe?

Last year, as in years past, your drinking water met all U.S. Environmental Protection Agency (EPA) and State drinking water health standards. Tooele City vigilantly safeguards its water supplies and we are proud to report that our system has not violated a maximum contaminant level (MCL) or any other water quality standard. This report is a summary of last year's drinking water quality. Included are details about where your water comes from, what it contains, and how it compares to EPA and State standards.

Where Does My Water Come From?

Your drinking water during the reporting year 2018 came from 12 wells and 1 spring. The City controls the land around these wells and springs to restrict any activity that could contaminate them. The City also relies upon accepted Drinking Water Source Protection zones which have been approved and accepted by the State and which are protected by both City and County Land Use Ordinance. The water that comes out of these wells and springs is treated and disinfected to protect you against contaminants.

Why Are There Contaminants in My Drinking Water?

All sources of drinking water are subject to potential contamination by constituents that are naturally occurring or manmade. Those constituents can be microbes, organic or inorganic chemicals, or radioactive materials. All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791, or on their web page <https://www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline>

Nationally, sources of drinking water include rivers, lakes, streams, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and in some cases, radionuclides. Water can also pick up substances resulting from the presence of animals or human activity.

Contaminants that may be present in water include:

- **Microbial contaminants**, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- **Inorganic contaminants**, such as salts and metals, can occur naturally or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, and/or farming.
- **Pesticides and herbicides** come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- **Organic chemical contaminants**, including synthetic and volatile organic chemicals, are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- **Radionuclides** can be naturally occurring or the result of oil and gas production and mining activities.
- **Disinfection byproducts**, derived as a result of chlorination and disinfection of the water.

Tooele City Public Works
90 North Main
Tooele, UT 84074
Phone: (435) 843-2132

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In order to ensure that water is safe to drink, the State and the EPA establish regulations which limit the amount of certain contaminants in water provided by public water systems.

TOOELE CITY WATER QUALITY DATA

EPA requires monitoring of over 80 drinking water contaminants according to a sampling schedule established by the State Division of Drinking Water and as noted above. The table below lists all of the drinking water contaminants that were detected during the calendar year of this report. The presence of contaminants in the water does not necessarily indicate that the water poses a health risk. The EPA and/or the State do not require us to monitor for certain contaminants every year because the concentrations of these contaminants do not change frequently and have been demonstrated over time as meeting drinking water standards. The values shown in the table below reflect the highest reported level for the contaminants identified during the past year (2018), and are often much lower.

Terms and Abbreviations Used

- DL** (Detection Limit): The minimum contaminant limit which the testing laboratory is able to detect.
- MCL** (Maximum Contaminant Level): The highest level of a contaminant that is allowed in drinking water.
- MRL** (Minimum Reporting Limit): The contaminant limit which is required to report to the
- ND** (Not Detected) The contaminant was not detected by the testing laboratory.
- ppm** parts per million, or milligrams per liter.
- ppb** parts per billion, or micrograms per liter.

DISINFECTION BYPRODUCTS

Contaminant	Units	MCL	DL	Your Water	Sample Date	Violation	Typical Source
Total Trihalomethanes	ppb	80	0.5	3.7	8/15/18	No	Disinfection Byproducts

INORGANIC CONTAMINANTS AND METALS

Contaminant	Units	MCL	DL	Your Water	Sample Date	Violation	Typical Source
Nitrate [measured as Nitrogen]	ppm	10	0.1	3.3	5/9/18	No	Runoff from Fertilizer Use; Leaching from Septic Tanks, Sewage; Erosion of Natural Deposits

UNREGULATED CONTAMINANT MONITORING RULE (UCMR4)

In addition to the above EPA / State required water quality monitoring, the 1996 Safe Drinking Water Act (SDWA) amendments require that once every five years EPA issue a new list of unregulated contaminants to be monitored by public water systems (PWSs).

The fourth Unregulated Contaminant Monitoring Rule (UCMR4) was published in the Federal Register on December 20, 2016. UCMR4 requires monitoring for 30 additional, unregulated chemical contaminants. The following table lists those unregulated UCMR4 contaminants that were detected. The Minimum Reporting Level (MRL) refers to the minimum concentration that may be reported, and is based upon the capability of the testing method and not upon a level established as “significant” or “harmful.”

UCMR4 RESULTS – Unregulated Contaminant Monitoring

Contaminant	Units	MRL	Your Water	Sample Date	Detection Range	Typical Source
Bromide	ppb	5	140	10/1/18	15-140	Erosion of Natural Deposits
Bromoform	ppb	0.5	2.2	8/15/18	ND – 2.2	Disinfection Byproducts
Manganese Total ICAP/MS	ppb	0.4	1.2	7/10/18	ND – 1.2	Erosion of Natural Deposits
Total HAA5	ppb	0.2	1.0	7/10/18	0.51-1.0	Disinfection Byproducts
Total HAA6Br	ppb	0.2	2.8	7/10/18	1.0 – 2.8	Disinfection Byproducts
Total HAA9	ppb	0.2	2.8	7/10/18	1.0 – 2.8	Disinfection Byproducts
Total Organic Carbon	ppm	0.3	0.49	7/10/18	ND – 0.49	Naturally occurring and disinfection byproduct organics

The contaminants listed in the above tables are the only UCMR4 contaminants detected in your drinking water for the year 2018, and represent the highest contaminant level reported for the year.

All water utilized for culinary purposes within Tooele City was tested by methods in accordance with State and Federal Standards, and meets State and Federal requirements.

How Can I Get Involved?

The best way to get involved in helping protect your water from contamination is pollution prevention. Your water sources can be affected by chemicals and pollutants that are not handled properly. Some of the most common sources of contamination include dry cleaning chemicals, fertilizers and pesticides, oil and gasoline, paints, solvents, and garbage. Fertilizers and pesticides should be applied in accordance with manufacturer’s label instructions. It is also very important to store and dispose of these materials and any other potential contaminant in a proper and safe manner. Just one gallon of gasoline can pollute 600,000 gallons of water. Once a water source is polluted, it could take decades and millions of dollars to be able to use it again. Get involved by doing your part to protect our water resources.

Monitoring and Reporting Violations

No monitoring and reporting violations were found.

Important Health Information

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline at 1-800-426-4791.

Lead:

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Tooele City is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>.

TOOELE CITY CORPORATION

RESOLUTION 2019-40

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING THE MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT FOR TOOELE CITY FOR 2018.

WHEREAS, the Division of Water Quality, Utah Department of Environmental Quality, requires that the City Council affirm by Resolution that it has reviewed the Municipal Wastewater Planning Program Annual Report for Tooele City, 2018 (attached hereto as Exhibit A); and,

WHEREAS, the Division of Water Quality, Utah Department of Environmental Quality, requires that the City Council affirm by Resolution that Tooele City has taken all appropriate actions necessary to maintain effluent requirements contained in the City's Utah Pollutant Discharge Elimination System (UPDES) Permit conditions; and,

WHEREAS, the Report demonstrates the steps taken by the City to ensure maintenance of effluent requirements contained in the City's UPDES permit:

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

- (1) the City Council has reviewed and approved the Municipal Wastewater Planning Program Annual Report for Tooele City for 2018; and,
- (2) Tooele City has taken all appropriate actions necessary to maintain effluent requirements contained in the City's UPDES permit conditions.

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

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

Tooele City Resolution 2019-40

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

Tooele City Resolution 2019-40

Exhibit A

2018 Municipal Wastewater Planning Program
Annual Report



*Municipal Wastewater Planning Program (MWPP)
Annual Report
for the year ending 2018
TOOELE CITY*

Financial Evaluation Section

Form completed by:

Ray Henninger

What was the User Charge¹⁶ for 2018?

27.00

Definitions

I. Definitions: The following terms and definitions will help you complete the worksheets and questionnaire:

¹**Asset Management** – Any combination of management tools applied to physical assets of the sewer system with the objective of providing the required level of service in the most cost-effective manner. It incorporates asset lifecycle management tools, including depreciation, with the accountant's cost allocation process.

²**Capital Facility Plan** – An engineering report detailing the planning procedures including a comprehensive analysis to establish the need, scope, basis, viability and implementation schedule of proposed sewer system projects.

³**Capital Improvements** - Addition of a permanent structural change or the restoration of a property that renews or improves its value, increases its useful life, or adapts it to new uses.

⁴**Capital Improvement Reserve Fund** - A fund or account established for capital improvement projects.

⁵**Debt Service** – A payment of interest and principal, usually due annually, made in repayment of a loan or bond obligation.

⁶**Debt Service Reserve Fund** - A fund or account established for use in making up deficiencies in bond repayment funds.

⁷**Equivalent Residential Connection (ERC)** - A unit of wastewater that incurs the same cost for operations and maintenance as the average volume of domestic waste discharged from a single family residence in the sewer system service area

⁸**Impact Fee** – A fee established by ordinance to be imposed on new development for payment of capital costs associated with providing public services to the new development.

⁹**Operation and Maintenance Costs** - The total annual cost for management, operations and maintenance of sewer systems including labor and benefits, general and administrative overhead, materials, supplies, utilities, fuel, tools, etc. These costs do not include capital improvements costs or debt service. Repair and replacement costs for fixed assets may be included.

¹⁰**Plan of Operations** – A plan summarizing the operational and financial requirements that the sewer system must meet to achieve its goals and purpose. The minimum requirements are established I UAC R137-3-1.8

¹¹**Rate Study** – A study that establishes the user charge(s) of a sewer system based on the required level of service and its cost.

¹²**Repair and Replacement Costs** - The annual cost to renew or replace fixed assets of the sewer system. Fixed assets are generally land, buildings and equipment. These are often major major costs not included in operations and maintenance budgets.

¹³**Repair and Replacement Sinking Fund** - A fund or account established for renewal or replacement of fixed assets.

¹⁴**Sewer Revenues** - Income from user charges and other fees or taxes collected to pay the cost of sewer systems.

¹⁵**Sewer System** - The collective of sewerage systems and treatment works operated by the public utility or sponsor.

¹⁶**User Charge** - A fee established by ordinance and used to pay the cost of sewer systems. Different fees may be established for one or more classes of users. For purposes of this survey, user charge means the annual average fee charges per sewer connection.

Instructions

Save this file to your local computer. The digital MWPP form is built in Microsoft excel. Please contact Beth or Judy if you cannot find your facility name or having trouble downloading your digital MWPP form. You will need to fill all the yellow boxes with the appropriate information. Several of the questions are Yes/No questions that require you to select the yellow cell and then click the small arrow drop down button to be able to select the appropriate answer. You may move through the worksheet by simply pressing tab to move from box to box. Hitting Enter within the form may cause you to skip over questions. Please be sure to verify that all yellow boxes have been filled with the appropriate information. Begin filling out the form by selecting the name of your facility from the dropdown menu. Please be sure to select the correct facility from the dropdown menu. DWQ will only accept one form from each facility. Once you have entered all the appropriate information in all the yellow boxes the MWPP form is complete and you are ready to submit the completed MWPP package back to DWQ. Please be sure to save your completed form. Please do not submit your form until you have the date the MWPP was presented to your Board or Council completed. You may not submit a second form with the date at a later time. DWQ will only accept one form from each facility. If you experience any trouble or have any questions please contact DWQ Engineering Section Staff.

Part 1: OPERATION AND MAINTENANCE

	Yes	No
Are property taxes or other assessments applied to the sewer systems ¹⁵ ?	<input type="radio"/>	<input checked="" type="radio"/>
Are sewer revenues ¹⁴ sufficient to cover operations & maintenance costs ⁹ , and repair & replacement costs ¹² (OM&R) at this time?	<input checked="" type="radio"/>	<input type="radio"/>
Are projected sewer revenues sufficient to cover OM&R costs for the <i>next five years</i> ?	<input checked="" type="radio"/>	<input type="radio"/>
Does the sewer system have sufficient staff to provide proper OM&R?	<input checked="" type="radio"/>	<input type="radio"/>
Has a repair and replacement sinking fund ¹³ been established for the sewer system?	<input checked="" type="radio"/>	<input type="radio"/>
Is the repair & replacement sinking fund sufficient to meet anticipated needs?	<input checked="" type="radio"/>	<input type="radio"/>

Part II: CAPITAL IMPROVEMENTS

	Yes	No
Are sewer revenues sufficient to cover all costs of current capital improvements ³ projects?	<input checked="" type="radio"/>	<input type="radio"/>

has a Capital Improvements Reserve Fund⁷ been established to provide for anticipated capital improvement projects?

Are projected Capital Improvements Reserve Funds sufficient for the *next five years*?

Are projected Capital Improvements Reserve Funds sufficient for the *next ten years*?

Are projected Capital Improvements Reserve Funds sufficient for the *next twenty years*?

Part III: GENERAL QUESTIONS

Yes

No

Are sewer revenues maintained in a dedicated purpose enterprise/district account?

Are you collecting 95% or more of your anticipated sewer revenue?

Are Debt Service Reserve Fund⁶ requirements being met?

Part IV: FISCAL SUSTAINABILITY REVIEW

Yes

No

Have you completed a Debt Study¹¹ within the last

Have you completed a Rate Study⁷ within the last five years?

Yes

No

Do you charge Impact fees⁸?

Have you completed an Impact Fee Study in accordance with UCA 11-36a-3 within the last five years?

Do you maintain a Plan of Operations¹⁰?

Have you updated your Capital Facility Plan² within the last five years?

Do you use an Asset Management¹ system for your sewer systems?

Do you know the total replacement cost of your sewer system capital assets?

Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost?

Part IV: PROJECTED NEEDS

Cost of projected capital improvements

Please enter a valid numerical value.

2019

100,000

2020

100,000

NOTE: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of that assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance, please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

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*Municipal Wastewater Planning Program (MWPP)
Annual Report
for the year ending 2018
TOOELE CITY*

Collection System Section

Form completed by:

May Receive Continuing Education /units (CEUs)

Ray Henninger

Part I: SYSTEM AGE

What year was your collection system first constructed
(approximately)?

1920

What year was the the oldest part of your collection system constructed, replaced, or renewed?

1920

PART II: DISCHARGES

How many days last year was there a sewage bypass, overflow or basement flooding in the system due to rain or snowmelt?

0

How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals) ?

The Utah Sewer Management Program defines two classes of sanitary sewer overflows (SSOs):

Class 1 – a Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that:

- (a) affects more than five private structures;*
- (b) affects one or more public, commercial or industrial structure(s);*
- (c) may result in a public health risk to the general public;*
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or*
- (e) discharges to Waters of the state.*

Class 2 – a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.

Below include the number of SSOs that occurred in year:
2018

Number

Number of Class 1 SSOs in Calendar year

0

Number of Class 2 SSOs in Calendar year

0

Please indicate what caused the SSO(s) in the previous question.

N/A

Please specify whether the SSOs were caused by contract or tributary community, etc.

N/A

Part III: NEW DEVELOPMENT

Did an industry or other development enter the community or expand production in the past two years, such that flow or wastewater loadings to the sewerage system increased by 10% or more?

Yes

No

Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will

increase flow or BOD5 loadings to the sewerage system by 25% or more?

Yes

No

Number of new commercial/industrial connections in the last year

3

Number of new residential sewer connections added in the last year

214

Equivalent residential connections⁷ served

10099

Part IV: OPERATOR CERTIFICATION

How many collection system operators do you employ?

3

Approximate population served

37,000

State of Utah Administrative Rules requires all public system operators considered to be in Direct-Responsible-Charge (DRC) to be appropriately certified at lease at the Facility's Grade.

List the designated Chief Operator/DRC for the Collection System below:

	Name First and Last Name	Grade	Email Please enter full email address
Chief Operator/DRC	Jim Morison	IV ▼	jimm@tooelecity.u

List all other Collection System operators with DRC responsibilities in the field, by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	N/A
Collection Grade I:	N/A
Collection Grade II:	N/A
Collection Grade III:	N/A
Collection Grade IV:	Craig Savage, Jim Morison

List all other Collection System operators by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	N/A
Collection Grade I:	N/A
Collection Grade II:	Preston Burr, Miguel Sandoval, Robert Adams
Collection Grade III:	N/A
Collection Grade IV:	N/A

Is/are your collection DRC operator(s) currently certified at the appropriate grade for this facility?

Yes

No

Part V: FACILITY MAINTENANCE

Yes
Yes

No
No

Have you implemented a preventative maintenance program for your collection system?



Have you updated the collection system operations and maintenance manual within the past 5 years?



Do you have a written emergency response plan for sewer systems?



Do you have a written safety plan for sewer systems?



Part VI: SSMP EVALUATION

Yes

No

Has your system completed a Sewer System Management Plan (SSMP)?



Has the SSMP been adopted by the permittee's governing body at a public meeting?



Has the completed SSMP been public noticed?



During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan?



Date of Public Notice

During 2018, was any part of the SSMP audited as part of the five year audit?

Yes

No

If yes, what part of the SSMP was audited and were changes made to the SSMP as a result of the audit?

Sanitary Sewer System Mapping
we adjusted the manhole numbers to the correct amount, and updated the amount of pipe that is is use.

Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Program?

Yes

No

Part VII: NARRATIVE EVALUATION

This section should be completed with the system operators.

Describe the physical condition of the sewerage system: (lift stations, etc. included)

no lift stations, we have newer portions of the system in excellent condition, the older portions are videoed and evaluated for repair or replacement.

What sewerage system capital improvements³ does the utility need to implement in the next 10 years?

manhole replacement and repair, slip line some of the older areas.

What sewerage system problems, other than plugging, have you had over the last year?

Roots, Rocks, low spots in lines

Is your utility currently preparing or updating its capital facility plan²?

Yes

No

Does the municipality/district pay for the continuing education expenses of operators?

100% Covered

Partially cover

Does not pay

Is there a written policy regarding continuing education and training for wastewater operators?

Yes

No

Any additional comments?

N/A

This is the end of the Collection System questions

To the best of my knowledge, the Collection System section is completed and accurate.

Yes

Save & View Table of Contents

NOTE: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of that assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance, please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

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*Municipal Wastewater Planning Program (MWPP)
Annual Report
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TOOELE CITY*

Mechanical Plant Section

Form completed by:

May Receive Continuing Education /units (CEUs)

Ray Henninger

Part I: INFLUENT INFORMATION

Please provide the average influent flow rate and average influent BOD₅ and TSS loading rates listed below for your facility.

	Average Daily Flow (MGD)	Average Daily BOD ₅ Load (lb/day)	Average Daily Load (lb/day)
Design Basis or Rated Capacity	3.4	6815	7089
2018 Average	2.16	4324	4110

Part II: EFFLUENT INFORMATION

How many Notices of Violation (NOVs) did you receive for this facility in the review year?

Part III: FACILITY AGE

In what year were the following process units constructed, upgraded or renewed?

Note: If a unit process does not apply to your system enter the Evaluation Year under Construction or Upgrade Year.

	Evaluation Year	Construction or Upgrade Year	Age
Headworks	2018	2007	11
Primary Treatment	2018	2000	18

	Evaluation Year	Construction or Upgrade Year	Age
Secondary Treatment	2018	2007	11
Tertiary Treatment	2018	2000	18
Solids Handling	2018	2012	6
Disinfection	2018	2012	6

PART IV: DISCHARGES

How many days in the past year was there a bypass or overflow of wastewater at the facility due to high flows?

How many days in the last year was there a bypass or overflow of wastewater at the facility due to equipment failure?

PART V: BIOSOLIDS HANDLING

Biosolids Disposal (check all that apply)

	Yes	No
Landfill	<input checked="" type="radio"/>	<input type="radio"/>
Land Application	<input checked="" type="radio"/>	<input type="radio"/>
Give Away/Other Distribution	<input checked="" type="radio"/>	<input type="radio"/>

Part VI: NEW DEVELOPMENT

Number of new commercial/industrial connections in the last year

3

Number of new residential sewer connections added in the last year

Equivalent residential connections⁷ served

Part VII: OPERATOR CERTIFICATION

How many treatment system operators do you employ?

