

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, May 24, 2023** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.org anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Recommendation** on a Land Use Map Amendment to consider a request to re-assign the land use designation for approximately 326 acres located at approximately 1200 West 700 South from the existing land use designation of Regional Commercial to Light Industrial land use.

Public Hearing and Recommendation on an Ordinance and Zoning Map Amendment to create the new TCBP Tooele City Business Park zoning district, to establish zoning and development standards within the TCBP Tooele City Business Park zoning district and to reassign the zoning for approximately 326 acres of property located at approximately 1200 West 700 South from the existing zones of RD Research and Development and LI Light Industrial to the TBP Tooele Business Park zoning district.
4. **Public Hearing and Decision** on a Conditional Use Permit request by Crystal Neerings to authorize the use of "Kennel" on .5 acres located approximately 580 North 1000 West in the LI Light Industrial zoning district.
5. **Recommendation** on a three lot Preliminary Subdivision Plan request by Kurti Halim to approve Halim Subdivision proposed to be located at 400 East 1000 North in the R1-8 Residential zone on 3.37 acres.
6. **Public Hearing and Recommendation** on proposed ordinance amendments to Tooele City's Landscaping requirements as found in Tooele City codes 4-11, 4-11a, 7-4, 7-11, 7-11a, 7-14, 7-16 Table 2, 7-19. Amendments proposed by Tooele City. Item also includes a discussion on the proposed Tooele City Tree Selection Guide.
7. **City Council Reports**
8. **Review and Approval** of Planning Commission Minutes for the meeting held on April 26, 2023.
9. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Tooele City Planner and Zoning Administrator prior to the meeting at (435) 843-2132.

STAFF REPORT

May 16, 2023

To: Tooele City Planning Commission
Business Date: May 24, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Tooele Business Park – Land Use Map Amendment Request

Application No.: P23-407
Applicant: Jared Stewart, representing Tooele City RDA
Project Location: Approximately 700 South 1200 West
Zoning: RD Research & Development Zone
Acreage: Approximately 326 Acres (Approximately 14,200,560 ft²)
Request: Request for approval of a Land Use Map Amendment in the Regional Commercial Land Use designation to re-assign the land use to the Light Industrial designation.

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 326 acres located at approximately 700 South 1200 West. The 326 acres currently bears the Regional Commercial land use designation. This application is a pre-cursor to a Zoning Map Amendment that will be heard on the same agenda. In order to accomplish the Zoning Map Amendment staff would like to amend the Land Use Map of the General Plan and re-assign the land use designation for the entire 326 acres of property to the Light Industrial land use designation. This land use designation will better accommodate the proposed new zoning district and will keep the Land Use Map and the Zoning Map succinct as is required by City code.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. Properties to the north of the subject properties are currently designated as Light Industrial. Properties to the east are designated as Medium Density Residential. Properties to the west are located in unincorporated Tooele County. Properties the south are designated as Regional Commercial and are located within the Tooele Army Depot. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Tooele City RDA is proposing a new zoning district that will be called the TCBP Tooele City Business Park zoning district. This district will be a mix of commercial, light industrial and industrial uses with the majority of the area being oriented towards light industrial and industrial uses. Tooele City ordinances require that all zoning map amendments comply with the Land Uses Map of the Tooele City General Plan. Given that the majority of uses in the proposed TCBP zoning district will be light industrial and industrial in nature, changing the Land Use Map to a Light Industrial designation will satisfy the Land Use and accommodate the TCBP Tooele City Business Park zoning district and will address the ordinance requirement.

The current land use designation of Regional Commercial is a designation that requires both the Research and Development and Regional Commercial zoning districts. This land use designation is a remnant of past development plans that have not come to fruition. At that time Utah State University had plans to construct a large extension campus and turn this area into a large educational and research facility. Although Utah State University still owns property in the area and still operates an education facility there, the development has not progressed as planned and it is not known if those plans will ever be fully executed. Tooele City and other property owners within the subject property would like to move forward with developing the area as a multi-use commercial / industrial business park.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area;
 - (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
 - (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
 - (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
 - (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

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

1. All zoning map amendments are required by City Code to comply with the Land Use Map of the Tooele City General Plan.
2. Changing the Land Use Map to Light Industrial is a land use designation that can accommodate the TBP Tooele Business Park zoning district and keep the Land Use Map and Zoning Map succinct.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have not issued any comments concerning the proposed change.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning the proposed change.