State of Utah Administrative Rules requires all public system operators considered to be in Direct-Responsible-Charge (DRC) to be appropriately certified at least at the Facility's Grade.

List the designated Chief Operator/DRC for the Wastewater Treatment System below:

	Name First and Last Name	Grade	Email Please enter full email address
Chief Operator/DRC	Craig Savage	IV ▼	craigs@tooelecity

List all other Wastewater Treatment System operators with DRC responsibilities in the field, by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	N/A
Treatment Grade I:	N/A
Treatment Grade II:	N/A
Treatment Grade III:	Ray Henninger

	Name separate by comma
Treatment Grade IV:	Craig Savage

List all other Wastewater Treatment System operators by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	N/A
Treatment Grade I:	Robert Adams, Jared Cole
Treatment Grade II:	Preston Burr, Miguel Sandoval
Treatment Grade III:	N/A
Treatment Grade IV:	N/A

Is/are your DRC operator(s) currently certified at the appropriate grade for this facility?

- Yes**
- No

Part VIII: FACILITY MAINTENANCE

	Yes	No
--	-----	----

Have you implemented a written preventative maintenance program for your treatment system?

- | | |
|----------------------------------|-----------------------|
| <input checked="" type="radio"/> | <input type="radio"/> |
|----------------------------------|-----------------------|

Have you updated the treatment system operations and maintenance manual within the past 5 years?

- | | |
|----------------------------------|-----------------------|
| <input checked="" type="radio"/> | <input type="radio"/> |
|----------------------------------|-----------------------|

Identify the types of treatment equipment and processes installed at your facility.

	Yes	No
--	-----	----

Screens

- | | |
|----------------------------------|-----------------------|
| <input checked="" type="radio"/> | <input type="radio"/> |
|----------------------------------|-----------------------|

- | | |
|----------------------------------|-----------------------|
| <input checked="" type="radio"/> | <input type="radio"/> |
|----------------------------------|-----------------------|

Grit Removal

Yes

No

Primary Clarifiers

Imhoff Tanks

Fixed Film Reactor

Activated Sludge

Aerobic Suspend Growth Variations

Anaerobic Suspended Growth variations

Physical-chemical systems for organic removal w/o secondary treatment

Physical-chemical systems for organic removal following secondary treatment

Membrane Filtration

Suspended-growth Nitrification and Denitrification

Air Stripping

Phosphorus Removal - Chemical

Phosphorus Removal - Biological

Ion Exchange

Reverse Osmosis

Media Filtration

Dissolved Air Flotation

Micro Screens

Other (Please Specify)

Chlorine Disinfection

Yes
No

UV Disinfection

This is the end of the Mechanical Plant questions

To the best of my knowledge, the Mechanical Plant section is completed and accurate.

Yes

[Save & View Table of Contents](#)

NOTE: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of that assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance, please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

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TOOELE CITY CORPORATION

ORDINANCE 2019-04

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE R1-7 RESIDENTIAL ZONING DISTRICT FOR 16.4 ACRES OF PROPERTY LOCATED AT 600 WEST AND 650 WEST UTAH AVENUE.

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

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

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

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

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

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

WHEREAS, the RR-1 Residential zoning district is currently assigned to approximately 16.4 acres of land located at 600 West and 650 West Utah Avenue (see map attached as **Exhibit A**); and,

WHEREAS, the 16.4 acres are currently owned by Elmer Nix and Janice Clegg; and,

WHEREAS, by Rezone Petition received February 13, 2019, Sylacauga Development, LLC requested that the subject property be reassigned to the R1-7 Residential zoning district (see Rezone Petition attached as Exhibit B); and,

WHEREAS, the surrounding properties to the north, west and south are assigned the RR-1 Residential zoning districts; and,

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

WHEREAS, on May 8, 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; and,

WHEREAS, the City Council convened a duly-noticed public hearing on _____, 2019; and,

WHEREAS, the City Council finds that, subject to the reasonable and appropriate conditions outlined below, the requested Zoning Map amendment is not adverse to the best interest of the City; and,

WHEREAS, the City is under no obligation to approve a Zoning Map amendment, but may do so upon finding a rational basis:

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

Section 1. Amendment. The Tooele City Zoning Map is hereby amended to indicate that the zoning district assigned to the subject properties shall be reassigned to the R1-7 Residential zoning district; and,

Section 2. Rational Basis. The City Council hereby finds that the above-described expressed conditions to the approval of this Ordinance 2019-04 are reasonable and necessary to serve, protect, and preserve the health, safety, and welfare of Tooele City and its residents, including future residents of the subject property.

Section 4. No Vesting. Approval of this Ordinance 2019-04, together with its exhibits, shall not be construed to imply or constitute any vesting or entitlement as to intensity of use (i.e., density) or configuration (i.e., lots, units, roads).

Section 5. Severability. If any section, part or provision of this Ordinance 2019-04 is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 6. Effective Date. This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon

passage, without further publication, by authority of the Tooele City Charter.

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

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y Pitt, City Recorder

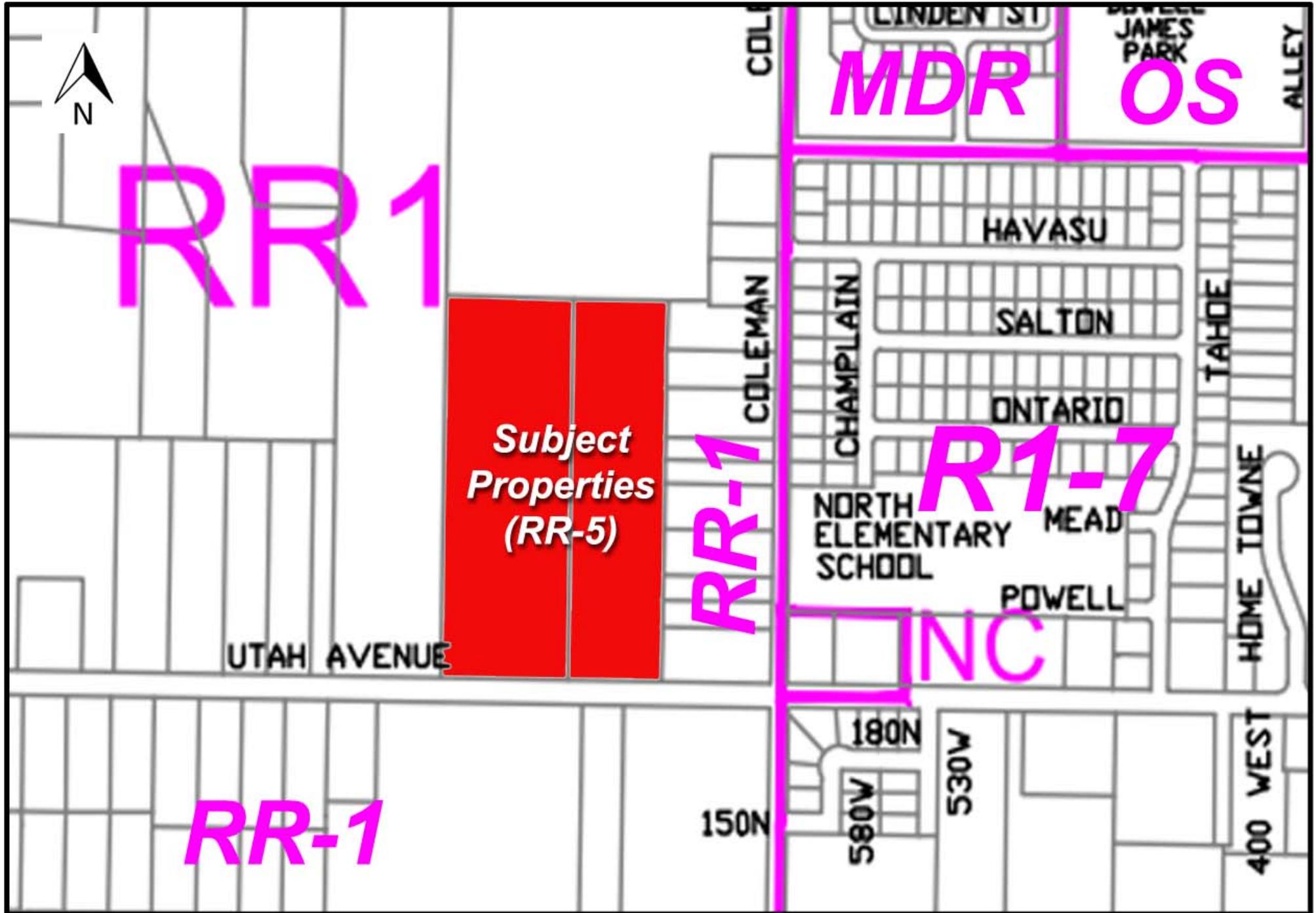
S E A L

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

EXHIBIT A

ZONING MAP

Murdock Meadows Zoning Map Amendment



Current Zoning

EXHIBIT B

REZONE PETITION

Zoning, General Plan, & Master Plan Map Amendment Application

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



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.

P19-79

Project Information			
02-082-0-0025			
Date of Submission: 2/13/19	Current Map Designation: RR-1	Proposed Map Designation: MDR-KI-7	Parcel #(s): 02-082-00017
Project Name: Murdock Meadows			Acres: 14.4
Project Address: 400 W Utah Ave & 450 W Utah Ave			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: a proposed rezone of two subject parcels from RR-1 to MDR with the intent to provide affordable housing options to Tooele city residents.			
Property Owner(s): Eimer Nix/Janice Cleary		Applicant(s): Sylacauga Development, LLC	
Address: PO Box 92/257 Coleman		Address: 4049 Highland Dr	
City: Tooele	State: UT	City: SLC	State: UT
Zip: 84074	Zip: 84124	Phone: 435-834-5053/496-0656	
Contact Person: Brad Lancaster		Address: 4078 Bayshore Dr	
Phone:		City: Stansbury	State: UT
Cellular: 435-720-4119		Zip: 84074	Email: blancaster89@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.

2/19

For Office Use Only			
Received By:	Date Received: 2/13/19	Fees: 00338040 2640.00	App. #: 2190080

EXHIBIT C

PLANNING COMMISSION MINUTES

STAFF REPORT

May 1, 2019

To: Tooele City Planning Commission
Business Date: May 8, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Murdock Meadows – Zoning Map Amendment Request

Application No.: P19-79
Applicant: Brad Lancaster, representing Sylacauga Development, LLC
Project Location: 600 West and 650 West Utah Avenue
Zoning: RR-1 Residential Zone
Acreage: 16.4 Acres (Approximately 714,384 ft²)
Request: Request for approval of a Zoning Map Amendment in the RR-1 Residential zone regarding reassignment of the subject properties to the R1-7 Residential zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for 16.4 acres located at approximately 600 West and 650 West Utah Avenue. The property is currently zoned RR-1 Residential. The applicant is requesting that a Zoning Map Amendment to R1-7 Residential be approved to allow for the development of the currently vacant site as single-family homes with minimum lot sizes of 7000 square feet.

The Planning Commission heard an application by the same applicant concerning the same properties on March 13, 2019. At that meeting the Planning Commission forwarded a negative recommendation to the City Council. Since that meeting the applicant has revised the application and development plans, removing the request for MR-8 and is now proposing all of the development as R1-7 Residential.

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 RR-1 Residential zoning classification, supporting approximately one dwelling unit per acre. The purpose of the RR-1 zone is to “provide for single family residential areas and single family dwelling units on larger individual lots. Additionally these districts are intended to allow and make available Rural Residential opportunities and agricultural uses protected from the encroachment of incompatible uses.” The RR-1 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. The two subject properties are surrounded on all sides by properties with the same RR-1 Residential zoning designation. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is requesting the R1-7 Residential zone to facilitate new development on the currently vacant parcels. The applicant desires to construct approximately 16.4 acres of single-family detached homes on 7000 square foot lots. It should also be noted that the R1-7 zone does permit duplex and twin home style units on 14,000 square foot lots.

There are some differences between the R1-7 Residential zone and the RR-1 Rural Residential zone. The R1-7 zone is considered Medium Density Residential and can be developed with 7000 square foot lots that are 60 feet wide. It is possible that these properties could be developed with as many as 68 homes if zoned R1-7. In the RR-1 the property would yield a density of approximately 13 homes when considering road dedications and so forth.

There are also land use differences between the two zones. The RR-1 zone is a rural residential zone designed to preserve agricultural uses. The RR-1 zone is a zone that also permits large animals such as horses and cows. The R1-7 zone does not permit large animals.

Site Plan Layout. The applicant has submitted a preliminary conceptual site plan in order to demonstrate the intentions of the property if the zoning is granted. This site plan is included only for the Planning Commission and City Council's reference and should not be reviewed in depth at this time. If the zoning is changed the applicant would be required to submit applications for subdivision and site plan review (if necessary) at that time.

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. Rezoning this property from RR-1 to R1-7 Residential could increase unit yield on the 16.4 acres from approximately 13 residential units to 68 residential units, an increase of approximately 55 additional units.
2. The R1-7 Zone prohibits the keeping of farm animals and the RR-1 zone permits the keeping of farm animals such as horses, cows, goats, etc.
3. The RR-1 zone requires 1 acre lots and the R1-7 zone requires 7000 square foot lots.
4. The RR-1 zone permits only single-family residential and agriculture uses and the R1-7 Zone permits single-family and two-family residential.

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. There is a lack of the necessary utilities in the area, such as sewer, and will require the developer to extend utilities off-site to where the utility services are located.

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

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a 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 Murdock Meadows Zoning Map Amendment Request by Brad Lancaster, representing Sylacauga Development, LLC to reassign the subject properties to the R1-7 Residential zoning district, application number P19-79, based on the findings listed in the Staff Report dated May 1, 2019.”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the

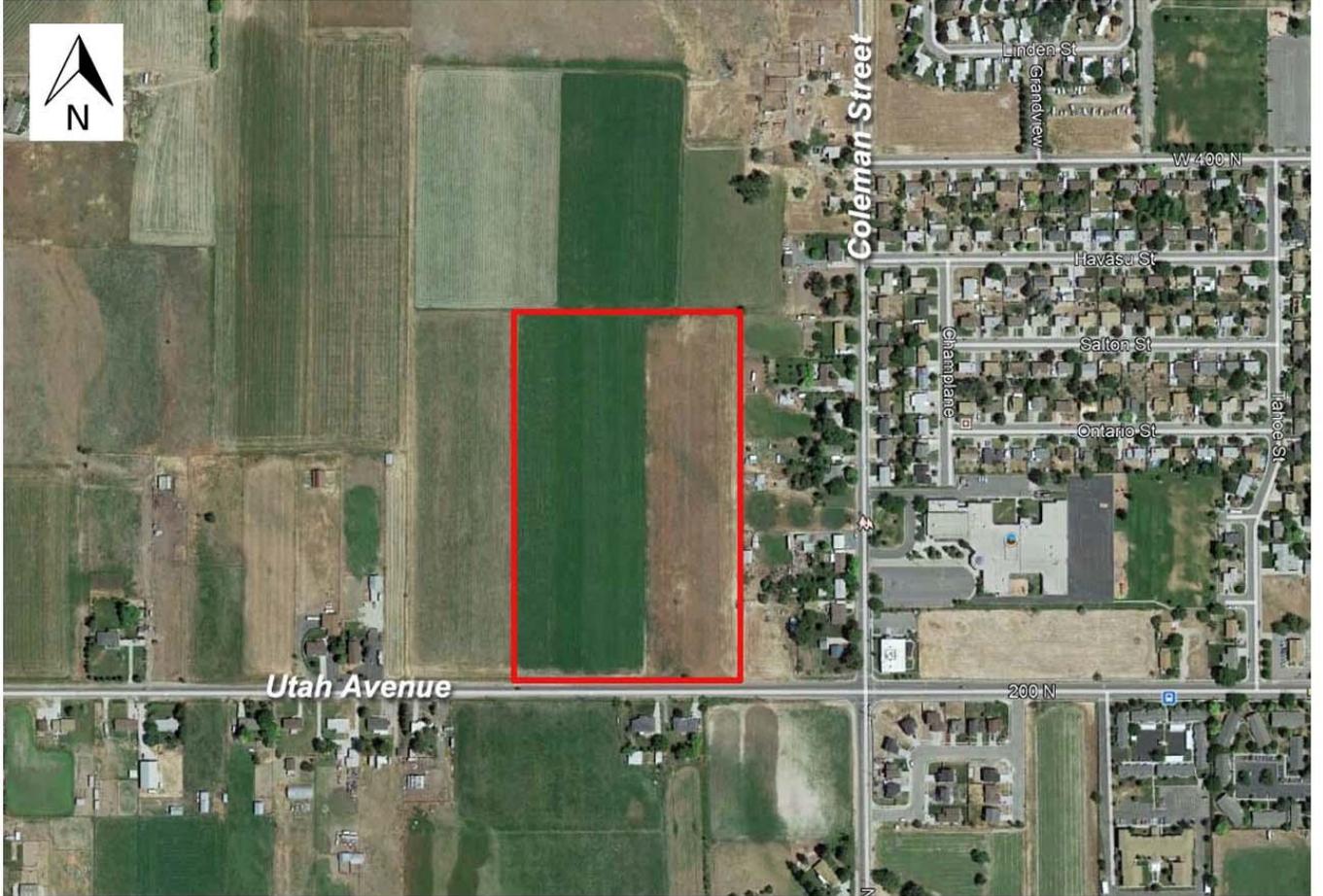
City Council for the Murdock Meadows Zoning Map Amendment Request by Brad Lancaster, representing Sylacauga Development, LLC to reassign the subject properties to the R1-7 Residential zoning district, application number P19-79, based on the following findings:”

1. List any additional findings...

EXHIBIT A

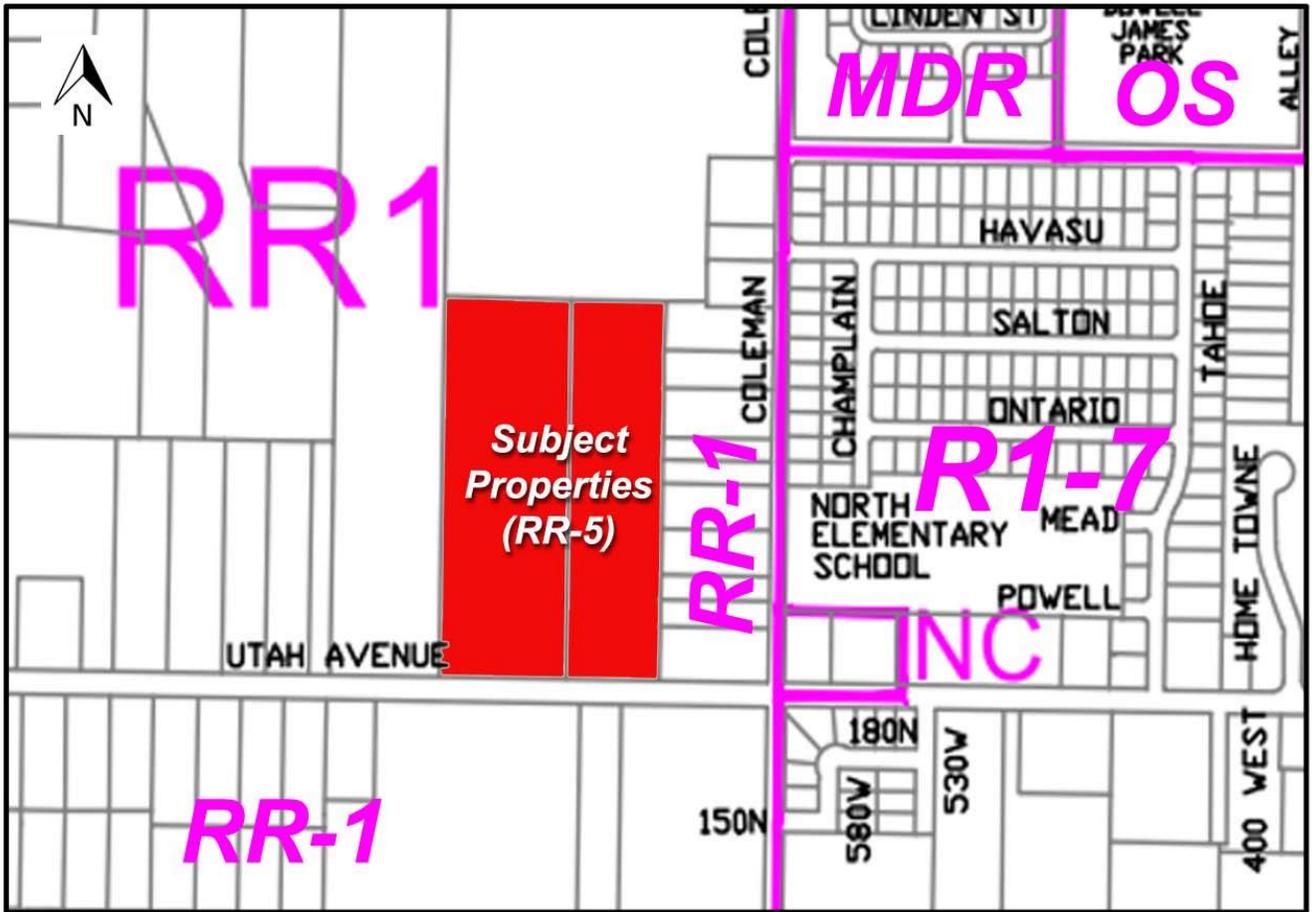
**MAPPING PERTINENT TO THE MURDOCK MEADOWS ZONING MAP
AMENDMENT**

Murdock Meadows Zoning Map Amendment



Aerial View

Murdock Meadows Zoning Map Amendment



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

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



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.

P19-79

Project Information			
02-082-0-0025			
Date of Submission: 2/13/19	Current Map Designation: RR-1	Proposed Map Designation: MDR-KI-7	Parcel #(s): 02-082-00017
Project Name: Murdock Meadows			Acres: 14.4
Project Address: 400 W Utah Ave & 450 W Utah Ave			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: a proposed rezone of two subject parcels from RR-1 to MDR with the intent to provide affordable housing options to Tooele city residents.			
Property Owner(s): Eimer Nix/Janice Cleary		Applicant(s): Sylacauga Development, LLC	
Address: PO Box 92/257 Coleman		Address: 4049 Highland Dr	
City: Tooele	State: UT	City: SLC	State: UT
Zip: 84074	Zip: 84124	Phone: 435-834-5053/496-0656	
Contact Person: Brad Lancaster		Address: 4078 Bayshore Dr	
Phone:		City: Stansbury	State: UT
Cellular: 435-720-4119		Zip: 84074	Email: blancaster89@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:

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2/19

For Office Use Only			
Received By:	Date Received: 2/13/19	Fees: 00338040 2640.00	App. #: 2190080

311 310 309 308 307 306 305 304 303 302 301 210 209

CLEGG COVE

326 CHAKRA CIRCLE 322 321 MIDDLE CIRCLE 317 316 CHARM CIRCLE 312 208
325 324 323 320 319 318 315 314 313 207 206

NIX WAY

phase 2 POND

MAIN SEWER LINE LOCATION OUT TO MCKELLAR STREET

205

204

203

202

201

phase 1 POND

132

102 104 106 108 110 112 114 116 118 120 122 124 126 128

LANCASTER LANE

101 103 105 107 109 111 113 115 117 119 121 123 125 127 129 130 131

UTAH AVENUE

COLEMAN STREET



MURDOCK MEADOWS

15 April 2019

CONCEPT PLAN - 68 7,000 s.f.+ LOTS

STAFF REPORT

May 1, 2019

To: Tooele City Planning Commission
Business Date: May 8, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Par Fore Estates – Preliminary Plan Subdivision Request

Application No.: P18-759
Applicant: John & Jen Harris, representing Par 4 Estates LLC
Project Location: Approximately 775 East Vine Street
Zoning: R1-7 PUD Planned Unit Development Zone
Acreage: 13.48 Acres (Approximately 587,188 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-7 PUD Planned Unit Development zone regarding the creation of 62 residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 13.48 acres at approximately 775 East Vine Street. The property is currently zoned R1-7 PUD Planned Unit Development. The applicant is requesting that a Preliminary Plan Subdivision be approved to allow for the development of the currently vacant site as a residential subdivision consisting of 62 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 PUD Planned Unit Development zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 PUD 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 and two family dwellings such as duplexes and twin homes. 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 zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties assigned the R1-7 Residential zoning classification about the subject property on all sides with the golf course located to the north. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision is proposed for vacant land south of the City’s golf course and north of Vine Street. Lots within the subdivision comply with the PUD standards that were approved in June of 2018. Lots range in size from 4,200 square feet up to 6,200 square feet and from 40 feet wide to 50 feet in width.

The subdivision will have some parcels that are common open space, mostly between the golf course and the lots along the north and vine street and the lots along the south. This common open space will be maintained by a Home Owners Association. Open space along the northern boundary will include a golf cart path that is a requirement of the development by the PUD ordinance.

There will be two storm water detention basins owned and maintained by the development. These detention basins will be protected by a drainage easement in favor of the Par Fore HOA. These ponds are relatively deep and largely without amenity use. However, Parcel E and Parcel H are flatter open parcels and do have more use potential. Lot 62 is a larger parcel on the eastern end of the development that will eventually be a club house.

The PUD ordinance requires that the development landscape and maintain the double fronting lot frontages along vine street. The development will install trees, an in-ground irrigation system for the trees, 6 foot solid masonry fencing and stamped or textured concrete in the park strip.

The subdivision will be constructed in four phases with phase 1 being located at the western side of the subdivision. Each phase will be required to submit a Final Plat Subdivision application.

Landscaping. The individual lots will be landscaped and maintained by the lot owners. The common areas between the lots and the development boundaries will be primarily sod with an in-ground irrigation system and maintained by the development HOA. 153 trees will be installed in the common areas.

Parking. There are no parking requirements as this is a single-family residential subdivision and each dwelling must have a two car garage and appropriate driveway width and length that can accommodate two additional vehicles. Each lot will have at least 4 parking spaces. In addition to private parking the development is providing 27 guest parking stalls located adjacent to each of the open space parcels and storm water detention basins.

Fencing. Fencing other than that used for rear patio screening for individual lots, shall not be placed on individual lots and will be regulated by a duly organized home owner's association.

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

REVIEWS

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

1. Convey to Tooele City Corporation, with the Par Fore Estates Subdivision plat a ten foot wide cart path easement along the north boundary of the subdivision and construct the ten foot cart path as referenced in the land sale and purchase agreement.
2. Other than rear patio screening fencing, individual lots shall not have fencing.
3. Secure and record an off-site easement to route sewer through off site property as may be necessary to meet development needs.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by John & Jen Harris, representing Par 4 Estates LLC, application number P18-759, 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. Convey to Tooele City Corporation, with the Par Fore Estates Subdivision plat a ten foot wide cart path easement along the north boundary of the subdivision and construct the ten foot cart path as referenced in the land sale and purchase agreement.
6. Other than rear patio screening fencing, individual lots shall not have fencing.
7. Secure and record an off-site easement to route sewer through off site property as may be necessary to meet development needs.

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 Par Fore Estates Preliminary Plan Subdivision Request by John & Jen Harris, representing Par 4 Estates LLC for the purpose of creating 62 single-family residential lots, application number P18-759, based on the findings and subject to the conditions listed in the Staff Report dated May 1, 2019:”

1. List any additional findings and conditions...

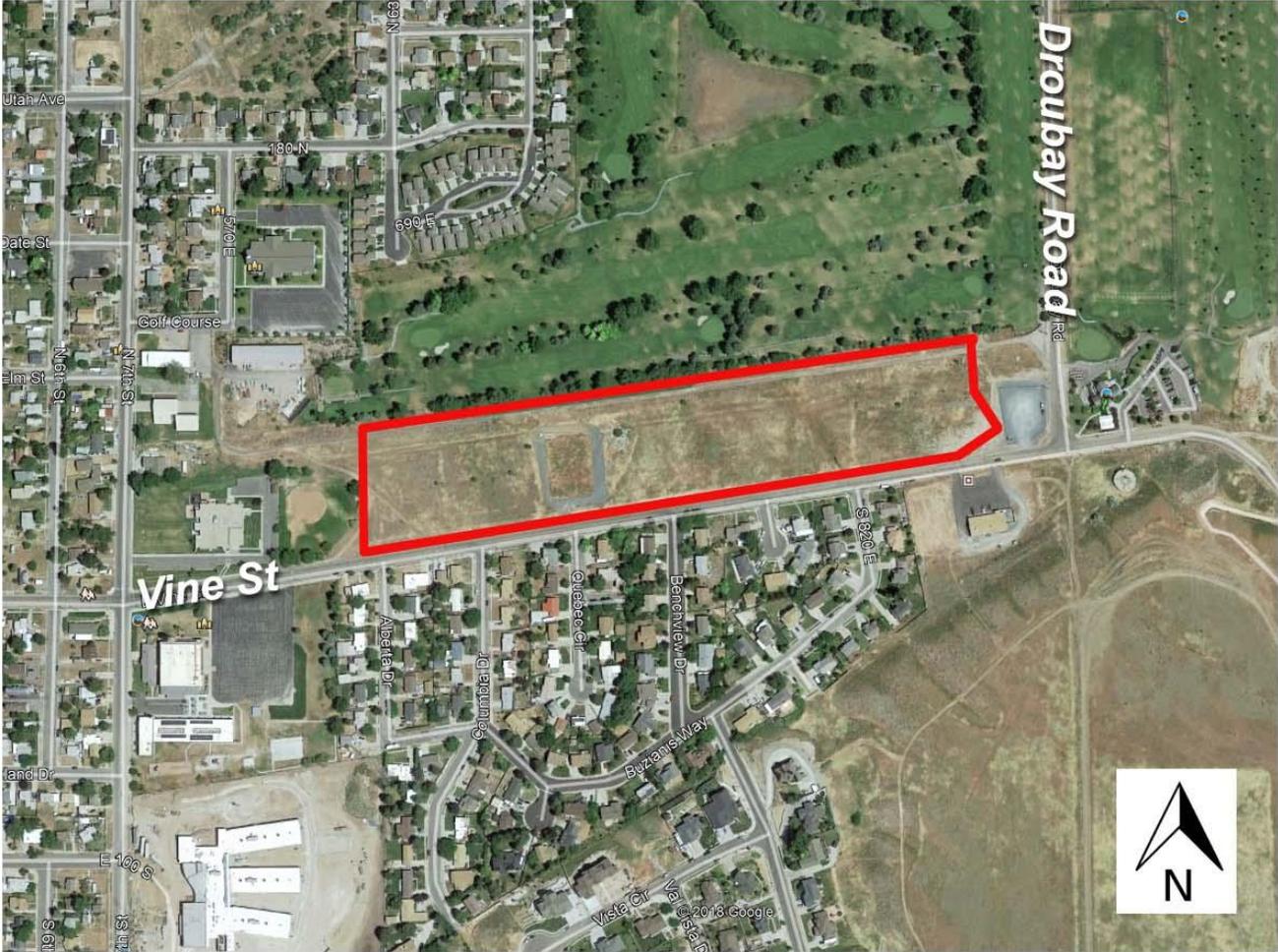
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Par Fore Estates Preliminary Plan Subdivision Request by John & Jen Harris, representing Par 4 Estates LLC for the purpose of creating 62 single-family residential lots, application number P18-759, based on the following findings:”

1. List findings...

EXHIBIT A

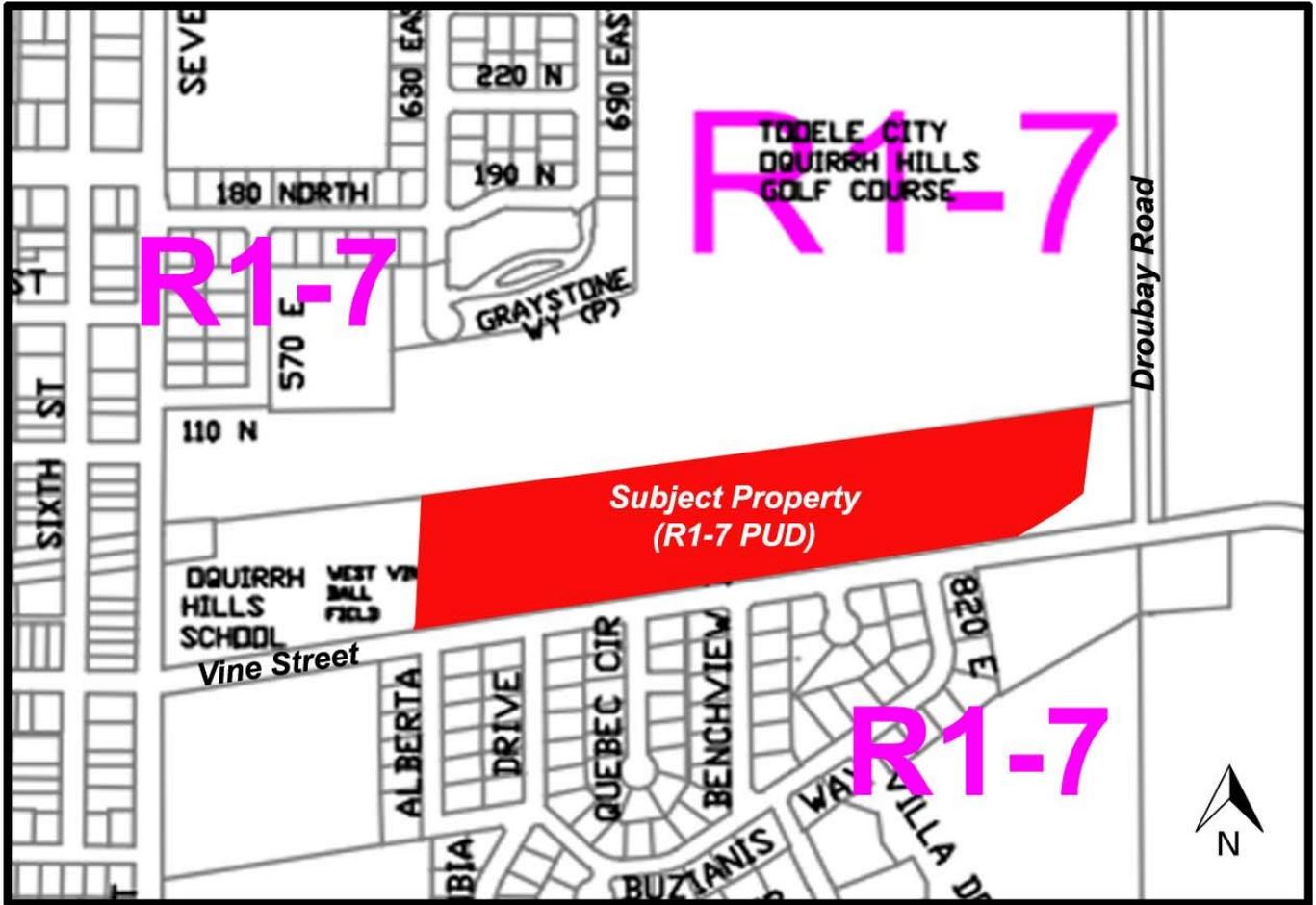
**MAPPING PERTINENT TO THE PAR FORE ESTATES PRELIMINARY PLAN
SUBDIVISION**

Par Fore Estates Preliminary Plan



Aerial View

Par Fore Estates Preliminary Plan



Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS

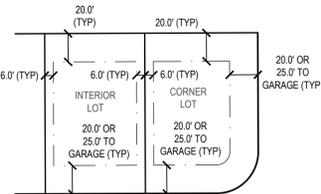
PRELIMINARY PLAT PAR FORE ESTATES P.U.D. SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 27,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
TOOELE, TOOELE COUNTY, UTAH

NORTHEAST CORNER OF
SECTION 27, T3S, R4W, SLB8M
(FOUND 3" BRASS TOOELE
COUNTY SURVEYOR
MONUMENT, DATED 2013)



PHASE	# LOTS	OPENSACE
1	16	46,050 SQ. FT.
2	12	10,143 SQ. FT.
3	16	39,350 SQ. FT.
4	19	30,464 SQ. FT.
TOTAL SITE	63	126,007 SQ. FT.

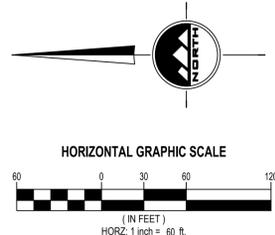


TYPICAL BUILDING SETBACKS
SCALE 1" = 60'
(SETBACK REQUIREMENTS FOR R1-7 ZONE PER TOOELE CITY DEVELOPMENT CODE CHAPTER 14, TABLE 3)



- NOTE:**
- PARCEL A - H TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY PAR FORE HOME OWNERS ASSOCIATION, INC.
 - FENCING, OTHER THAN WHAT MAY BE REQUIRED FOR REAR PATIO SCREENING, SHALL NOT BE PLACED ON INDIVIDUAL LOTS.
 - ZONING IS R1-7.

- LEGEND**
- SECTION CORNER
 - EXISTING STREET MONUMENT
 - PROPOSED STREET MONUMENT
 - SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENGIN ENGR. & LAND SURV."
 - PUUDE = PUBLIC UTILITY & DRAINAGE EASEMENT
 - BOUNDARY LINE
 - CENTER LINE
 - EASEMENTS



- KEYNOTES:**
- DRAINAGE PIPE EASEMENT (HEREBY CONVEYED TO PAR FORE HOME OWNERS ASSOCIATION, INC)
 - 120' TEMPORARY TURNAROUND EASEMENT BUILT PER PHASE IN FAVOR OF TOOELE CITY RECORDED ENTRY #XXXXXXX
 - 36' ACCESS EASEMENT HEREBY CONVEYED TO TOOELE CITY.

PRELIMINARY PLAT PAR FORE ESTATES P.U.D. SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 27,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
TOOELE, TOOELE COUNTY, UTAH

DEVELOPER
PAR FORE ESTATES, LLC
272 NORTH BROADWAY
TOOELE, UT 84074
JOHN HARRIS
435-833-0130

ENSIGN
160 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
LAYTON
Phone: 801.541.1100
CEGAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.898.2983

PROJECT NUMBER: T1965A
MANAGER: D. KNSMAN
DRAWN BY: C. CHLD
CHECKED BY: D. KNSMAN
DATE: 2019-02-19

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

BENCHMARK
 EAST QUARTER CORNER OF SECTION 27, T3S,
 R4W, S1/4M (FOUND 3" BRASS TOOEELE
 COUNTY SURVEYOR MONUMENT, DATED 1982)
 ELEVATION = 5384.73

Irrigation

Qty	Symbol	Description
6	⊙	See Backflow Preventer Detail 1/L-200
-	⊕	Rain Bird 100-PGA Globe
-	⊗	Rain Bird XCZ-100 COM
6	▲	Irritrol Total Control R Series
	▨	Pipe Sleeve 2x Diameter
	---	Mainline: 1 1/4" Schedule 40 PVC

**** NOTES ****
 THIS IRRIGATION SYSTEM WAS DESIGNED AT AND 60 (WORKING) PSI AT THE
 POINT OF CONNECTION. IF THESE MINIMUM REQUIREMENTS CAN NOT BE
 MET, PLEASE CONTACT THE DESIGNER. **THIS PLAN WAS DRAWN FOR
 GRAPHIC CLARITY ONLY.** PLEASE PLACE ALL MAINLINE AND LATERAL
 LINES IN ADJACENT LANDSCAPE AREAS. SOME FIELD MODIFICATIONS MAY
 BE NEEDED TO AVOID ON SITE OBSTRUCTIONS.