Noticing. The applicant has expressed their desire to change the land use designation for 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 Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Tooele City Business Park Land Use Map Amendment Request by the Tooele City RDA, reassigning the land use designation for approximately 326 acres from Regional Commercial to Light Industrial, application number P23-407, based on the findings listed in the Staff Report dated May 16, 2023:”

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 Tooele Business Park Land Use Map Amendment Request by the Tooele City RDA, reassigning the land use designation for approximately 326 acres from Regional Commercial to Light Industrial, application number P23-407, based on the following findings:”

1. List findings...

EXHIBIT A

MAPPING PERTINENT TO THE TOOELE BUSINESS PARK LAND USE MAP AMENDMENT

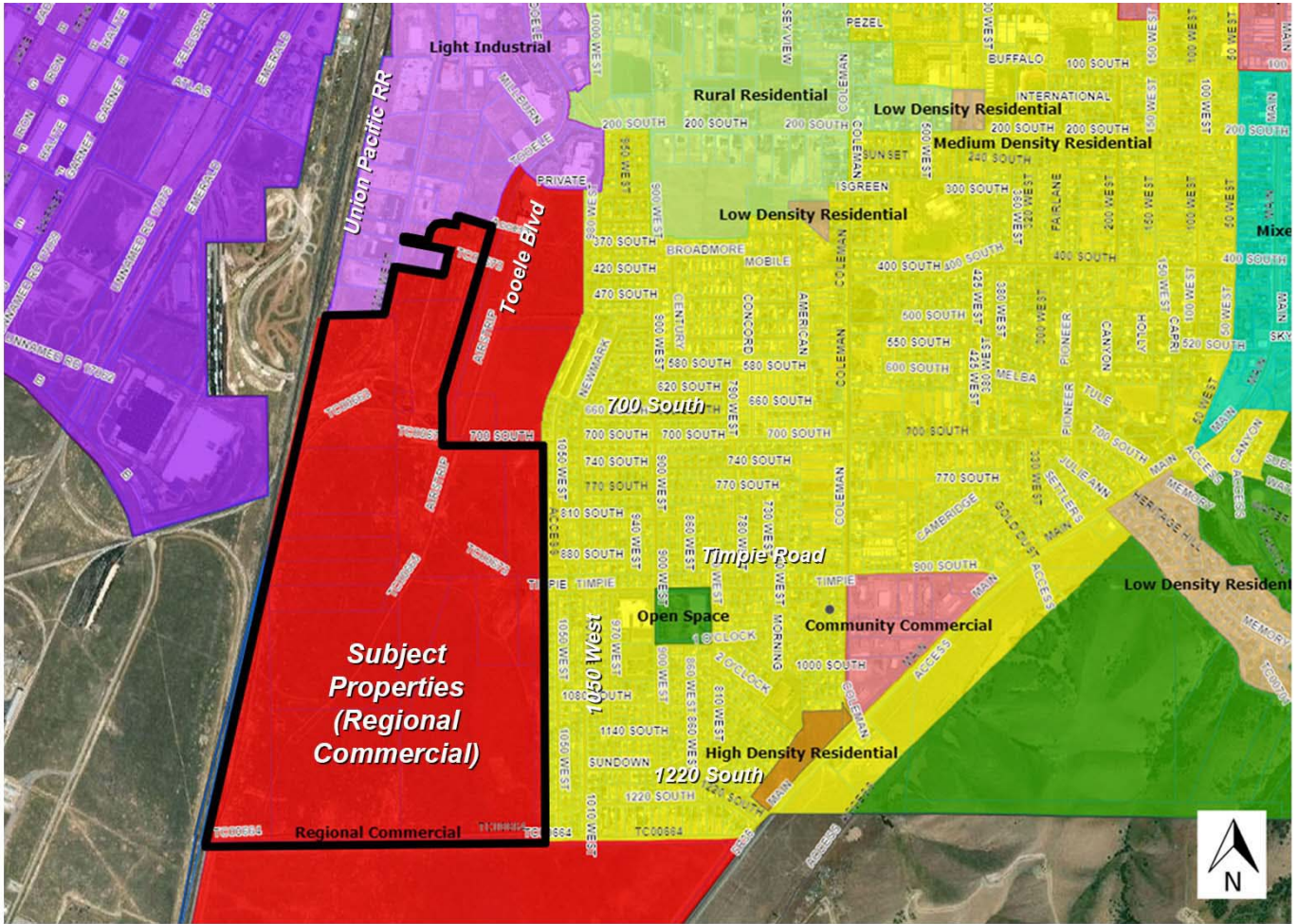
Tooele Business Park Zoning District



*Subject Property
Being Considered
for TBP Zoning*

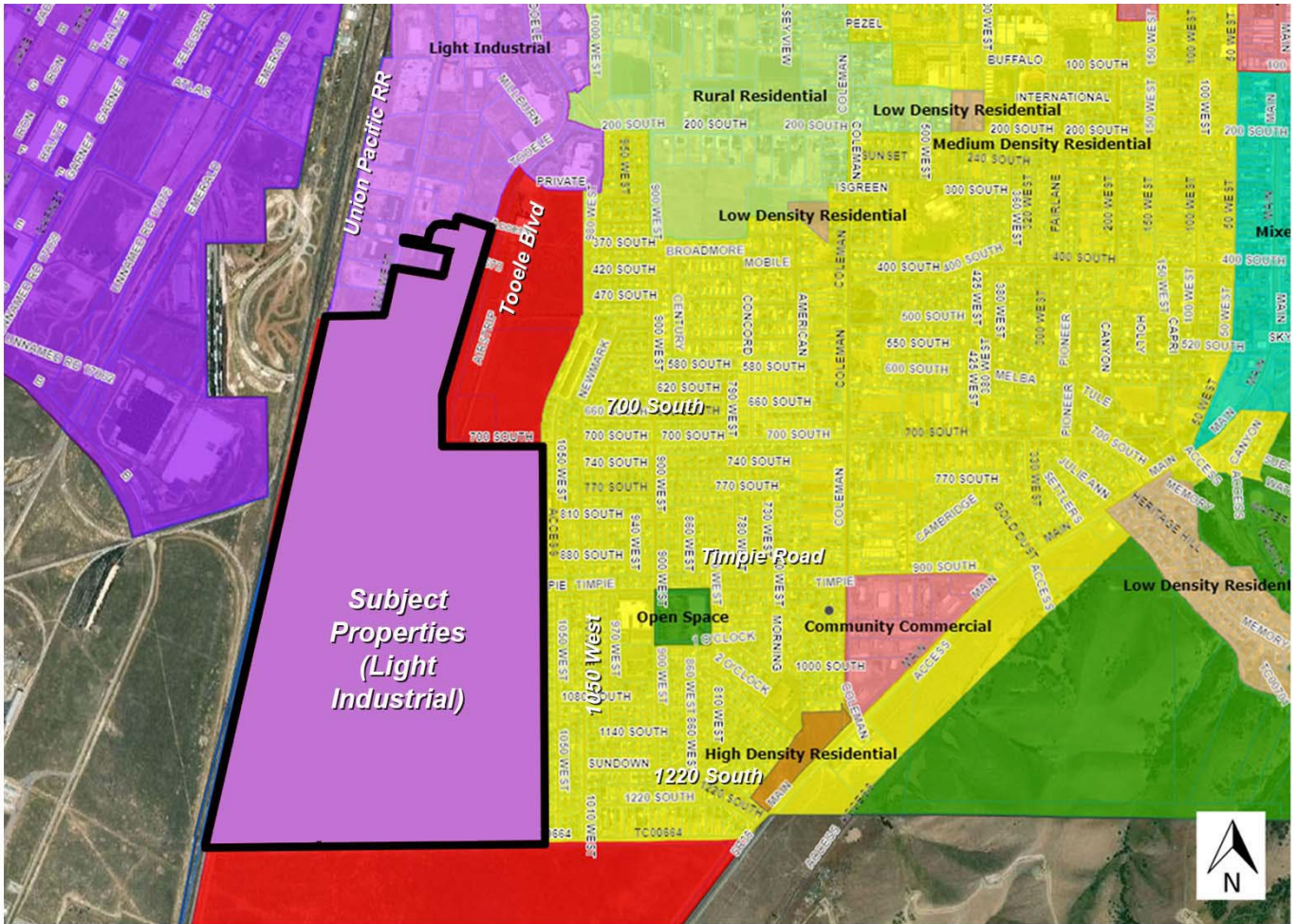
Aerial View

Tooele Business Park Zoning District



Current Land Use

Tooele Business Park Zoning District



Proposed Land Use

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
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.