Landscape
Trees

Qty	Symbol	Common Name	Plant Size
42	⊙	BURR OAKS	2" Cal.
40	⊕	Plum, Cherry "Thundercloud"	2" Cal.
72	⊗	PURPLE BLOW MAPLE	2" Cal.
Total: 153			

- 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 SOD AREA W/ RAINBIRD SPRAYED HEADS & MAXIS. SEE LANDSCAPING DETAIL SHEET L-200.
 - 2 INSTALL AMUR MAPLE TREE W/ ROOT WATERING SYSTEM AND EJ PLAZA TREE GRATE
 SPACED AT A MAXIMUM OF 35' PER TOOEELE CITY ORDINANCE 7-19-17.1. SEE LANDSCAPING
 DETAIL SHEET L-200.
 - 3 6.0' TALL DECORATIVE PRECAST CONCRETE FENCE PER TOOEELE CITY ORDINANCE 7-19-17.1.
 SEE DETAILS 9 & 10/L-200.
 - 4 TEXTURED CONCRETE IN PARK STRIP PER TOOEELE CITY ORDINANCE 7-19-17.1.

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

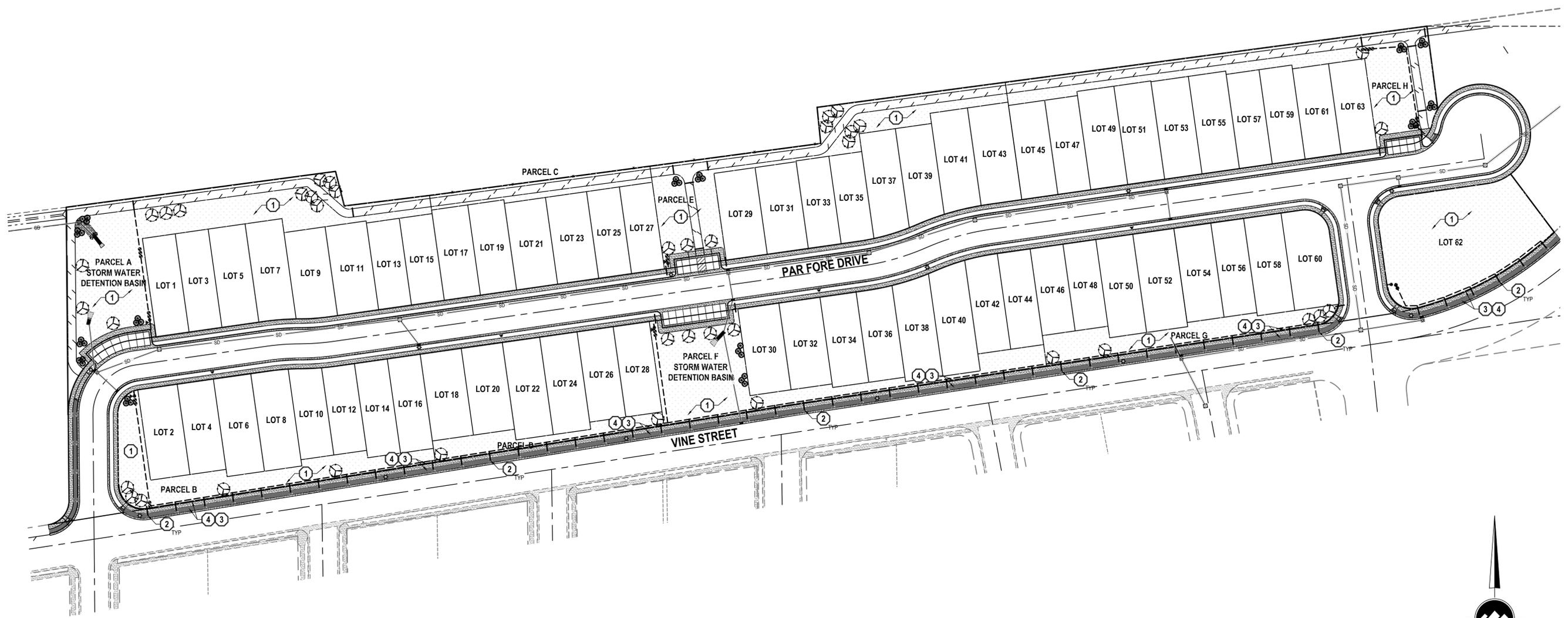
CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 PAR FORE ESTATES, LLC
 272 NORTH BROADWAY
 TOOEELE, UT 84074

CONTACT:
 JOHN HARRIS
 PHONE: 435-833-0130



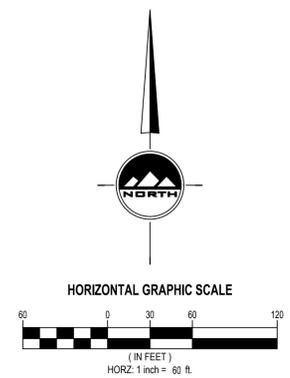
**PAR FORE ESTATES PUD
 SUBDIVISION**
 VINE STREET & DROUBAY ROAD
 TOOEELE, UTAH

For Review
 02/19/2019 9:46:17 AM

**OVERALL
 LANDSCAPING AND
 IRRIGATION PLAN**

PROJECT NUMBER: T1965A
 PRINT DATE: 2/19/19
 DRAWN BY: C. CHILD
 CHECKED BY: D. KINSMAN
 PROJECT MANAGER: D. KINSMAN

L-100



TOOELE CITY CORPORATION

ORDINANCE 2019-12

AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE CHAPTER 7-4, CHAPTER 7-15, CHAPTER 7-15A, AND CHAPTER 7-16 REGARDING PARKING AND ASSOCIATED TECHNICAL AMENDMENTS.

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

WHEREAS, Tooele City Code Chapter 7-4 contains provisions addressing the parking standards and design aspects of parking facilities for all uses of land; and,

WHEREAS, Chapter 15, Chapter 15a, and Chapter 16 of Title 7 of the Tooele City Code contain references to City Code provisions revised by this ordinance and thereby necessitate technical changes to maintain those references; and,

WHEREAS, the provisions of the City Code applicable to parking were first established by Ordinance 1983-05 on April 20, 1983; and,

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

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

WHEREAS, the City Administration recommends amendments to the above-referenced Chapters of the Tooele City Code in order to accomplish the above-stated purposes and objectives; and,

WHEREAS, more specifically, the City Administration recommends the amendments summarized in the list below and shown in Exhibits A-D:

- **Background Purposes**
 - Respond to input from community and applicants regarding needs, frustrations & clarifications
 - General update and modernization of ordinances related to parking
 - General housekeeping and technical updates

- **Chapter 7-4 – Off-Street Parking Requirements**
 - Address parking requirements for all permissible land uses
 - Address the methods by which parking requirements are calculated
 - Consolidate parking calculation requirement into a single table that's clear and concise
 - Establish a program of acceptable ranges for parking requirements based off of established calculation requirements
 - Establish provisions in concert with public safety to provide for the safe and convenient

- usage of developments without overly intrusive requirements
- Housekeeping and technical updates
- **Chapter 7-15 – Residential Facilities for Persons with a Disability**
 - Revise established requirements for parking to reference the same in Chapter 7-4
- **Chapter 7-15a – Residential Facilities for Elderly Persons**
 - Revise established requirements for parking to reference the same in Chapter 7-4
- **Chapter 7-16 – Zoning District Purpose and Intent. Mixed use, Commercial, Industrial and Special Purpose Districts**
 - Repeal Table 3 to eliminate duplication with provisions of Chapter 7-4; and,

WHEREAS, the purposes of the proposed amendments include the creation of more productive, more predictable, and less cumbersome regulatory program for the implementation of parking facilities associated with the various uses of land permitted throughout the community; and,

WHEREAS, a staff-level committee (“Staff”) comprised of the Community Development Director, City Planner, City Engineer, and Public Works Director worked for three months to formulate final recommendations to the Mayor; and,

WHEREAS, a City Administration Committee (“Committee”), including the Staff, the Mayor, representation from the Planning Commission, and representation from the City Council, worked for an additional month to refine the Staff recommendations; and,

WHEREAS, the Planning Commission discussed the Staff and Committee recommendations during its business meeting of March 27, 2019; and,

WHEREAS, on May 8, 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 E); and,

WHEREAS, the Planning Commission discussed the Staff and Committee recommendations during its business meeting of April 17, 2019; and,

WHEREAS, on _____, 2019, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TOOELE CITY that Tooele City Code Chapter 7-4 is hereby amended as shown in Exhibit A, Chapter 7-15 is hereby amended as shown in Exhibit B, Chapter 7-15a is hereby amended as shown in Exhibit C, and Chapter 7-16 is hereby amended as shown in Exhibit D.

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

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

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

SEAL

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

EXHIBIT A

PROPOSED REVISIONS TO TOOELE CITY CODE CHAPTER 7-4

CHAPTER 4. OFF-STREET PARKING REQUIREMENTS

7-4-1. Purpose and Scope.

7-4-2. Parking to be Prohibited.

7-4-3. Parking Calculation.

7-4-4. Number of Parking Spaces.

7-4-5. Parking Calculation Ranges.

7-4-6. Parking Studies

7-4-7. Parking Location.

7-4-8. Access Requirements.

7-4-9. Parking Lots.

7-4-10. Parking Dimensions.

7-4-11. Public Safety Aisles.

7-4-1 Purpose and Scope.

- (1) Purpose. The purpose of this Chapter is to ensure the provision and maintenance of off-street parking and loading facilities in proportion to the parking and loading demand of the associated land uses. The requirements of this Chapter are intended to provide functional, efficient and attractive parking and loading facilities, to protect public safety, and to mitigate adverse land use impacts.
- (2) Scope. This Chapter is applicable to all new and existing development requiring vehicular access under the provisions of this Title. The requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the Tooele City Code, or other laws.

7-4-2 Parking to be Provided.

- (1) Parking Required. Every land use established under the authority of this Title shall provide parking as required by this Chapter. Each person who establishes any such land use shall provide the required parking. The establishment of a land use shall include any change in use and any increase in the capacity or intensity of an existing use.
- (2) Continual Obligation to Provide Parking. Provision of parking as required by this Chapter shall be a continual obligation so long as the associated use exists, including during times of vacancy. It shall be unlawful for any property owner, land use operator, or person responsible for providing parking to discontinue or dispense with required parking facilities without providing alternate parking which meets the requirements of this Chapter.
- (3) Alteration Where Parking Insufficient. A building, structure, or use which lacks sufficient parking as required by this Chapter may not be altered, enlarged, or changed in a manner that affects their parking calculation unless additional parking for the alteration, enlargement, or change is supplied that meets the requirements of this Chapter.

7-4-3. Parking Calculation.

The following provisions shall be used to calculate the total number of parking spaces required by this chapter:

- (1) Fractional Numbers. Any fractional parking space requirement resulting from a parking calculation shall be rounded up to the next whole number, subject to Section 7-4-5(2) of this Chapter.
- (2) More Than One Use on Lot. If a lot or parcel contains more than one use, parking spaces shall be provided in an amount equal to the total of the requirements for each use unless shared parking is approved pursuant to this Chapter.
- (3) Square Foot Basis. Parking requirements based on square footage shall be calculated using gross floor area unless otherwise provided in this Chapter.
- (4) Employee Basis. Parking requirements based on the number of employees shall be calculated using the largest number of persons working on any shift, including owners and managers.
- (5) Capacity Basis. Parking requirements based on the number of seats, beds, or other capacity determinations shall be calculated using the maximum capacity for those units of measure.
- (6) Director Determinations. If a use listed in Table 7-4-1 identifies the calculation of its parking requirement to be a determination of the Director, or for a use not otherwise listed in Table 7-4-1, the Director of the Community Development Department shall determine the appropriate parking calculation by:

- (a) first, applying the parking requirements for a use deemed most similar to the use proposed; or then
 - (b) second, applying an established standard specific to that use from a professional publication such as the Institute of Traffic Engineers; or then
 - (c) third, requiring a parking study be provided by the applicant to provide guidance for the Director to determine the appropriate parking calculation requirement. The Director shall not be under any obligation or requirement to agree or follow the recommendations of the submitted parking study.
- (7) ADA-Accessible Parking Spaces. Parking spaces compliant with ADA regulations shall be provided as required by the current building codes adopted by the City and any other standards officially adopted by the City. Accessible spaces shall be counted towards the fulfillment of the on-site parking requirement for each use.
- (8) Parking Space Calculations. Standard parking spaces shall be provided as set forth in Section 7-4-4. Formulas and calculations shown in that Section represent both the maximum and minimum parking requirements subject to the provisions of Section 7-4-5. Uses and terms listed in Section 7-4-4 shall have no effect on the permissibility or definition of uses.

7-4-4. Number of Parking Spaces.

The number of required off-street parking spaces shall be calculated according to Table 7-4-1, subject to Section 7-4-5 herein.

Table 7-4-1 – Parking Space Requirement Calculations.

Land Use		Parking Requirement
Accessory Uses		As determined by the Director
Auditoriums		1 space for every 3 seats
Bar, Tavern, and Private Club		1 space for every 3 seats or 1 space per 100 square feet of floor area (excluding kitchen, storage, etc.) whichever is more
Beauty Shop	First patron station	2 spaces
	Each additional station (excluding wash stations)	1 space
Churches and Places of Worship		1 space for every 3 seats in the primary assembly area
Commercial Center		1 space per 300 square feet
Commercial Day Care / Pre-School Center		1 space for every employee, plus 4 visitor spaces ¹
Convalescent Care Facility		1 space for every 4 patient beds, plus 1 space per employee
Dwelling ²	Single-Family	2 spaces per dwelling unit
	Two-Family	2 spaces per dwelling unit
Dwelling, Multi-Family ²	<2 Bedroom Units	2 spaces per unit
	2 Bedroom Units	2 spaces per unit
	3+ Bedroom Units	2 spaces per unit
Dwelling, Visitor Parking ³		1 space for every 4 dwelling units
Educational Facility	Public Use	As determined by the Director
	Private Use	As determined by the Director
Funeral Homes and Mortuaries		1 space for every 3 seats
Health Care Facility		1 space for every 2 patient beds, plus 1 parking space for each employee

Health Care Provider		3 spaces for each doctor, dentist, therapist, or other provider, plus 1 space for each employee
Hotel		1 space for each living or sleeping unit, plus 1 space for each employee
Industrial Uses		1 space per employee, adequate spaces for company owned vehicles, plus 4 visitor spaces
Manufacturing Uses		1 space per employee, adequate spaces for company owned vehicles, plus 4 visitor spaces
Motel		1 space for every living or sleeping unit, plus 1 space per employee
Nursing homes		1 space for every 4 patient beds, plus 1 space per employee
Office	Business	1 space per 200 square feet
	Professional	1 space per 200 square feet
Personal Services		1 space per 300 square feet
Public Use		As determined by the Director
Residential Facility for Elderly Persons	Bedroom for 1 or 2 Persons	1 space per bedroom, plus 1 space per employee
	Bedroom for 3 or 4 Persons	2 space per bedroom, plus 1 space per employee
Residential Facility for Persons with a Disability	Bedroom for 1 or 2 Persons	1 space per bedroom, plus 1 space per employee
	Bedroom for 3 or 4 Persons	2 space per bedroom, plus 1 space per employee
Restaurant		1 space for every 3 seats or 1 space per 100 square feet of floor area (excluding kitchen, storage, etc.) whichever is more
Retail	General	1 space per 300 square feet
	Appliance Stores	1 space per 600 square feet
	Furniture Stores	1 space per 600 square feet
Sports Arenas		1 space for every 3 seats
Theaters, Assembly Halls and Meeting Rooms		1 space for every 3 seats
Uses not listed		As determined by the Director
Warehouse Uses		1 space per employee, adequate spaces for company owned vehicles, plus 4 visitor spaces
Wholesale Uses		1 space per employee, adequate spaces for company owned vehicles, plus 4 visitor spaces

¹ With adequate drop off and pick up area as determined by the Director

² Unless otherwise specified in Chapter 16 of this Title

³ In developments of three-family, four-family, or multi-family dwelling units

7-4-5 Parking Calculation Ranges.

- (1) Purpose of Parking Calculation Ranges. The number of parking spaces required under Section 7-4-4 may be adjusted in accordance with the provisions in this section. The purpose of adjustments is to provide flexibility to those requirements in recognition that many factors can be unique to various potential uses of land in the city, to adapt to specific circumstances, reduce potential environmental impacts, and conserve resources.
- (2) Natural Adjustment Range. Where permitted, a Natural Adjustment Range allows for parking to be freely modified to increase or decrease the amount of parking spaces provided without necessity of requesting a formal modification as outlined in this Section. The calculation of the Natural Adjustment Range shall be based on the true calculation from Table 7-4-1 without rounding allowed under Section 7-4-3(1) of this Chapter. In all

situations where the Natural Adjustment Range results in a partial or fractional parking requirement, the requirement shall be rounded up to the next whole number.

- (a) Residential Uses.
 - (i) Single-Family and Two-Family Residential Uses. No Natural Adjustment shall be allowed and the parking calculations established in Table 7-4-1 shall represent the minimum requirements.
 - (ii) Multi-Family Residential Uses. Multi-family residential developments where the parking calculations established in Table 7-4-1 result in a requirement of 100 parking spaces or less, exclusive of required visitor parking, shall have no Natural Adjustment allowed and the parking calculations established in Table 7-4-1 shall represent the minimum requirements. Multi-family residential developments where the parking calculations established in Table 7-4-1 result in a requirement of 101 parking spaces or more, exclusive of required visitor parking, may apply a maximum 8% Natural Adjustment Range.
 - (iii) Visitor Parking. Visitor parking calculations shall not be eligible for Natural Adjustment and the calculations established in Table 7-4-1 shall represent the minimum requirements.
- (b) Non-Residential Uses. The parking requirement calculations from Table 7-4-1 shall represent both the minimum and maximum parking requirement. Non-residential developments may apply a maximum 15% Natural Adjustment Range.
- (3) Deviations Beyond the Natural Adjustment Range. In cases where parking in amounts beyond the allowances of the Natural Adjustment Range may be appropriate, the Planning Commission may approve a request for a modification, by way of a parking study, to increase or reduce parking requirements based on findings found in Subsection (4) by not more than an additional 10% of the calculation from Section 7-4-4.

7-4-6. Parking Studies.

In any instance where a parking study is required, a parking study shall be prepared and submitted by the applicant for review. Parking studies shall be prepared by a professional engineer licensed to work in the State of Utah and reviewed as a part of the land use application.