Project Information			
Date of Submission: <u>May 2, 2023</u>		Current Map Designation: <u>RC</u>	Proposed Map Designation: <u>LI</u>
Project Name: <u>Tooele Business Park</u>			Parcel #(s): <u>23-407</u> <u>See Attached</u>
Project Address: <u>700 S 1200 W (Approx)</u>			Acres: <u>526</u>
Proposed for Amendment: <u>Land Use</u> <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: <u>The Tooele Business Park is a vacant property planned for commercial, retail, & industrial development. This application along with the concurrent rezone will enable development.</u>			
Property Owner(s):		Applicant(s): <u>Tooele RDA</u>	
Address:		Address: <u>90 N Main St</u>	
City:	State:	Zip:	City: <u>Tooele</u> State: <u>UT</u> Zip: <u>84074</u>
Phone:		Phone: <u>843-843-2169</u>	
Contact Person: <u>Jared Stewart</u>		Address: <u>90 N Main Street</u>	
Phone: <u>843-843-2169</u>		City: <u>Tooele</u>	State: <u>UT</u> Zip: <u>84074</u>
Cellular: <u>801-834-3858</u>	Fax:	Email: <u>Jared@TooeleCity.org</u>	

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

Note to Applicant:

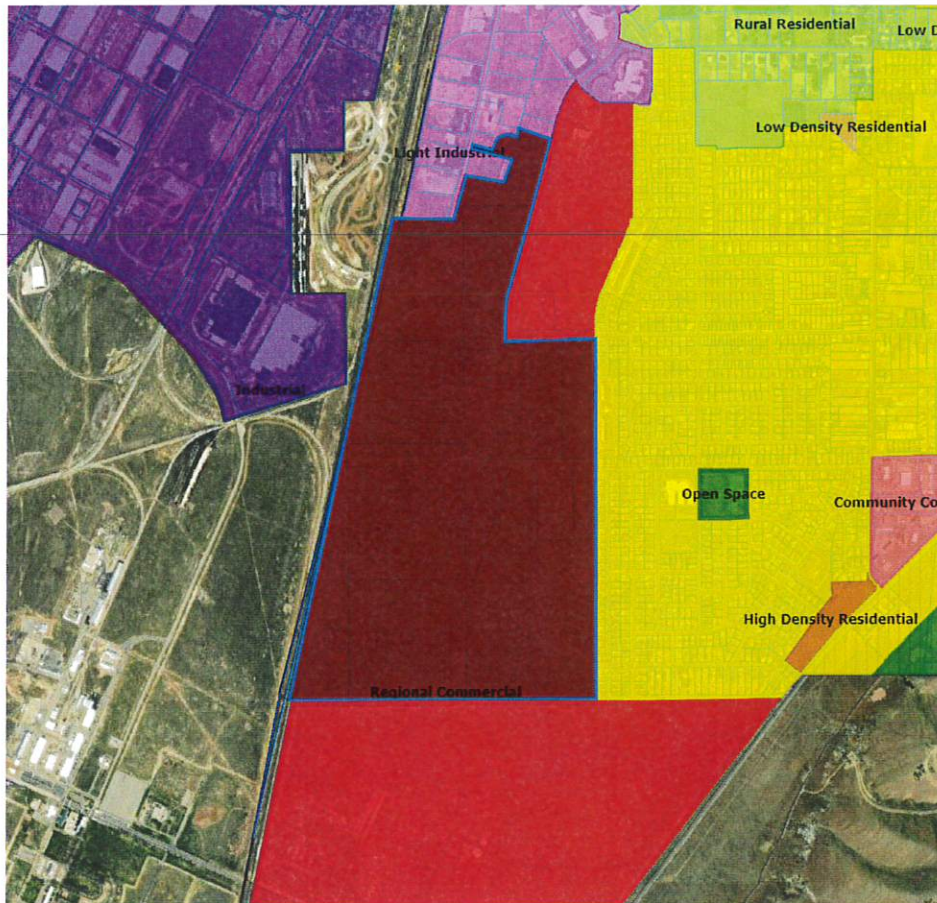
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as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

For Office Use Only			
Received By:	Date Received:	Fees: <u>6000.00</u>	App. #:

Land Use Map Amendment Application: Tooele Business Park Amendment of 326 acres)

What is the present land use designation of the subject property?

Currently the General Plan's Future Land Use Map has this property designated as Regional Commercial.



Explain how the proposed land use designation is similar or compatible with the other land use designations in the surrounding area.

The proposed use designation is Light Industrial (LI). The neighboring area of 1200 W, other sections to the north are already designated LI. There are no residential or uses with major conflicts. The LI designation matches plans for development of the property into what is being called the Tooele Business Park. A new zoning designation will be reviewed concurrently to specify allowable uses in the area.

What do you anticipate the land being used for?

The Redevelopment Agency (RDA) has approximately 160 acres for sale for the purpose of economic development and new business expansion. The RDA is coordinating amicably with other property owners who support a re-zone of the 326-acre site. Together the property will be sold for business expansion, job creation, and development of uses as described in the proposed Tooele Business Park

Zone. Lastly, a municipal water well sits at the north end of the site. We propose to reclassify the well property (1.65 acres) to match the surrounding land use map sections.

Explain how the proposed land use designation would affect the property, surrounding properties, and Tooele City.

The land is currently vacant, but development in the next year is anticipated. This amendment would provide consistency between the land use map with and recent changes made on adjacent properties. It would be consistent with development trends in the area and is driven by market interest and the vision of the RDA for economic development. The proposed use is expected to increase property values (tax revenue) and have a positive benefit to surrounding properties and to Tooele City.

The accompanying zoning application specifies ways that impacts would be mitigated. This includes restricting industrial and manufacturing uses to areas that are not adjacent to residential.

Explain how the proposed land use designation promotes the goals and objectives of Tooele City.

The RDA and Tooele City's intent has been to use land in the Tooele Business Park area to create new jobs for residents with the goal of reducing the need for residents to commute to the Salt Lake Valley for employment. This proposed land use amendment supports local business expansion and job creation. A Light Industrial designation on the land use map (along with the Tooele Business Park re-zone application) will allow the RDA to pursue efforts of business expansion and relocation.

STAFF REPORT

May 16, 2023

To: Tooele City Planning Commission
Business Date: May 24, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Tooele Business Park – Zoning Map Amendment Request

Application No.: P23-408
Applicant: Jared Stewart, representing Tooele City RDA
Project Location: Approximately 700 South 1200 West
Zoning: RD Research & Development Zone
Acreage: Approximately 326 Acres (Approximately 14,200,560 ft²)
Request: Request for approval of a new zoning district, a new ordinance for that zoning district and an amendment to the zoning map to the TCBP Tooele City Business Park Zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 326 acres located at approximately 700 South 1200 West. The property is currently zoned RD Research & Development and LI Light Industrial with the two zones being split nearly evenly throughout the 326 acres. The Tooele City RDA is requesting a new zoning district, the TCBP Tooele City Business Park zone, a new ordinance that provides development standards and uses and an amendment to the Zoning Map re-assigning the zoning for the 326 acres of property to the TCBP Tooele City Business Park zone.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property but is in process of being re-assigned to the Light Industrial land use designation. The property has been assigned the RD Research & Development and LI Light Industrial zoning classifications. The RD Research & Development zoning designation is identified by the General Plan as a preferred zoning classification for the Regional Commercial land use designation. Due to the large size of the properties involved in this zoning change there are a wide range of different zoning districts surrounding the subject properties. To the east the properties are zoned R1-8 Residential and MR-16 Multi-Family Residential and are utilized as single-family residential and multi-family residential apartments. To the north properties are zoned LI Light Industrial and IS Industrial Service and are utilized as lighter industrial. To the west properties are located in unincorporated Tooele County. To the south property is zoned R1-7 Residential and are undeveloped. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The Property is largely owned by the Tooele City RDA, along with a few other property owners who have provided affidavits authorizing their participation in the zoning map amendment process. The RDA proposes to develop the property as an industrial business park in order to establish a greater economic base to the area, provide jobs for residents of Tooele City and increase the City’s economic vitality. The properties’ close access to the Union Pacific railway is also a tremendous benefit to entice commercial

and industrial development to come to Tooele City and utilize close rail access.