- (1) The study shall provide:
 - (a) planning and traffic engineering data, including estimates of parking demand based on the most current recommendations from the Institute of Transportation Engineers;
 - (b) data collected from uses or combinations of uses that are the same or highly comparable to the proposed application as indicated and justified by density, scale, bulk, area, type of activity, and location;
 - (c) the source of data used to develop the study's recommendations;
 - (d) a recommendation for parking requirement standard or calculations applicable to the site for which the study is being prepared based on site specific factors, data, circumstances, and conditions compared against study-collected data; and
 - (e) the name and qualifications of the person(s) preparing the study.
- (2) City staff shall review the study and make a recommendation to the Planning Commission concerning the validity of the parking study, the appropriateness of the conclusions reached, and the appropriate standard and minimum number of parking spaces that should be required.
- (3) The Planning Commission shall determine the appropriate standard and required minimum number of parking spaces required after:
 - (a) considering the recommendations of the parking study and City staff; and
 - (b) making the findings required under Subsection (3)(d), according to the type of application.
- (4) Findings Required. The Planning Commission may approve a deviation from strict compliance for the number of parking spaces required or the standard of calculation to be used only after making the findings of this subsection.
 - (a) For commercial, retail, office, and mixed-use developments, the Planning Commission must find that:
 - (i) adequate parking will be provided;
 - (ii) the total number of spaces that would otherwise be required for each individual establishment in the development is overly burdensome or underestimates the actual parking needed for the site specific factors of the application;
 - (iii) the estimated trade-offs between businesses which are open when others are closed will not over burden the parking proposed;
 - (iv) there is an adequate availability of shared parking for all associated uses;

- (v) site- or use-specific conditions or factors do not provide for compliance with the parking calculation used or parking requirements outlined in Section 7-4-4;
- (vi) any potential for future expansion or addition to the development will have or will provide adequate parking for that expansion or addition; and
- (vii) ADA-compliant parking requirements are not proposed for adjustment; or
- (b) For multi-family developments, the Planning Commission must find that:
 - (i) adequate parking will be provided;
 - (ii) the size of housing units, considered by the number of bedrooms and required visitor parking, does not support or necessitates more than the calculated parking requirements of this Chapter;
 - (iii) the size of project does not reflect the calculated parking requirements of this Chapter, necessitating more or fewer spaces;
 - (iv) the specific parking proposed to be dedicated for use by visitors is appropriate;
 - (v) any potential for future expansion or addition to the development will have or will provide adequate parking for that expansion or addition;
 - (vi) ADA-compliant parking requirements are not proposed for adjustment; and
 - (vii) restrictive covenants specific to the development make provisions to control parking such that parking for the development will not impact neighboring properties or public rights-of-way.

7-4-7. Parking Location.

- (1) On-Site Parking. Except as allowed in Subsection (2), all required parking shall be located on the same lot or parcel as the use to which it is associated. On-site parking shall be made available without charge for the use of or providing of the parking. In the case of a multi-tenant non-residential development in which multiple parcels are covered by the tenant uses and their associated parking, the parking shall be considered on-site for all of those tenant uses.
- (2) Off-Site Parking. Where practical difficulties exist in providing on-site parking or if public safety would be better served by locating parking on a separate lot or parcel, the Planning Commission may authorize such off-site parking subject to the following conditions:
 - (a) no other practical alternative exists for providing on-site parking such that any of the following shall deem a request for off-site parking ineligible for approval:
 - (i) the hardship causing the need for off-site parking is self-imposed;
 - (ii) the hardship causing or resulting from the provision of off-site parking is financial in nature;
 - (b) providing off-site parking does not affect or reduce the amount of parking required or provided;
 - (c) required ADA-compliant parking spaces shall not be located in an off-site parking area;
 - (d) off-site parking areas shall be located in the same or a more intensive zone which applies to the property where the use served is located;
 - (e) the shortest practical and safe walking path is conveniently usable without causing unreasonable:
 - (i) hazard to pedestrians;
 - (ii) hazard to vehicular traffic;
 - (iii) traffic congestion;
 - (iv) interference with safe and convenient access or use of other parking areas in the vicinity;
 - (v) detriment to the appropriate, convenient and reasonable use of any business in the vicinity; or
 - (vi) detriment to any residential neighborhood;
 - (f) no off-site parking space shall be located more than 600 feet from a public entrance of the use served, measured along the route of the shortest practical and safe walking path;
 - (g) off-site parking shall not be separated from the principal use by a street right-of-way of a collector or arterial class;
 - (h) off-site parking separated by from the principal use by a local class street has adequate and convenient crosswalk facilities to serve the practical and safe walking path;
 - (i) availability of each off-site parking area shall be assured by an agreement reviewed and accepted by the City which requires at least the following:
 - (i) all parking spaces shall be available perpetually to all uses utilizing the parking;
 - (ii) all parking spaces shall be available without charge; and

- (iii) provisions exist for the perpetual maintenance and upkeep, including but not limited to snow removal, striping, and signage, of the practical and safe walking path by private parties to the agreement; and
- (3) Vacant Lots and Open Land. Vacant lots and open land areas shall not be used as parking areas, except as allowed for a temporary use or special event.
- (4) Parking of Recreational Vehicles in Residential Zones. Personal recreational vehicles, including but not limited to trailers, boats and watercraft, travel trailers, utility trailers, and motor homes parked in residential zones shall be parked on a hard surfaced area behind the front wall plane of the primary structure on the same property. Parking for such vehicles within residential developments approved with off-street recreational vehicle parking areas shall be allowed within those recreational vehicle parking areas only.

7-4-8. Access Requirements.

For purposes of this Chapter, a drive approach shall be that portion of the ingress and egress to and from a driveway from the front of the curb to the property line. Adequate ingress and egress to and from all uses shall be provided as follows:

- (1) One- and Two-Family Residential Lots. Access to one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Not more than two drive approaches shall be allowed for any residential lot.
 - (b) The width of a drive approach shall not be greater than 30 feet or more than one-third of the lot frontage in which the drive approach is constructed, whichever is less. A drive approach from a cul-de-sac or curved lot with a frontage of less than 50 feet at the property line may exceed one-third of that frontage, but shall not be more than 50% of the frontage at the property line.
 - (c) A lot may have a singular 30-foot drive approach or two drive approaches that total 30 feet wide. A drive approach shall have a minimum width of ten feet. Two drive approaches on the same lot must have a minimum of 12 feet between them.
 - (d) A drive approach shall be measured from the bottom of the flares, at its widest point. The flare shall not be greater than three feet long.
- (2) Other Residential Uses. Access to lots other than one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Access to each parking space shall be from a private driveway and not from a public street.
 - (b) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street.
 - (c) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - (d) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.
- (3) Non-Residential Uses. Access to non-residential uses shall be provided in compliance with the following requirements:
 - (a) Each drive approach shall not be more than 40 feet wide, measured at right angles to the centerline of the drive approach, measured curb-face to curb-face, exclusive of tapered areas. Upon the recommendation of the City Engineer, the Planning Commission may extend a commercial drive approach to 50 feet wide.
 - (b) Divided or one-way access and egress driveways shall maintain a minimum of a 12-foot wide travel lane, per lane, measured curb-face to curb-face, exclusive of tapered areas.
 - (c) Driveways for two-way access and egress shall maintain a minimum of a 24-foot width measured curb-face to curb-face, exclusive of tapered areas.
 - (d) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street except that a use on its own property with less than 100 feet of frontage or which cannot meet the spacing between existing drive approaches on adjacent properties may be approved by the Planning Commission for one drive access of not more than 30 feet in width according to Chapter 11 of this Title.
 - (e) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - (f) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.
- (4) General Standards for All Uses. All access to properties shall be provided to meet the following general requirements:

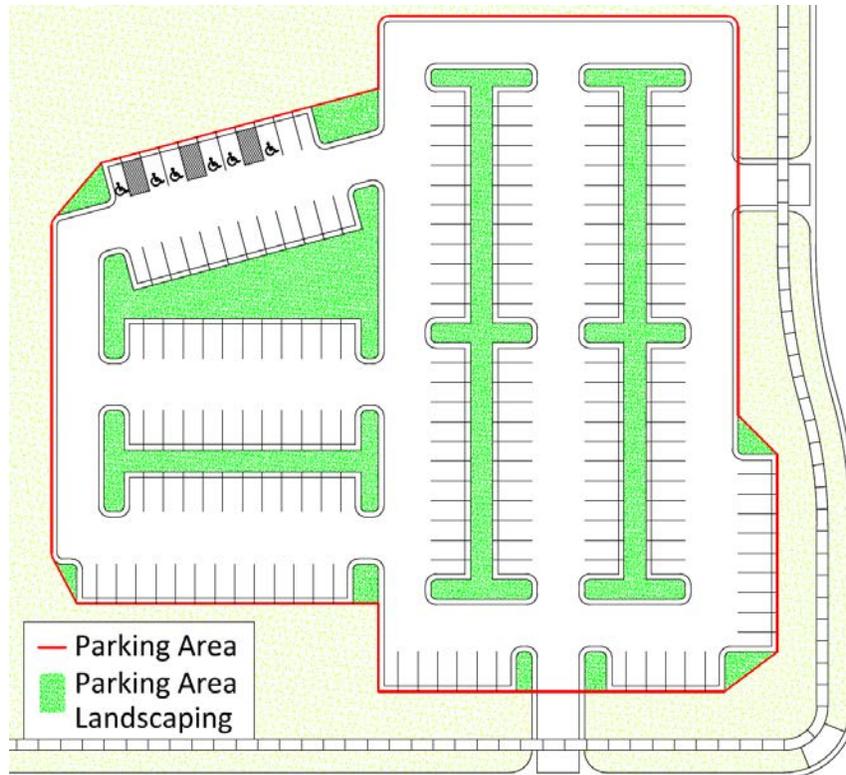
- (a) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two or more properties, no drive approach shall be closer than ten feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.
- (b) Driveways or drive approaches shall not be located where sharp curves, steep grades, restricted sight distances or any other feature or characteristics of the road or driveway or drive approach by itself or in combination impairs safe traffic operation. The relocation of highway signs, signals, lighting or other traffic control devices necessitated by a drive approach shall be relocated by Tooele City or its agent at the permittee's expense.
- (c) Driveways or drive approaches which provide access and egress to and from a street controlled by the Utah Department of Transportation (UDOT) must be reviewed and approved by UDOT and shall be sized according to applicable UDOT standards.

7-4-9. Parking Lots.

Every parcel of land containing a public or private parking lot shall be developed and maintained in accordance with the following requirements:

- (1) Each off street parking lot shall be surfaced with a bituminous surface course, Portland cement concrete or other approved surface to provide a dustless surface. The Planning Commission, following a recommendation from the City Engineer, must approve any surface that is not bituminous surface course or Portland cement concrete.
- (2) The sides and rear of any off-street parking lot which face or abut a residential district shall be adequately screened from such district by a masonry wall or solid visual barrier fence not less than three or more than six feet in height as measured from the high side.
- (3) Landscaping.
 - (a) Each parking lot shall be landscaped and permanently maintained.
 - (b) Landscaping area within the parking lot shall also be eligible for calculation into the required site landscaping requirement.
 - (c) At least 5% of the total area used for parking and related activities shall be landscaped by planting new or preserving existing trees or shrubs.
 - (d) For the purpose of identifying areas in and around a parking lot that are eligible for consideration, Figure 7-4-1 identifies areas anticipated for consideration.
 - (e) Landscaping islands not less than eight feet in width, exclusive of curbing, and extending the entire length of the parking stalls it borders shall be provided at each end of parking rows. Landscape islands shall be outlined with curbing to ensure the viability of the landscaping and separation between parking and landscaping. These islands shall include one tree for each parking stall it borders except that trees may be eliminated where pedestrian walkways are provided in their place.
 - (f) The maximum number of parking spaces in a row without separation by a landscaping island shall be 12. Landscaping islands that provide this separation shall comply with the requirements of Subsection (e) herein except that the number of trees required shall be based on the number of parking stalls bordered on one side only.
 - (g) Where landscaping islands are proposed to run the length of parking rows:
 - (i) those areas shall include plantings and ground covers with at least one tree per four parking stalls that front upon that landscaping;
 - (ii) trees shall be evenly spaced through the landscaping area;
 - (iii) landscaping areas may be broken up by pedestrian pathways that cross the landscaping area only when that pathway is a segment of an established and identified pedestrian pathway beyond the landscaping area and through the parking area
 - (iv) pedestrian pathways running the length of the landscaping island shall be not less than five feet in width;
 - (v) pedestrian pathways running the length of the landscaping island may be included in the calculation of landscaping only when landscaping of at least three in width is provided between the walkway and the parking spaces it borders.

Figure 7-4-1 – Parking Area Landscaping.



- (4) Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjacent properties, uses and streets.
- (5) Alignment. Parking lots which include multiple drive aisles that access parking spaces, or adjacent parking lots that connect, function, or have the ability to function as a single parking lot shall be designed such that drive aisles align across connecting drive aisles. Drive aisles which intersect on an angle to the connecting drive aisle shall connect only as a three leg intersection which does not interfere with traffic movements of nearby drive aisle intersections at the discretion of the City Engineer. Accesses to a parking lot from an adjacent right-of-way shall align with parking lot drive aisles or end at the first intersecting drive aisle in a perpendicular intersection. Alignment requirements of this Subsection are generally displayed in Figure 7-4-1.
- (6) Where not otherwise authorized by this Title, when in the best interests of the community as determined by the Planning Commission, the Commission may grant a Conditional Use Permit for the exclusive use as a parking lot on a parcel of land in residential districts, provided that in all cases the following conditions are met:
 - (a) The lot is to be used only for parking of passenger automobiles of employees, customers, or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance and upkeep.
 - (b) No charges shall be made for parking on the lot.
 - (c) The lot shall not be used for sales, repair work, or servicing of any kind, but shall be used for parking of vehicles only.
 - (d) Entrances to and exits from the lot shall be located so as to do the least harm to the residential district in an aesthetic context.
 - (e) No advertising sign shall be located on the lot.
 - (f) All parking is to be kept back of the setback building lines by a barrier which will prevent the use of the premises in front of the setback lines for the parking of automobiles.
 - (g) The parking lot and that portion of the driveway behind the building line is to be adequately screened from the street and from adjoining property in a residential district by a hedge or sight-obscuring fence or wall not less than three feet, nor more than six feet in height, which is to be located behind the building setback line. All lighting is to be arranged so there will be no glare therefrom annoying to the occupants of an adjoining property in a residential district. The surface of the parking lot is to be smoothly graded, hard-

- surfaced and adequately drained.
- (h) Drainage shall be disposed of upon the premises of the parking lot, as per the requirement set by the city engineer.
- (i) No private or public garage or parking lot for more than five motor vehicles shall have an entrance or exit in any district within 150 feet of the entrance or exit of a public school, church, playground, or other public or semi-public institution or facility.
- (j) There may be imposed such other conditions as may be deemed necessary by the Planning Commission to address findings of identified impacts on the residential district.

7-4-10. Parking Dimensions.

Minimum parking space and related dimensions shall be as set forth in this Section.

- (1) Standard parking spaces shall be a minimum of nine feet wide by 20 feet deep.
- (2) Where a front overhang over a sidewalk is proposed or provided, and the sidewalk is a minimum of six feet in width, parking spaces may be reduced to 18 feet deep. In the instance where the sidewalk is less than six feet in width, parking stalls shall be at least 20 feet deep and contain wheel stops to prevent vehicles from overhanging the sidewalk.
- (3) Where a front overhang over a landscape area is proposed or provided, parking spaces may be reduced to 18 feet deep.
- (4) Driving aisles between or along parking stalls within a parking area shall be not less than 24 feet wide for two-way traffic or not less than 16 feet in width for one-way traffic, subject to Section 7-4-10.
- (5) Carports shall have a minimum inside dimension of nine feet wide by 20 feet deep for each parking space.
- (6) Garages shall have a minimum inside dimension of ten feet wide by 22 feet deep and a minimum door width of eight feet for each parking space contained therein, unless a greater requirement is established elsewhere in this Title.
- (7) ADA-accessible parking spaces shall be provided and designed according to the provisions and requirements of the adopted building and fire code.
- (8) Angled parking spaces shall be sized based on the angle of parking spaces shown in this Section, Table 7-4-2 and Figure 7-4-2. Parking spaces positioned nose-to-nose shall be at least 20 feet deep each.
- (9) Parallel parking spaces shall be a minimum of eight feet wide by 22 feet deep.
- (10) Loading spaces shall be a minimum of ten feet wide by 25 feet deep.
- (11) Stacking and queuing spaces shall be a minimum of ten feet wide by 20 feet deep.
- (12) Sites containing 50 or more parking spaces may provide compact parking spaces for a portion of the required parking for the site. Compact parking, when proposed, shall adhere to the following:
 - (a) Compact parking spaces may be utilized to provide up to:
 - (i) a maximum of 5% of the total parking requirement for the site; or
 - (ii) a maximum of 10% of the total parking requirement for the site when combined with the following:
 - (A) a landscaped plaza area near the primary entrance to the building associated with compact parking spaces that is equal in area to 15% of the total building square footage;
 - (B) pedestrian amenities, such as but not limited to benches, throughout the plaza; and
 - (C) pedestrian pathways from the primary entrance to and through the plaza which connect to street sidewalks and neighboring sites or uses; and
 - (b) All compact parking spaces shall:
 - (i) measure no less than eight feet wide and 16 feet deep;
 - (ii) be clearly identified and shown on a site plan approved by the Planning Commission; and
 - (iii) be marked on the surface as "Compact" and maintained.
 - (c) Under no circumstances shall ADA-accessible parking spaces qualify or be sized as compact spaces.

Figure 7-4-2 – Angled Parking Layout.

Parking Stalls with Front Overhang

Parking Stalls without Front Overhang

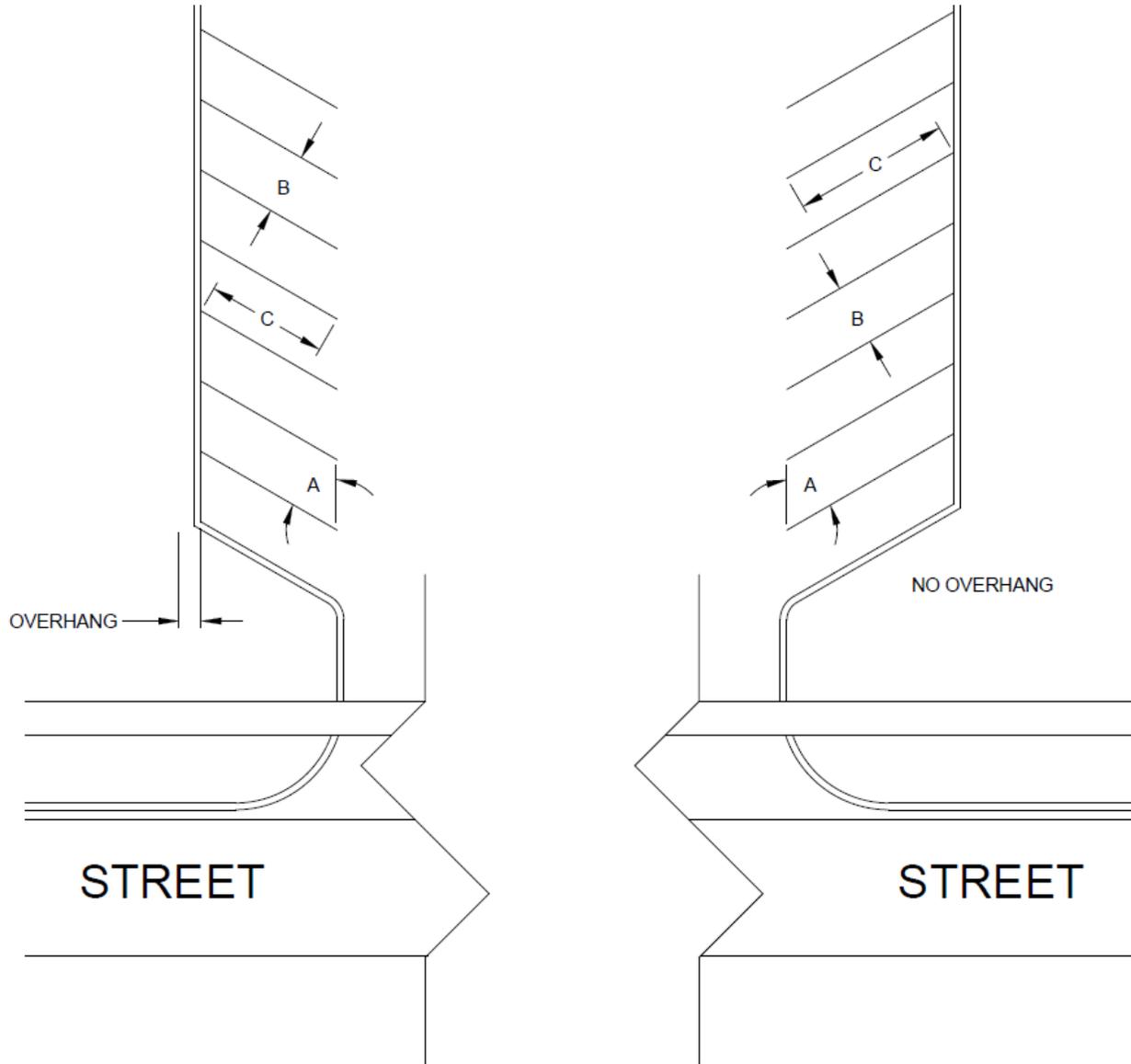


Table 7-4-2 – Angled Parking Dimensions.

Parking Stalls with Front Overhang		
Parking Angle A	Stall Width B	Stall Depth C
90°	9 Feet	18 Feet
60°	9 Feet	18 Feet
45°	9 Feet	18 Feet

Parking Stalls without Front Overhang		
Parking Angle A	Stall Width B	Stall Depth C
90°	9 Feet	20 Feet
60°	9 Feet	20 Feet
45°	9 Feet	20 Feet

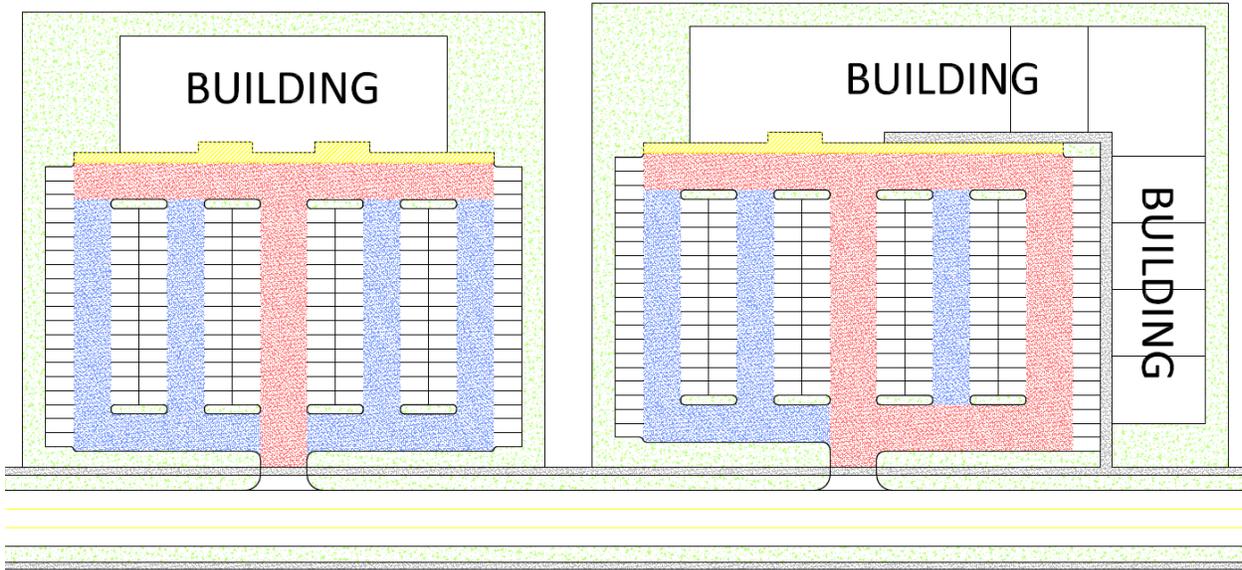
7-4-11. Public Safety Aisles.

Every lot or parcel that includes a parking area with internal vehicular aisles for access to parking spaces shall provide public safety access and facilitation aisles. Those public safety aisles shall be a minimum of 30 feet in width, measured from curb-face to curb-face and as shown in Table 7-4-2, regardless of whether the aisle accommodates one- or two-way traffic. Public safety aisles, as represented and depicted in the Figure 7-4-3, shall consist of all aisles that:

- (1) provide access from a public or private street;

- (2) provide frontage for, or which abut any side of, one or more buildings or business;
- (3) provide direct access to the front of the building according to the most direct route from a public or private street;
- (4) are deemed critical by the fire or police department for access to one or more buildings in the event of a public safety emergency.

Figure 7-4-3 – Public Safety Aisles.



24' Standard Parking Aisles

30' Emergency Access Routes

EXHIBIT B

PROPOSED REVISIONS TO TOOELE CITY CODE CHAPTER 7-15

CHAPTER 15. RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

7-15-1. Applicability.

7-15-2. Purpose.

7-15-3. Permitted Use; Requirements.

7-15-4. State Certification or Licensure.

7-15-5. Revocation of Occupancy Permit.

7-15-6. Violations.

7-15-7. Reasonable Accommodation.

7-15-8. Appeals.

7-15-1. Applicability.

Any structure or dwelling encompassed within the definition of “Residential Facility for Persons with a Disability” shall comply with the requirements of this Chapter notwithstanding other provisions of this Code to the contrary.

7-15-2. Purpose.

The purposes of this Chapter include:

- (1) to comply with the Federal Fair Housing Act (42 U.S.C. §3601 et seq.);
- (2) to comply with the Utah Fair Housing Act (U.C.A. Chapter 57-12);
- (3) to comply with U.C.A. §10-9a-520 (Residences for persons with a disability);
- (4) to permit housing for persons with disabilities in a non-discriminatory manner; and,
- (5) to allow for reasonable accommodations to afford persons with disabilities equal housing opportunities.

7-15-3. Permitted Use; Requirements.

A residential facility for persons with a disability (for purposes of this Chapter, a “facility”) shall be a permitted use in any zoning district in which a dwelling is a permitted primary use. Each facility shall comply with the following requirements.

- (1) The facility shall comply with all building, safety, and health regulations applicable to the construction and habitation of dwellings.
- (2) The facility shall comply with all of the provisions of this Title applicable to dwellings, unless otherwise specified in this Chapter.
- (3) Each facility located in a single-family zoning district (R1-7 through RR-5) shall comply with the single-family design standards contained in Chapter 7-11b of this Title.
- (4) Each facility located in a multi-family zoning district (MR-25, MR-16 and MR-8) shall comply with the multi-family design standards contained in Chapter 7-11a of this Title.
- (5) The minimum number of parking spaces required for a facility shall be ~~as required in Chapter 7-4 of this Title one space for each bedroom designed for occupancy by one or two persons and two spaces for each bedroom designed for occupancy by three or four persons, plus one space for each employee.~~ *as required in Chapter 7-4 of this Title*
- (6) No more than four persons may be housed in a single bedroom.
- (7) A minimum of 60 square feet per resident shall be provided in a multiple-occupant bedroom. A minimum of 100 square feet per resident shall be provided in a single-occupant bedroom.
- (8) Bathrooms shall have a minimum ratio of one toilet, one lavatory, and one tub or shower to each six residents.
- (9) The facility must be a structure type that is permitted in the zoning district in which the facility is proposed to be located.
- (10) No facility may be located within 660 feet of another facility, measured in a straight line between the nearest property lines of the lots upon which the respective facilities are located.

7-15-4. State Certification or Licensure.

- (1) Prior to the City issuing a certificate of occupancy for a facility, and prior to actual occupancy of a facility, the person or entity licensed or certified by the State of Utah to establish and operate the facility shall:
 - (a) provide a copy of the required State of Utah licenses and/or certificates for the facility and for any State-regulated programs provided at the facility; and,
 - (b) certify by affidavit to the City that no person will reside or remain in the facility whose tenancy likely would constitute a direct threat to the health or safety of others or would result in substantial physical damage to

the property of others.

- (2) For purposes of this Chapter, State of Utah licenses and certificates for facilities and programs are applicant-specific, facility-specific, and program-specific, and shall not be transferrable to any other owner, operator, facility, or program.

7-15-5. Revocation of Occupancy Permit.

The City may revoke the occupancy permit of any facility upon the occurrence of any of the following:

- (1) the facility is devoted to a use other than a residential facility for persons with a disability;
- (2) any license or certificate required and issued by the State of Utah for the facility or a program provided at the facility terminates for any reason (including expiration, revocation, suspension for five years or more, denial of renewal);
- (3) the facility fails to comply with all of the requirements of this Chapter; or,
- (4) the facility allows a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others.

7-15-6. Violations.

- (1) The following shall constitute a violation of this Chapter:
 - (a) continued occupation of a facility upon the revocation of the occupancy permit;
 - (b) continued occupation of a facility upon the termination of the State of Utah license or certificate for the facility;
 - (c) continued providing of a program upon the termination of the State of Utah license or certificate for that program;
 - (d) noncompliance with any provision of Title 4 or Title 7 of this Code applicable to the facility;
 - (e) allowing a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others; and,
 - (f) allowing the facility to be devoted to a use other than a residential facility for persons with a disability.
- (2) Any violation of this Chapter is a class B misdemeanor.

7-15-7. Reasonable Accommodation.

None of the foregoing conditions shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a facility. Any person or entity who wishes to request a reasonable accommodation shall make application to the Director of the Community Development Department and shall articulate in writing the basis for the requested accommodation. Each application for a reasonable accommodation shall be decided by the Director within 30 days. Failure of the Director to issue a decision within 30 days shall be deemed a denial of the application.

7-15-8. Appeals.

- (1) The denial of a request for reasonable accommodation may be appealed to the Zoning Administrator by filing with the Community Development Department a written appeal within ten days of the date of denial. The Zoning Administrator shall issue a written decision within 15 days of the date of the appeal. Failure of the Zoning Administrator to issue a written decision within the 15 days shall be considered a denial of the appeal.
- (2) The decision of the Zoning Administrator may be appealed to the Administrative Hearing Officer by filing with the Community Development Department a written appeal within ten days of the date of denial. The Administrative Hearing Officer shall schedule and conduct an informal hearing, shall notify the appellant and the Zoning Administrator of the date and time of the hearing, and shall issue a written decision within 15 days of the hearing. The decision shall be mailed by first-class mail to the appellant.
- (3) The revocation of an occupancy permit pursuant to this Chapter may be appealed to the Administrative Hearing Officer by filing with the Community Development Department a written appeal within ten days of the date of the revocation notice. The Administrative Hearing Officer shall schedule and conduct an informal hearing, shall notify the appellant and the Director of the Community Development Department of the date and time of the hearing, and shall issue a written decision within 15 days of the hearing. The decision shall be mailed by first-class mail to the appellant.

EXHIBIT C

PROPOSED REVISIONS TO TOOELE CITY CODE CHAPTER 7-15A

CHAPTER 15a. RESIDENTIAL FACILITIES FOR ELDERLY PERSONS

7-15a-1. Applicability.

7-15a-2. Purpose.

7-15a-3. Permitted or Conditional Use; Requirements.

7-15a-4. Revocation of Permit.

7-15a-5. Violations.

7-15a-6. Reasonable Accommodation.

7-15a-7. Appeals.

7-15a-1. Applicability.

Any structure or dwelling encompassed within the definition of “Residential Facility for Elderly Persons” shall comply with the requirements of this Chapter notwithstanding other provisions of this Code to the contrary.

7-15a-2. Purpose.

The purposes of this Chapter include:

- (1) to comply with the Federal Fair Housing Act (42 U.S.C. §3601 et seq.);
- (2) to comply with the Utah Fair Housing Act (U.C.A. Chapter 57-12);
- (3) to comply with U.C.A. §§10- 9a-516 through -519 (Residential facilities for elderly persons, etc.);
- (4) to permit housing for elderly persons in a non- discriminatory manner; and,
- (5) to allow for reasonable accommodations to afford elderly persons equal housing opportunities.

7-15a-3. Permitted or Conditional Use; Requirements.

- (1) A residential facility for elderly persons (for purposes of this Chapter, a “facility”) housing eight or fewer residents shall be a permitted use in any residential zoning district in which a single-family dwelling is a permitted primary use.
- (2) A facility housing more than eight residents shall be a conditional use in any residential zoning district.
- (3) Each facility shall comply with the following requirements.
 - (a) The facility shall comply with all building, safety, and health regulations applicable to the construction and habitation of dwellings.
 - (b) The facility shall comply with all of the provisions of this Title applicable to single-family dwellings, unless otherwise specified in this Chapter.
 - (c) Each facility located in a single-family zoning district (R1-7 through RR-5) shall comply with the single-family design standards contained in Chapter 7-11b of this Title.
 - (d) Each facility located in a multi-family zoning district (MR-25, MR-16 and MR-8) shall comply with the multi-family design standards contained in Chapter 7-11a of this Title.
 - (e) The minimum number of parking spaces required for a facility shall be as required in Chapter 7-4 of this Title ~~one space for each bedroom designed for occupancy by one or two persons and two spaces for each bedroom designed for occupancy by three or four persons, plus one space for each employee.~~
 - (f) No more than four persons may be housed in a single bedroom.
 - (g) A minimum of 60 square feet per resident shall be provided in a multiple-occupant bedroom. A minimum of 100 square feet per resident shall be provided in a single-occupant bedroom.
 - (h) Bathrooms shall have a minimum ratio of one toilet, one lavatory, and one tub or shower to each six residents.
 - (i) The facility must be a structure type that is permitted in the zoning district in which the facility is proposed to be located.
 - (j) No facility with more than eight occupants may be located within 660 feet of another facility, measured in a straight line between the nearest property lines of the lots upon which the respective facilities are located.
 - (k) Placement in a facility shall not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

7-15a-4. Revocation of Permit. The City may revoke the Conditional Use Permit and occupancy permit of any facility

upon the occurrence of any of the following:

- (1) the facility is devoted to a use other than a residential facility for elderly persons;
- (2) any license or certificate required by the State of Utah for the facility or a program provided at the facility terminates for any reason (including expiration, revocation, suspension for five years or more, denial of renewal);
- (3) the facility fails to comply with all of the requirements of this Chapter; or,
- (4) the facility allows a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others.

7-15a-5. Violations.

- (1) The following shall constitute a violation of this Chapter:
 - (a) continued occupation of a facility upon the revocation of the conditional use permit or occupancy permit;
 - (b) continued occupation of a facility upon the termination of a required State of Utah license or certificate for the facility;
 - (c) continued providing of a program upon the termination of a required State of Utah license or certificate for that program;
 - (d) noncompliance with any provision of Title 4 or Title 7 of this Code applicable to the facility;
 - (e) allowing a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others; and,
 - (f) allowing the facility to be devoted to a use other than a residential facility for elderly persons.
- (2) Any violation of this Chapter is a class B misdemeanor.

7-15a-6. Reasonable Accommodation.

None of the foregoing conditions shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a facility. Any person or entity who wishes to request a reasonable accommodation shall make application to the Director of the Community Development Department and shall articulate in writing the basis for the requested accommodation. Each application for a reasonable accommodation shall be decided by the Director within 30 days. Failure of the Director to issue a decision within 30 days shall be deemed a denial of the application.

7-15a-7. Appeals.

- (1) The denial of a request for reasonable accommodation may be appealed to the Zoning Administrator by filing with the Community Development Department a written appeal within ten days of the date of denial. The Zoning Administrator shall issue a written decision within 15 days of the date of the appeal. Failure of the Zoning Administrator to issue a written decision within the 15 days shall be considered a denial of the appeal.
- (2) The decision of the Zoning Administrator may be appealed to the Administrative Hearing Officer by filing with the Community Development Department a written appeal within ten days of the date of denial. The Administrative Hearing Officer shall schedule and conduct an informal hearing, shall notify the appellant and the Zoning Administrator of the date and time of the hearing, and shall issue a written decision within 15 days of the hearing. The decision shall be mailed by first-class mail to the appellant.
- (3) The revocation of an occupancy permit pursuant to this Chapter may be appealed to the Administrative Hearing Officer by filing with the Community Development Department a written appeal within ten days of the date of the revocation notice. The Administrative Hearing Officer shall schedule and conduct an informal hearing, shall notify the appellant and the Director of the Community Development Department of the date and time of the hearing, and shall issue a written decision within 15 days of the hearing. The decision shall be mailed by first-class mail to the appellant.

EXHIBIT D

PROPOSED REVISIONS TO TOOELE CITY CODE CHAPTER 7-16

CHAPTER 16. ZONING DISTRICT PURPOSE AND INTENT. MIXED USE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS

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

TABLE 3
MINIMUM OFF-STREET PARKING STANDARDS

USE	PARKING REQUIREMENT
Beauty Shop	2 parking spaces for the first patron station, 1 parking space for each additional patron station. Excluding wash stations.
Business Offices and Professional Offices	1 parking space for each 200 square feet of floor area.
Church, Sports Arenas, Theaters, Halls, Meeting Rooms	1 parking space for each 3 seats of maximum seating capacity.
Commercial Day-Care/Pre-School Center	1 for every employee during regular business hours, plus 4 visitor parking spaces with adequate drop off and pick up area as determined by the Director.
Dwellings	2 parking spaces for each dwelling unit.
Hotel and Motel	1 parking space for each sleeping unit, plus 1 for each employee.
Health-Care Facility	1 parking space for each 2 patient beds plus 1 parking space for each employee during regular business hours.
Health-Care Provider	3 parking spaces for each doctors/dentist/therapist or other health care provider plus 1 parking space for each employee during regular business hours.
Manufacturing, Industrial, Wholesale Facilities	1 parking space for each employee during regular business hours, adequate spaces for company owned vehicles, plus 4 visitor parking spaces.
Nursing Home, Convalescent Care Facility	1 parking space for each 4 patient beds plus 1 parking space for each employee during regular business hours.
Public or Private Educational Facility	As approved by director recognizing the location and facility proposed, based on the nearest comparable use standards.
Public Use	As approved by the director, recognizing the location and use proposed based on the nearest comparable use standards.
Residential Facility for Elderly Persons	1 parking space for each bedroom designed for occupancy by 1 or 2 persons; 2 parking spaces for each bedroom designed for occupancy by 3 or 4 persons; 1 parking space for each employee.
Residential Facility for Persons with a Disability	1 parking space for each bedroom designed for occupancy by 1 or 2 persons; 2 parking spaces for each bedroom designed for occupancy by 3 or 4 persons; 1 parking space for each employee.
Restaurant, Bar, Private Club	1 parking space for each 3 seats or 1 parking space for each 100 square feet of gross building square footage (excluding kitchen and storage) whichever is more.
Retail Store, Commercial Center, Personal Services	1 parking space for each 300 square feet of gross building square footage. Furniture and appliance stores: one parking space for each 600 square feet of floor area.

NOTE: All property owners and applicants for all development approvals are advised that in addition to the minimum off street parking spaces required they are also required to comply with the minimum standards for the provision of all required handicapped parking spaces as identified and required by the Americans with Disabilities Act, as amended.

EXHIBIT E

PLANNING COMMISSION MINUTES OF MAY 8, 2019

STAFF REPORT

May 2, 2019

To: Tooele City Planning Commission
Business Date: May 8, 2019

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Parking Chapter – City Code Text Amendment Request

Application No.: P19-282
Applicant: Tooele City
Request: Request for approval of a City Code Text Amendment regarding parking.