At the April 12th, 2023 Planning Commission meeting the Planning Commission held a public hearing and took comment regarding a proposal by the Tooele City RDA to establish a Commercial Special District (CSD) for the same property being considered in this zoning map amendment. It was determined prior to that meeting and after the public notices had been issued that the CSD is not permitted for industrial type uses and is established exclusively for commercial type uses. The Planning Commission voted to table that item until staff could work out a solution to the issue that a CSD is not permitted for industrial uses.

Since that time Staff have decided to scrap the CSD altogether and proceed in a similar but different manner. This application proposes to create a new industrial zoning district which will be titled the Tooele City Business Park (TCBP) zone. This new zoning district is largely a light industrial zone with some industrial uses permitted in certain locations and some commercial uses permitted in certain locations, however, the majority of uses in the proposed development will be industrial. Hence the reason behind the Land Use Amendment application to re-assign the land use to Light Industrial instead of the Regional Commercial designation.

The proposed TCBP zone will include three sections. Section A will be located adjacent to existing residential uses and will be primarily located along the eastern side. Section B will be located through the center of the proposed development. Section C will be located closer to the Union Pacific Railroad corridor. A map of these sections will be included in the new chapter of the code, Chapter 7-16b, Tooele City Business Park zoning district. Any proposed development that occurs within these sections will be subject to the standards found in the new ordinance for those specific sections. Listed below are brief descriptions of the differences between the 3 sections.

Section A:

Section A involves any properties immediately adjacent to the existing residential zones along the east side of the subject property and will not have railroad access.

1. Land Uses: Section A prohibits light industrial and industrial uses and permits only commercial and office type of uses. Many uses that a resident will encounter in Tooele City's downtown areas will be permitted in Section A.
2. Building Height: The maximum building height in Section A shall be limited to 35 feet. This is the same maximum building height permitted in the R1-8 and MR-16 zones that are immediately east of Section A.
3. Architecture: All development in Section A facing residential structures shall include a minimum of 15% of the wall façade in brick, stone or similar masonry product. This is done to improve visual quality of the structures facing the existing residential homes.
4. Rooflines: All roofs in section A shall be pitched and all roof top mechanical equipment shall be located inside of the structure or on the ground and not on the roof.

Section B:

Section B involves the properties near the center of the proposed business park. They are buffered from the residential uses to the east by the Section A parcels and will have railroad access.

1. Land Uses: Section B prohibits heavy industrial land uses as well as many commercial uses that are not desired in industrial zones.
2. Building Height: Building height in section B shall be limited to 50 feet. Slightly taller than the buildings located in Section A.
3. Architecture: Buildings that front onto public streets and front facades shall incorporate

- elements from the list of architectural standards as required in the new code.
4. Rooflines: Flat roofs and pitched roofs are permitted in Section B, however, all rooftop mechanical must be concealed from public view by parapet screening methods. This shall be determined by what a person would see when standing on the street in front of the building.

Section C:

Section C involves the parcels nearest to the Union Pacific rail corridor. They are buffered from the residential uses to the east by Sections A and B and will have railroad access.

1. Land Uses: Section C prohibits most commercial and office uses as the section is desired to provide locations for heavy manufacturing and industrial uses. The City does not want these parcels being used for retail commercial, etc. Mining, extraction and operations involving the storage or processing of hazardous chemicals are not permitted in Section C or in the Tooele City Business Park.
2. Building Height: Building Height in Section C shall be limited to 70 Feet. This is the current building height limitation as found in the Peterson and Ninigret Industrial Depots. Rarely do buildings maximize this building height. Most often a structure requiring this height is a storage silo or similar structure involved in a manufacturing operation.
3. Architecture: Buildings that front onto public streets and front facades shall incorporate elements from the list of architectural standards as required in the new code.
4. Rooflines: Flat roofs and pitched roofs are permitted in Section B, however, all rooftop mechanical must be concealed from public view by parapet screening methods. This shall be determined by what a person would see when standing on the street in front of the building.

Architectural Standards. Tooele City desires that the new business park development will maintain an aesthetically pleasing appearance for all structures in the development. Architectural standards have been established for front facades and for facades that front onto a public street and for facades that face residential structures. The standards are broad and encompass many options and make it convenient for developers to satisfy the standards without getting too fancy for industrial buildings. Facades that are hidden from public view are not subject to these architectural standards.