BACKGROUND

This application is a request for approval of a City Code Text Amendment to address provisions related to parking requirements and its various design aspects. Provisions related to parking were first adopted into the City Code in 1983 with several revisions in the time since. This proposal includes revisions intended to address identified intents, provide clarity and reorganization to existing provisions, as well as to respond to input received from applicants and the general public over the past few years. Exhibit “A” to this report contains the proposed revisions for this application. There are additional chapters of the City Code that will be amended with this application beyond what has been previously discussed. Those additional chapters, contained within Exhibit “B” to this report, are being revised simply to address references to primary aspects of this application.

ANALYSIS

Parking. The proposed revisions to Chapter 7-4 of the City Code largely contain changes to the code that reorganize and consolidate existing provisions. One of the most prominent components to parking provisions for any community is the set of calculations by which parking requirements are determined. The set of calculations in the Tooele City Code, to be re-established in Table 7-4-1 of this proposed text amendment, identifies to make only a single change to the calculation equations. That change is to bring all of the residential land uses into alignment with the same equation for all, which actually increases the requirement minimally for some residential uses to accomplish this. These changes are supplemented with proposals for new policy features. Most notably, the existing language of the City Code does not address specific design aspects of parking areas such as parking stall sizing, drive aisles, and specifics related to parking lot layout. These provisions have been historically administered through adopted policy that operates along with City Code provisions, although not being formally adopted into the City Code. This proposal includes these facets being included into the adopted ordinance of the City Code. A second policy proposal involves the implementation of ranges for required parking. Typical practice for determining parking requirements is to provide an equation for various permissible land uses and call them out as either minimum requirements or maximum requirements depending upon the environment in which they’re being implemented and the local political will for parking requirements. The implementation of ranges is to build upon the established equations and then provide a percentage above or below the results of that equation to provide flexibility in design and requirements for applicants to meet their individual needs. A third policy proposal allows the

design requirements of the parking requirements to work in concert with public safety to identify aisles in parking lots by which public safety can have the room needed to respond in the event of an emergency in exchange for minimized requirements on other aisles parking. There are also a number of technical changes proposed for this chapter of the City Code.

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

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

REVIEWS

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

1. The proposed City Code text amendment is intended to provide additional clarity in the language for applicants, City staff, and the general public.
2. The proposed City Code text amendment is intended to respond to input from applicants and the public.
3. The proposed City Code text amendment is intended to build upon existing provisions in an effort to modernize provisions applicable to new developments.

Engineering Review. The Tooele City Engineering Division has completed their review of the City Code Text Amendment proposal.

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

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-

1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Parking Chapter City Code Text Amendment Request by Tooele City, application number P19-282, based on the following findings and subject to the following conditions:”

1. List findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Parking Chapter City Code Text Amendment Request by Tooele City, application number P19-282, based on the following findings:”

1. List findings...

EXHIBIT A

PROPOSED REVISIONS TO CITY CODE

TITLE 7 CHAPTER 4

EXHIBIT B

PROPOSED REVISIONS TO CITY CODE

TITLE 7 CHAPTER 15

TITLE 7 CHAPTER 15a

TITLE 7 CHAPTER 16

EXHIBIT C

**EXISTING LANGUAGE OF THE CITY CODE
TITLE 7 CHAPTER 4**

CHAPTER 4. OFF-STREET PARKING REQUIREMENT

7-4-1. Off-street parking required.

7-4-2. Access to individual parking space.

7-4-3. Number of parking spaces.

7-4-4. Access requirements.

7-4-5. Parking lots.

7-4-1. Off-street parking required.

(1) At least five percent (5%) of the total area used for parking and related activities shall be landscaped by planting new or preserving existing trees or shrubs.

(2) For the purpose of this Title, when the required number of off-street spaces results in a fractional space, fractions less than one-half (½) shall be disregarded. Fractions of one-half (½) or more shall be rounded up.

(Ord. 2011-17, 09-21-2011) (Ord. 1983-05, 04-20-1983)

7-4-2. Access to individual parking space.

Except for single-family and two-family dwellings, access to each parking space shall be from a private driveway and not from a public street.

(Ord. 1983-05, 04-20-1983)

7-4-3. Number of parking spaces.

The number of off-street parking spaces required shall be as follows:

(1) Beauty Shop. Two (2) parking spaces for the first patron station and one (1) parking space for each additional patron station. Excluding wash stations.

(2) Business or professional offices. One (1) parking space for each 200 sq. ft. of floor area.

(3) Churches, sports arenas, auditoriums, theaters, assembly halls, meeting rooms, funeral homes, mortuaries, etc. One (1) parking space for each 3 seats of maximum seating capacity.

(4) Commercial Day-Care/Pre-School Center. One (1) space for every employee during regular business hours, plus four (4) visitor parking spaces with adequate drop off and pick up area as determined by the Director.

(5) Dwellings. Two (2) parking spaces for each dwelling unit, unless otherwise specified in Chapter 16 of this Title.

(6) Furniture and appliance stores. One (1) parking space for each 600 sq. ft. of floor area.

(7) Health Care Facility. One (1) parking space for each two (2) patient beds plus one (1) parking space for each employee during regular business hours.

(8) Health Care Provider. Three (3) parking spaces for each doctor, dentist, therapist, or other health care provider plus one (1) parking space for each employee during regular business hours.

(9) Hotels, motels, motor hotels. One (1) space for each living or sleeping unit, one (1) space for each

employee, plus parking space for all accessory uses as herein specified.

(10) Nursing homes. One (1) parking space for each four (4) patient beds plus one (1) parking space for each employee during regular business hours.

(11) Personal Services. One (1) parking space for each 300 sq. ft. of gross floor area.

(12) Public or Private Educational Facility, Public Use. As approved by director recognizing the location and use proposed based on the nearest comparable use standards.

(13) Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments. One (1) parking space for each three (3) seats or one parking space for each 100 sq. ft. of floor area (excluding kitchen, storage, etc.), whichever is more.

(14) Retail Stores. One (1) parking space for each 300 sq. ft. of gross floor area.

(15) Wholesale establishments, warehouses, manufacturing establishments, and all industrial uses. One (1) parking space for each employee during regular business hours, adequate spaces for company owned vehicles, plus four (4) visitor parking spaces.

(16) Commercial Centers. One (1) parking space for each 300 sq. ft. of gross floor area. As determined by the Director, individual establishments in a Commercial Center may share parking stalls upon the establishments demonstrating such factors as different hours of establishment operation and different peak hours of patronage to the sharing establishments.

(17) All other uses not listed above. As determined by the Director, based on the nearest comparable use standards.

(Ord. 2018-13, 08-15-2018) (Ord. 2014-08, 08-06-2014) (Ord. 2011-17, 09-21-2011) (Ord. 1985-17, 11-06-1985) (Ord. 1983-05, 04-20-1983)

7-4-4. Access requirements.

For purposes of this Chapter, a drive approach shall be that portion of the ingress and egress to and from a driveway from the front of the curb to the property line. Adequate ingress and egress to and from all uses shall be provided as follows:

(1) One- and two-family residential lots. Access to one- and two-family residential lots shall be provided to meet the following requirements:

(a) Not more than two (2) drive approaches shall be allowed for any residential lot.

(b) The width of a drive approach shall not be greater than thirty (30) feet or more than one-third (1/3) of the lot frontage in which the drive approach is constructed, whichever is less. A drive approach adjacent to a Cul-de-sac or curved lot with a frontage of less than 90 feet may exceed one-third (1/3) of that frontage, as determined by written administrative policy.

(c) A lot may have a singular thirty-foot drive approach or two (2) drive approaches that total thirty

(30) feet wide. A drive approach shall have a minimum width of ten (10) feet. Two (2) drive approaches on the same lot must have a minimum of twelve (12) feet between them.

(d) A drive approach shall be measured from the bottom of the flares. The flare shall not be greater than three (3) feet long.

(2) Other lots. Access to lots other than one- and two-family residential lots shall be provided to meet the following requirements:

(a) Not more than one (1) drive approach shall be used for each one hundred (100) feet or fraction thereof of frontage on any street.

(b) No two (2) of said drive approaches shall be closer to each other than twelve (12) feet, and no drive approach shall be closer to a side property line than three (3) feet.

(c) Each drive approach shall not be more than forty (40) feet wide, measured at right angles to the center line of the drive approach, except as increased by permissible curb return radii. Upon the recommendation of the City Engineer, the Planning Commission may extend a commercial drive approach to fifty (50) feet wide.

(d) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two (2) or more properties, no drive approach shall be closer than ten (10) feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.

(e) In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant shall provide protection strips along the entire frontage of the property, except for the permitted drive approaches and on the street side of each such strip there shall be constructed a concrete curb, the height, location, and structural specifications of which shall be approved by the City Engineer.

(f) Driveways or drive approaches shall not be located where sharp curves, steep grades, restricted sight distances or any other feature or characteristics of the road or driveway or drive approach by itself or in combination impairs safe traffic operation. The relocation of highway signs, signals, lighting or other traffic control devices necessitated by a drive approach shall be relocated by Tooele City or its agent at the permittee's expense.

(Ord. 2004-20, 11-03-2004) (Ord. 1983-05, 04-20-1983)

7-4-5. Parking lots.

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

(1) Each off street parking lot shall be surfaced with a bituminous surface course, Portland cement concrete or other approved surface to provide a dustless surface. The planning commission must approve any

surface that is not bituminous surface course or Portland cement concrete.

(2) The sides and rear of any off-street parking lot which face or adjoin a residential district shall be adequately screened from such district by a masonry wall or solid visual barrier fence not less than three or more than six feet in height as measured from the high side.

(3) Each parking lot shall be landscaped and permanently maintained.

(4) Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjoining premises and from street traffic.

(5) Where not otherwise authorized by this Title, when in the best interests of the community as determined by the planning commission, the commission may grant temporary or permanent conditional use permits for the use of land in residential districts for a parking lot, provided that in all cases the following conditions are met:

(a) The lot is to be used only for parking of passenger automobiles of employees, customers, or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance and upkeep.

(b) No charges shall be made for parking on the lot.

(c) The lot shall not be used for sales, repair work, or servicing of any kind, but shall be used for parking of vehicles only.

(d) Entrances to and exits from the lot shall be located so as to do the least harm to the residential district in an aesthetic context.

(e) No advertising sign shall be located on the lot.

(f) All parking is to be kept back of the setback building lines by a barrier which will prevent the use of the premises in front of the setback lines for the parking of automobiles.

(g) The parking lot and that portion of the driveway behind the building line is to be adequately screened from the street and from adjoining property in a residential district by a hedge or slightly fence or wall not less than three feet, nor more than six feet in height, which is to be located behind the building setback line. All lighting is to be arranged so there will be no glare therefrom annoying to the occupants of an adjoining property in a residential district. The surface of the parking lot is to be smoothly graded, hard-surfaced and adequately drained.

(h) There may be imposed such other conditions as may be deemed necessary by the planning commission to protect the character of the residential district.

(i) Drainage shall be disposed of upon the premises of the parking lot, as per the requirement set by the city engineer.

(j) No private or public garage or parking lot for more than five motor vehicles shall have an entrance

or exit in any district within 150 feet of the entrance or exit of a public school, church, playground, or other public or semi-public institution or facility.

(Ord. 2004-20, 11-03-2004) (Ord. 1994-56, 01-31-1995) (Ord. 1984-16, 10-__-1984) (Ord. 1983-05, 04-20-1983)

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

Date: Wednesday, May 1, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden, Chair
Dave McCall
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:02 p.m.

2. Roll Call

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

3. Discussion:

- Tooele Small Business Development Center (SBDC) Update
Presented by Jess Clifford

Jess Clifford expressed appreciation to Tooele City for their support and donation over the years. He stated that he was there to give an accounting of what has been done with the City's donation. He explained the SBDC's purpose as being a one-stop shop for anyone looking to grow or start a business. They would like to raise the number of successful small businesses in the Tooele Valley through training, mentoring and access to resources. They offer comprehensive services and assistance to develop the business economy.

Mr. Clifford talked about upcoming events and activities in the valley. He said that Tooele City could share in their research and resources.

The Mayor thanked Mr. Clifford for being accountable and open. She said she understood that helping businesses being successful helps our community and economy.

- Resolution 2019-39 A Resolution of the Tooele City Council Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2019-2020, and Establishing the Time and Place of a Public Hearing to Consider its Adoption Presented by Mayor Debbie Winn

Mayor Winn stated that the Council had received a copy of the tentative budget. On June 19th, at 7 p.m., there will be a public hearing to consider adopting the final budget. A meeting has been set for a budget discussion on May 8th at 5:00 p.m. in the large conference room.

- Public Works on MWPP (Municipal Waste Water Planning Program) Presented by Steve Evans

Mr. Evans stated that the information included in the Council packet was a report that Ray Henninger, from the Water Reclamation Facility, put together for the City. Mr. Evans stated that the report indicates that the City is following the guidelines of the Department of Environmental Quality. Mr. Evans added that the City Council adopts the plans that are in place.

- England Ridge Subdivision Presented by Steve Evans

Mr. Evans explained that a developer is proposing that the City split the cost with him to finish the road from 810 North up to 520 East. The developer is going to insert a culvert structure in the Middle Canyon drainage ditch. The 36 inch line could take all the storm water from the north through the channel under the Middle Canyon ditch. The proposal for the road and drainage ditch is \$350,000, but doesn't include grading work. Mr. Evans said that the developer has to get with FEMA to get approval to grade that area. To include the grading, the actual amount could be \$400,000, with the City's portion being \$200,000.

Mr. Baker said that the City can't require the developer to do some of the improvements that have been described by Mr. Evans. The improvements would benefit England Acres, and the City as a whole. Mr. Baker added that the developers don't own all of this property, but are still willing to complete the improvements. Mr. Baker said that the City wouldn't have to do the curb and gutter at this time.

Mr. Hansen said that the Middle Canyon drainage is not currently owned by the applicant. City Staff has discussed with the developer two options, either developing within the FEMA flood zone and the City's flood zone, or the developer can choose to develop their property staying outside of those flood zones. The developers are asking to develop all of their property which requires them to get authorization from FEMA. Mr. Hansen added that it could be a very long drawn out process that would be undertaken by the applicant, at their sole cost. Mr. Hansen explained that the applicants don't want to go to that cost without consideration of the City's ability and willingness to share in the cost at this time. The only reason the City is considering this is because we own the adjoining property. Completing these improvements benefits both the development and the City.

Chairman Pruden disclosed that he lives there and has a personal interest in this matter. Steve Evans and Darwin Cook also disclosed that they live near this area.

Chairman Pruden wanted to make sure that if the City punches the road through, it gets completed. Mayor Winn added that the developer is asking the City to participate in the detention pond also. The detention area would be large enough to put 2 homes in that area. The developers are asking the City to allow them to pipe the water underneath the road and put the water on the City's property, as a detention pond. The developer would bear the cost for this, and is asking the City to allow the water to be diverted there. The area could be used as a dog park.

Mr. Hansen said that under current Code, the developer is obligated to complete 30 feet of asphalt which would not complete the City's park frontage all the way to 1000 North. The current proposal would only complete the full road width to the Middle Canyon drainage wash. At some point, the City would need to allocate additional funds as the park further develops, in order to complete the west side of the road on 520 East.

Mr. Baker recommended that, if the Council agreed to the cost sharing, that the City only commit to a cost reimbursement, with a cap on the amount. This would avoid the need for a development agreement. He further explained that the developer should put in the improvements, and the City reimburse. Mr. Hansen also recommended that this would be contingent upon a final approval of the subdivision.

Chairman Pruden asked for a plan showing where the parking lot drive approach would be, and asked Mr. Hansen for a cost estimate for this project to complete the road all the way to 1000 North.

- Water Rate for Right Hand Fork
Presented by Steve Evans

Mr. Evans stated that the City has the opportunity to purchase water from Settlement Canyon Irrigation Company from Right Hand Fork. The irrigation company is asking for \$130 per acre foot.

Mr. Evans stated that in comparing rates with other entities, the City's rate is \$915 per acre foot, the largest purveyor in the valley is \$1100 per acre foot, and another source is \$1500 per acre

foot. Mr. Evans stated that the City can counter with another offer, if they choose. Mr. Evans added that they are about two weeks away from a spillover from the dam. Mr. Evans explained that there is a pipeline that can take the water to the City's station and pump it up to our tank. Mr. Hansen added that this line is tied to one of our culinary water storage tanks, and the water is approved by the Division of Drinking Water. The spring produces water year-round.

Mr. Hansen said that over 20 years ago the price was set at \$30 per acre foot. During Mayor Dunlavy's tenure, when it was last available to us, the irrigation company asked for \$60 per acre foot. He added that the asking price is not outrageous. It would save the City pumping costs and holds the City's ground water level in supply. Mr. Evans reiterated that right now the City is paying electrical costs to pump water. This option would give the City water without the need to pump it.

The Council agreed to the \$130 per acre foot.

- Accessory Dwelling Units
Presented by Roger Baker

Mr. Baker stated that Mr. Aagard couldn't attend. The Ordinance in the packet includes the changes the Council and Staff requested at the last meeting. He stated that this is the fourth opportunity the Council has taken to discuss this important policy initiative.

Mr. Baker reviewed some of the changes that were requested, such as setting the minimum lot size for a detached ADU at 8,500 square feet, listing the same size of 8,500 square feet for an attached dwelling unit, and taking out the restrictions on using them as short term rentals. Mr. Baker said he would like to take this Ordinance to the Planning Commission in May. He asked if the Council would like to see any more changes in the proposed Ordinance. Council Member Gochis expressed a concern about making an ADU a business, as a rental unit or short term rental, such as an AirBnB. Chairman Pruden said that the building department probably won't get a flood of applications for this type of rental. If there are complaints generated from ADUs, the City can look at possible changes. Mr. Baker stated that if someone chooses to finance and build something like this and chooses to use it as a short term rental, the impact to the City's systems would be less because it wouldn't be occupied all the time. Parking would still be required, and bedrooms are still limited to two. He added that he didn't see a down side to allowing the owner to use the ADU as they wanted. Mr. Baker felt that the owner would get more of a return on investment as a long term rental rather than a short term. Council Member McCall expressed concern about enforcement, or how to monitor them. He worried about opening a door to allow people to take their RVs in the back yard and renting them out. Mr. Baker said that he has tried to address this on the Ordinance by not allowing anything mobile being used for this purpose. All ADUs will require a building permit to verify compliance with building codes and design; this will minimize the amount of enforcement needed after the fact.

It was decided to take the Ordinance forward to the Planning Commission in May, then to the Council on June 5th.

- Resolution 2019-37 A Resolution of the Tooele City Council Declaring Surplus Certain IT Equipment, and Authorizing its Disposal
Presented by Michelle Pitt

Ms. Pitt stated that the City's IT department has cleaned out and organized the supply room. While doing that, they identified a number of items, including computers, and other IT equipment, that the City can neither use, nor need. A list of the items is attached to the Resolution. Ms. Pitt added that the Disposal of Surplus IT Equipment policy says that we need to keep the items for at least 3 months. During that time, IT uses parts from the items if they can. This equipment has met the time requirement, can no longer be used in any way by the City, and we are asking the Council to declare it surplus so that it can either be disposed of or recycled.

- Resolution 2019-38 A Resolution of the Tooele City Council Amending Golf Cart Fees
Presented by Darwin Cook

Mr. Cook stated that this Resolution is before the Council to approve a change to the current golf cart fees, which haven't been changed for 10 years. This change will bring fees in line with the current market. The proposed change for 9 holes is from \$6/person to \$8; and 18 holes from \$12/person to \$16. It will generate an estimated \$112,000 in revenues.

- Subdivision Preliminary Plan for the Lexington Greens at Overlake Subdivision, Located at Approximately 600 West 1200 North in the R1-7 Residential Zoning District for the Purpose of Creating 192 Single-Family Residential Lots
Presented by Jim Bolser

Mr. Bolser said that an application had been submitted for a preliminary plan for Lexington Greens. The Council had received the staff report and project drawings in their packet. The Planning Commission has reviewed this application and forwarded it with the additional condition that it be required to have fencing along 400 West to match the fencing in that area.

Council Member Gochis asked what the frontage landscaping strip would be. Mr. Bolser answered that it would be about 20 feet wide between the road and the lots. It is the developer's intent that this the frontage be landscaped and have green space.

He said that they aren't part of the North Tooele City Special Service District, and not required to have the same standards.

- Subdivision Final Plat for the Dow James Subdivision, Located at 438 West 400 North in the OS Open Space Zoning District, for the Purpose of Consolidating 4 Existing Lots of Record into 2 Platted Subdivision Lots
Presented by Jim Bolser

Mr. Bolser stated that this plat handles the various properties and rights-of-way, and creates two lots. One lot is for the baseball field, and the other lot is for all the remaining park space. The

baseball field will be transferred to the Tooele County School District and the remainder of the area will be held by the City.

- Condominium Final Plat for Canyon Village – Rust Phase 1 Condominiums, Located at 1770 North 350 East in the MR-16 Multi-Family Residential Zoning District, for the Purpose of Amending the Canyon Village – Rust Phase 1 Subdivision Plat and Creating Condominium Units and Associated Common Areas
Presented by Jim Bolser

Mr. Bolser said that Phase 1 and 2 have already been approved by Council. Phase 1 had several lots that were larger, and at the time the developer wasn't sure if they wanted to develop them as single-family lots, or as an attached residential product. Mr. Bolser indicated that the developers have decided they would like to do townhome plats for 24 units on those lots. It is currently zoned for multi-family residential, which fits with their request.

- Subdivision Final Plat for Sunset Estates Phase 8, Located at Approximately 400 West 2300 North in the R1-10 Residential Zoning District, for the Purpose of Creating 24 Single-Family Residential Lots
Presented by Jim Bolser

Mr. Bolser stated that this is the final plat for Phase 8 of Sunset Estates. The Council recently saw this request for the preliminary plan.

- Building Permit Fees
Presented by Jim Bolser

Mr. Bolser said that the Council received information about this item prior to the meeting. Mr. Bolser explained that there are three required non-City fees for every building permit: a plan review, review and a permit fee established by the building code, and a state surcharge fee. That fee is set by the State. The City has a limited flexibility in how the first two fees are calculated. The method of calculation of those fees is determined by a table from the 1997 Uniform Building Code. Currently, the City bases building permit fee amounts off the 2001 Building Code cycle. Mr. Bolser went on to say that the Building Code cycles go every three years. Soon it will be mandated that the City go to the 2018 cycle. Fees are dictated by the type of construction. The International Building Code has the number values for the equation to make sure that all the valuations are the same for everyone. There is a limited amount of flexibility because the City can decide whether to stay with prior Building Code cycle values, or update with the current Code cycle. The City is proposing to update to the 2015 code cycle, instead of staying with the 2001 code cycle. Mr. Bolser explained that the building permit fees are to help cover the cost of providing services. It is not something that is a money making adventure, but rather just trying to keep up with the cost of providing services.

Mr. Bolser indicated that Staff has spoken with Tooele County and Grantsville City who are currently using the 2009 cycle and transitioning to the 2015 cycle. It is the Administrative proposal to begin the new fees on June 1st. Mr. Bolser said that there is a notice posted in their

office so that everyone may be notified as they come in to the Community Development Department office and inspectors are talking with builders in the field to make sure they're aware.

- Rezone/Water Modeling
Presented by Council Chair Steve Pruden

Chairman Pruden tabled this item.

4. Close Meeting to Discuss Litigation and Property Acquisition

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

The meeting closed at 6:12 p.m.

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

No minutes were taken on the closed meetings.

5. Adjourn

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

The meeting adjourned at 6:52 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 15th day of May, 2019

Steve Pruden, Tooele City Council Chair

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, May 1, 2019

Time: 7:00 p.m.

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

City Council Members Present:

Steve Pruden
Brad Pratt
Dave McCall
Melodi Gochis

City Council Members Excused:

Scott Wardle

City Employees Present:

Mayor Debbie E. Winn
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department
Roger Baker, City Attorney
Glen Caldwell, Finance Director
Stephen Evans, Public Works Director
Chief Ron Kirby, Police Department
Darwin Cook, Parks Department Director
Michelle Pitt, City Recorder Director
Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Gochis.

2. Roll Call

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

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

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

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

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

- Isabel Snyder
- Lais Pearson
- Samantha Campos
- Kodie Jackson
- Nick Jensen

4. **Public Comment Period.**

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

Chairman Pruden closed the public comment period.

5. **Resolution 2019-37 A Resolution of the Tooele City Council Declaring Surplus Certain IT Equipment and Authorizing its Disposal.**

Presented by Michelle Pitt

Ms. Pitt stated that the City's IT department has cleaned out and organized the supply room. While doing that, they identified a number of items, including computers, and other IT equipment, that the City can neither use, nor need. A list of the items is attached to the Resolution. Ms. Pitt added that the Disposal of Surplus IT Equipment policy says that we need to keep the items for at least 3 months. During that time, IT uses parts from the items if they can. This equipment has met the time requirement, can no longer be used in any way by the City, and we are asking the Council to declare it surplus so that it can wither be disposed of or recycled.

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

Council Member McCall motioned to approve Resolution 2019-37. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

6. **Resolution 2019-38 A Resolution of Tooele City Council Amending Golf Cart Fees.**

Presented by Darwin Cook

Mr. Cook stated that on March 20, 2019 the Council approved the purchase of golf carts for golf course. The Parks department is recommending a change in the fee for the rental of the carts to cover the early payment of the carts for five years. The proposal is for nine holes the fee will be \$8 per person which is an increase from the current \$6 per person. The 18-hole fee would also increase from \$12 to \$16.

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

Council Member Pratt stated that he had noticed in the comparisons that had been provided to the Council, that the new fees are very similar to most of the courses on the document. There are 14 courses and nine of the courses have the same rental fees. Mr. Cook stated that the Tooele Golf Course will be right in line with the other courses that are nearby.

Council Member Gochis motioned to approve Resolution 2019-38. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

7. Subdivision Preliminary Plan for the Lexington Greens at Overlake Subdivision, Located at 600 West 1200 North in the R1-7 Residential Zoning District for the Purposes of Creating 192 Single-Family Residential Lots.

Presented by Jim Bolser

Mr. Bolser stated that this is an application for a preliminary plan for a new development at approximately 1200 North along 600 West. An aerial property was shown on screen. The property is largely located on along the curved area of 400 West and transitions to 600 West along Franks Drive. This is an application for creation of 192 single-family dwellings and additional park space. The existing zoning for the property is R1-7 as well as the surrounding properties with the exception of the northeast which has an Overlay P zone. A concept map was shown on the screen. In the right-hand corner will be a park space and is proposed to be a private park. Along the right-hand side of the plat where the development fronts 400 West and Franks Drive there is a significant green space strip between the lots and the road. The Planning Commission has heard this item and forwarded a positive unanimous recommendation with the inclusion of findings and conditions of the Staff Report and the Planning Commission also opted to add a condition for fencing to be provided by the developer on the green space between the lots and the road along 400 West. This recommendation is to match the cohesiveness of fencing in the corridor even though this project will not be part of the North Tooele Service District. The fencing is for cohesiveness and also safety purposes as well.

Chairman Pruden asked about the park space, will that have the same fencing. Mr. Bolser stated that the intent of the Planning Commission was to formalize the fencing between the lots and the road. The park space being private it could have some other type of fencing.

The applicant, Chuck Ackerlow stepped forward to address the Council questions. The park has been described as a private park, but it won't necessarily be a private park. He has built several parks over the course of his career. This park is designed to have one large regulation soccer field or two small junior soccer field because it had been mentioned by the Parks Department that there was a shortage of soccer fields in the City. Mr. Ackerlow stated that the fence is still in planning stages and the fence would come to Franks Drive. It is being discussed if it will run across the back of the homes as well, but there hasn't been a determination made as of yet. Chairman Pruden stated that his thought is mostly about the ball staying out of the street. Mr. Ackerlow stated that it hadn't been considered yet. He stated that he is open to how the park is developed and will look because it is an asset to the community. He stated he is open to working with the City for the development of the park. Chairman Pruden thanked Mr. Ackerlow and asked him and his team to work with Mr. Cook in the Parks Department.

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

Council Member McCall motioned to approve the Subdivision Preliminary Plan for Lexington Greens at Overlake, Located at 600 West 1200 North in the R1-7 Residential Zoning District for the Purposes of Creating 192 Single-Family Residential Lots. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

8. Subdivision Final Plat for the Dow James Subdivision Located at 438 West 400 North in the OS Open Space Zoning District for the Purpose of Consolidating 4 Existing Lots of Record into 2 Platted Subdivision Lots.

Presented by Jim Bolser

Mr. Bolser stated the City has been working with Tooele School District for the transfer of the baseball field at Dow James Park to the school district. The park property itself is traversed by some old property lines, parcel lines that have been on the books for years. The property was also once traversed by right-of-way lines, but the Council has taken action previously to have those resolved. The zoning for the property is OS Open Space and will not be proposed for a change with this action. An aerial of the property was shown on the screen. The intent is to carve off the baseball field portion of the property for transfer to the school district, with the remaining properties being consolidated into a single lot for continued ownership and maintenance by the City. The plat also has easement in favor of the City, as the City has utility equipment under ground. The easement is for the City to maintain access to the underground

utilities for future needs. The Planning Commission has forwarded a unanimous positive recommendation for consideration. Mr. Bolser mentioned that he is presenting the item, but his department has had very little do with it. The Mr. Hansen, City Engineer, Mr. Baker, City Attorney, Mayor and City Administration have facilitated the project.

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

Council Member Pratt motioned to approve the Subdivision Final Plat for the Dow James Subdivision Located at 438 West 400 North in the OS Open Space Zoning District for the Purpose of Consolidating 4 Existing lots of Record into 2 Platted Subdivision Lots.

Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

9. **Condominium Final Plat for Canyon Village Rust Phase 1 Condominiums, Located at 1770 North 350 East in the MR-16 Multi-Family Residential Zoning District, for the Purpose of Amending the Canyon Village Rust Phase 1 Subdivision Plat and Creating Condominium Units and Associated Areas.**

Presented by Jim Bolser

Mr. Bolser stated that this is to amend existing subdivision lots. A few years ago, the Council approved Phase 1 of the Canyon Village Rust Phase 1 Condominiums. Subsequently Phase 2 was also approved. An aerial of the property was shown on screen. There is a road between the two phases. The property is in the MR-16 Multi-Family Residential zone. There were previously six larger than normal lots created for the phase 1 project. The intent at the approval was the applicant was unsure if the lots would become multi-family residential or larger development lots. The applicant has come back and proposed to split the six lots for four townhome units on each lot. The townhomes are allowable by the zoning. A condo is creating the outline of a building for the interior space to be transferred in ownership with the outdoor space being common space. The Planning Commission has forwarded a unanimous positive recommendation.

Chairman Pruden asked if there is an HOA to take care of the property? Mr. Bolser stated there would have to be. Chairman Pruden asked if the properties east and north of the units are single-family dwellings and if those properties have been notified of the multi-family units being built across the street. Mr. Bolser stated that he did not know if they had been notified. There isn't a specific notice for platting of this nature.

Mr. Baker stated that these do have the appropriate zoning for townhome units and were subdivided to begin with for this type of development. Mr. Bolser stated that that is correct.

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

Council Member Gochis motioned to approve the Condominium Final Plat for Canyon Village Rust Phase 1 Condominiums, Located at 1770 North 350 East in the MR-16 Multi-Family Residential Zoning District, for the Purpose of Amending the Canyon Village Rust Phase 1 Subdivision Plat and Creating Condominium Units and Associated Areas. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

10. Subdivision Final Plat for Sunset Estates Phase 8, Located at Approximately 400 West 2300 North in the R1-10 Residential Zoning District, for the Purpose of Creating 24 Single-Family Residential Lots.

Presented by Jim Bolser

Mr. Bolser stated this is the next phase of the Sunset Estates subdivision. An aerial of the project was shown on screen. The zoning is R1-10 and not proposing a change. The Council saw this plat just a couple meetings ago in the preliminary phase. This is the next phase. The northwest corner of this plat will be the corner of 2300 North and 400 West. There is a storm water retention area. The Planning Commission has forwarded a unanimous Positive recommendation.

Chairman Pruden asked if there a plan in place to maintain the water retention pond. Mr. Bolser stated that the development is part of the North Tooele Service District. The development will maintain double frontage lot standards and implementation through the district for maintenance.

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

Council Member McCall motioned to approve Subdivision Final Plat for Sunset Estates Phase 8, Located at Approximately 400 West and 2300 North in the R1-10 Residential Zoning District, for the Purposes of Creating 24 Single-Family Residential Lots. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Resolution 2019-39 A Resolution of Tooele City Council Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2019-2020, and establishing the Time and Place of a Public Hearing to Consider its Adoption.

Presented by Mayor Debbie Winn

Mayor Winn stated that the Resolution is for adoption of the tentative budget for the 2019 2020 budget that begins in July. This resolution will set a time and date for its adoption and the date

and time is June 19, 2019 at 7:00pm in the Council Chambers. There will be a budget discussion meeting that is scheduled for May 8, 2019 at 5:00pm in the large conference room.

Council Member McCall motioned to approve Resolution 2019-39. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

12. Minutes

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

Council Member McCall motioned to approve minutes from the City Council and City Council Work Session held on April 17, 2019. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

13. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$20,210.41 to Mountainland Supply Company for water meters and gas meters.

An invoice in the amount of \$20,340.91 to Mountainland Supply Company for cables, wires, and radio touch couplers for the water department.

An invoice in the amount of \$85,023.50 to Tooele County Sheriff Office for Jan, Feb, Mar Dispatch fees.

Council Member Pratt moved to approve invoices. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

14. Adjourn

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

The meeting adjourned at 7:42 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 1st day of May, 2019

Steve Pruden, Tooele City Council Chair

DRAFT

**Tooele City Council,
Tooele City Redevelopment Agency of Tooele City,
and the Municipal Building Authority
Work Session Meeting Minutes**

Date: Wednesday, May 8, 2019

Time: 5:00 p.m.

Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden, Chair

Scott Wardle

Dave McCall

Brad Pratt

Melodi Gochis

City Employees Present:

Mayor Debbie Winn

Glenn Caldwell, Finance Director

Shannon Wimmer, Assistant Finance Director

Jim Bolser, Community Development Director

Paul Hansen, City Engineer

Steve Evans, Public Works Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:01 p.m.

2. Roll Call

Brad Pratt, Present

Dave McCall, Present

Melodi Gochis, Present

Steve Pruden, Present

Scott Wardle, Present

3. Discussion:

- Budget

The Mayor presented her proposed budget to the Council. She stated that the total budget is just under \$53 million, which includes the RDA budget. The budget includes holding the certified tax rate. The City won't receive the certified tax rate from the County until June. The budget includes an 8% increase for the judgment levy, as talked about last year. The Mayor discussed a COLA for employees' salaries, cost of benefits, capital improvement projects, and personnel and equipment requests.

The Mayor expressed appreciation to Mr. Caldwell and Mrs. Wimmer for their work on the budget.

Mrs. Wimmer reminded the Council that two years ago the auditors warned the City that their expenses outweighed their revenues. The City then had a financial analysis done which reiterated the auditor's finding. The financial analysis was used as the basis for last year's tax increase.

The Council discussed the judgment levy, the tax rate, new police station costs, various funds, many line items, and overall budget. The Mayor and staff answered questions from the Council.

It was decided to hold another budget work meeting on May 29, 2019 at 5:00 p.m. The Chairman instructed the Council to review the budget, and ask questions of Finance, individual department heads, and/or the Mayor prior to that time.

4. Adjourn

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

Council Member Wardle left the meeting just prior to the adjournment and therefore did not vote.

The meeting adjourned at approximately 6:45 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 15th day of May, 2019

Steve Pruden, Tooele City Council Chair

**Municipal Building Authority
Business Meeting Minutes**

Date: Wednesday, April 17, 2019

Time: 8:45 p.m.

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

Board Members Present:

Brad Pratt
Dave McCall
Melodi Gochis
Steve Pruden
Scott Wardle

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Jim Bolser, Community Development
Kami Perkins, Human Resource Director
Paul Hansen, City Engineer

Minutes prepared by Kelly Odermott

Board Member Pruden opened the meeting at 8:45 p.m.

1. Open Meeting

Board Member Pruden opened the meeting.

2. Roll Call

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

3. MBA Resolution 2019-02 A Resolution of the Municipal Building Authority of Tooele City, Utah Approving a Contract with GSH Materials Testing & Inspection, Inc. for Material Testing and Special Inspection Services on the New Police Station Project.

Presented by Paul Hansen

Mr. Hansen stated that as part of the requirements for the police department construction project is for a third party oversight to come in to monitor soil sites, patch test results, concrete integrity, structural elements in that building and various other services. A proposal was requested from GSH Services. They are the firm that was retained to perform the onsite geotechnical testing during the design phase. GSH is in the best position to understand the conditions and understand the design criteria used by the architect for construction. They have submitted a fee schedule of an hourly rate and based on the estimated testing that will be required for the project they have submitted an estimate of total services in the amount of \$31,381.58. Mr. Hansen stated that with this proposal, the City is requesting an additional \$10,000 to be approved for the purpose of any additional testing that may be required during the construction. This amount will be used when there is the need for additional testing and would allow the MBA Chairman to approve the increase without the full amount coming back in resolution to the Board. This will help expediate the process if the Board so chooses.

Board Member Pruden asked if this contract is part of the originally approved budget for the construction. Mr. Hansen stated yes.

Board Member Pruden asked the Board, if they were okay with the \$10,000?

Board Member Wardle stated that he thought there should be a cap on it. Mr. Hansen stated that the proposal is no more than \$10,000. The Chairman would be allowed to spend up to \$10,000 without a formal meeting and resolution. Mr. Hansen stated that it is just for expediency.

Board Member Wardle stated that he understood that, but he thinks it should be included in the overall contingency for the project. The \$10,000 is a third of the contract, so would the company need that much more testing? Mr. Hansen stated that the actual proposal is estimated to be pretty close to actual needs. Board Member Wardle recommended that the Board approve a contingency that could draw for expense needs for items such as this. Board Member Pruden stated that it can be cumbersome to get the whole Board together for approvals.

Board Member Pruden asked the Board if there were any comments or questions, there were none.

Board Member McCall moved to Resolution 2019-02, with the \$10,000 additional to the contract for additional expenses. Board Member Pratt seconded the motion. The vote was as follows: Board Member Gochis, "Aye," Board Member Pratt, "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye." The motion passed.

4. Minutes

Board Member Pruden asked if there were any questions or comments in about the minutes from March 20, 2019, there were none.

Board Member McCall moved to approve the minutes from the Municipal Building Authority meeting dated March 20, 2019. Board Member Pratt seconded the motion. The vote was as follows: Board Member Gochis, "Aye," Board Member Pratt, "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye." The motion passed.

5. **Adjourn**

Board Member Pratt moved to adjourn the Municipal Building Authority Meeting. Board Member McCall seconded the motion. The vote was as follows: Board Member Gochis, "Aye," Board Member Pratt, "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye." The motion passed.

The meeting adjourned at 8:53 p.m.

The content of the minutes is not intended, nor are they submitted, as verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 1st Day of May

Steve Pruden, Tooele City Council Chair

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