Landscaping Standards. Landscaping standards for Section A follow the current landscaping standards as found in the GC General Commercial zone. Section A properties shall include 10% of the site in water wise landscaping, street trees and parking lot landscaping. Sections B and C will follow the requirements for landscaping in the industrial zoning districts. That includes water wise landscaping of critical areas such as project entrances, detention basins, employee break areas. This also includes landscaping of project frontages, street trees and at least 1% of the site as additional landscaping. Parking lot landscaping requirements usually satisfy the 1% requirement.

Lots. The new zoning code does not place restrictions on lot sizes, lot widths or lot frontages.

Development Standards. The new zoning code does not place restrictions on building setbacks. However, Building Code requirements for appropriate building separation would apply.

Fencing Standards. Fencing is required around all outdoor storage areas. Vision obscuring fencing must be opaque fencing of a height equal to the height of the materials stored but not higher than 8 feet. Fences may be vinyl, masonry, metal panel, rhino rock and other similar types. Chain link fencing with slats is not an acceptable vision obscuring fence in the TCBP zone.

Signs. Signs in this zone shall follow the sign requirements as found in Tooele City's current sign ordinance, 7-25. Properties with frontages on the future mid valley highway shall not be able to install

billboard or pylon signs contrary to Tooele City's sign ordinance.

Lighting Standards. The new ordinance requires specific standards to help preserve a dark sky. Standards include limitations on the lights that are used, cabinetry on lamps to direct the light down and into the property and limitations on light pole heights of 16 and 20 feet depending upon the size of the parking lot. Included within the ordinance are illustrations of acceptable and unacceptable lighting equipment.

Parking. Automobile parking shall be based upon the individual uses and shall follow the parking standards as set forth in Tooele City code 7-4; Off Street Parking. This includes standards for landscaping within parking lots.

Wind Turbines. This additional code will be unique to the TCBP zoning district. The zone will permit wind turbines with a maximum height of 175 feet to the vertical tip of the blade. The ordinance also requires the turbine be setback from all property lines a total of 115% of the total height of the turbine. This is to ensure that if the turbine collapses that it will not fall on any buildings on adjacent properties or public rights-of-way.

Subdivision Layout. This is not a subdivision application and a plat is not being provided. The map that is provided herein is a concept plan that establishes Sections A, B, and C. It is anticipated that the road layout within the business park will adhere closely to what is being shown in the plan, however, it is not entirely certain at this time what the State of Utah will do with the future mid valley highway. It is also anticipated that as businesses desire to purchase property for development that subdivisions and plats will occur at that time and lots and building sizes may vary from those shown on the concept plan.

This is a quick description of the new TCBP zoning ordinance. The ordinance is also included in this report for your review. The purpose behind this new ordinance is provide an opportunity to develop and maintain a quality business park that will attract businesses and employment opportunities to this currently vacant and undeveloped land. It is also intended to provide buffer and protection to the existing residential uses to the east. Unfortunately, some may not be satisfied with what is being proposed as only a vacant field is what is desired. However, if one desires a field to remain vacant the only way to ensure that a vacant field remains vacant is to purchase the field. The same principle is involved in view preservation. If a view is desired to remain in perpetuity the property needed to preserve the view should be purchased and preserved. Adjacent property owners do not have the right to demand that one property owner be prohibited from developing their land or otherwise use their land to preserve views or ensure they get to live next to a wide open field.

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 comments:

1. City Staff have gone to great lengths to buffer adjacent residential uses from heavy industrial and light industrial uses, to limit building heights to those found in those residential zones, and to require building facades facing residential structures to dress up the appearance of their buildings with additional masonry and pitched roofs.
2. The plan provided establishes Sections A, B, and C but does not guarantee that the development will occur exactly as demonstrated on the plan. Development will be dependent upon future road alignments from UDOT as well as the property needs of those desiring to construct in the development.

Engineering and Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Zoning Map Amendment submission and have not issued any comments regarding this proposal.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Zoning Map Amendment submission and has not issued any comments regarding this proposal.

Noticing. The applicant has expressed their desire to amend the zoning map and establish a new TCBP zoning district and code for 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 Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.

7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Tooele Business Park Zoning Map Amendment request by the Tooele City RDA to create a new Tooele City Business Park Zoning District, to adopt the new zoning district ordinance and to re-assign approximately 326 acres to the TCBP Tooele City Business Park zoning district, application number P23-408, based on the findings and subject to the conditions listed in the Staff Report dated May 16, 2023:”

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 Tooele Business Park Zoning Map Amendment request by the Tooele City RDA to create a new Tooele City Business Park Zoning District, to adopt the new zoning district ordinance and to re-assign approximately 326 acres to the TCBP Tooele City Business Park zoning district, application number P23-408, based on the following findings:”

1. List findings...

EXHIBIT A

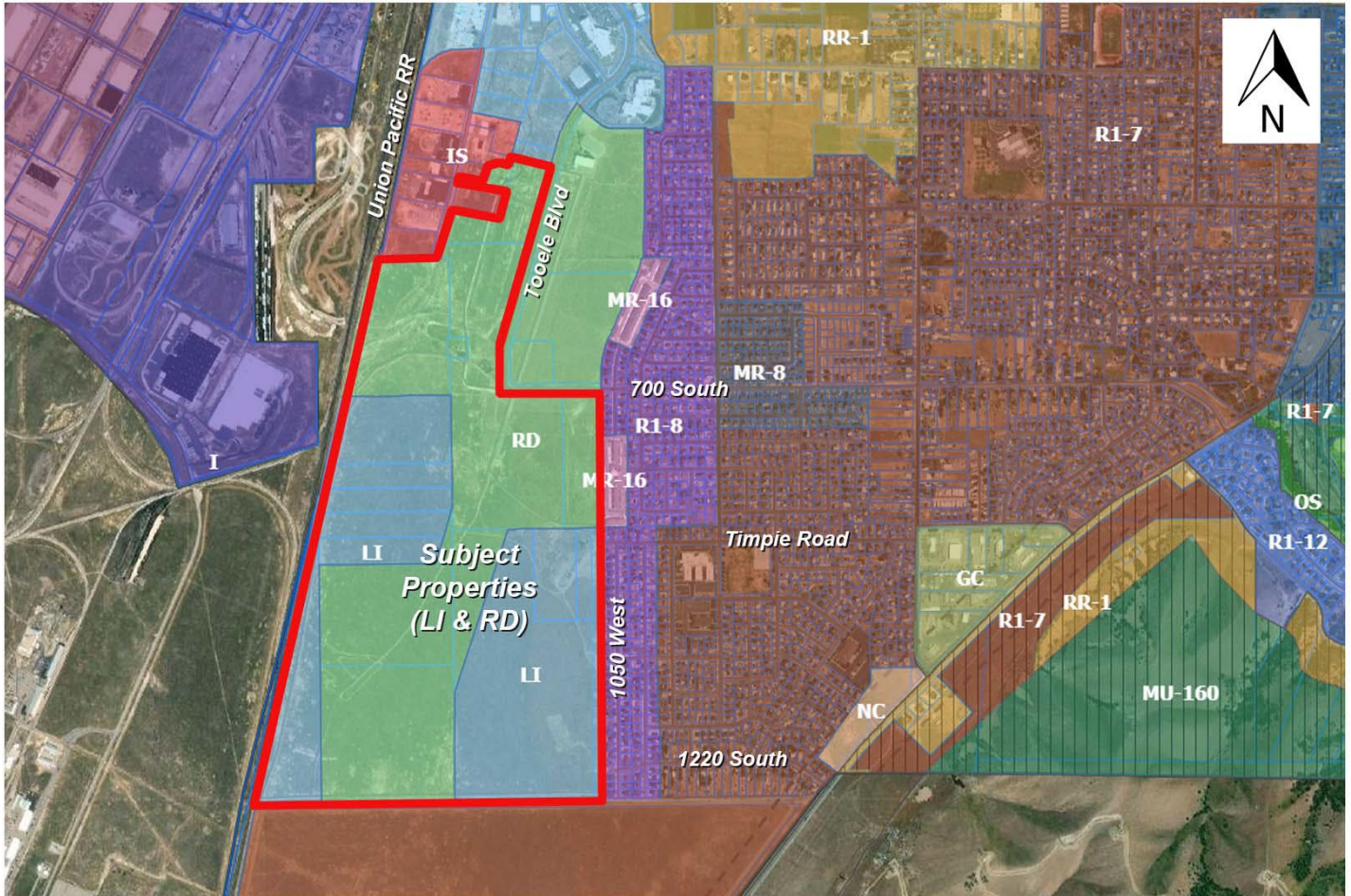
**MAPPING PERTINENT TO THE TOOELE BUSINESS PARK ZONING MAP
AMENDMENT**

Tooele Business Park Zoning District



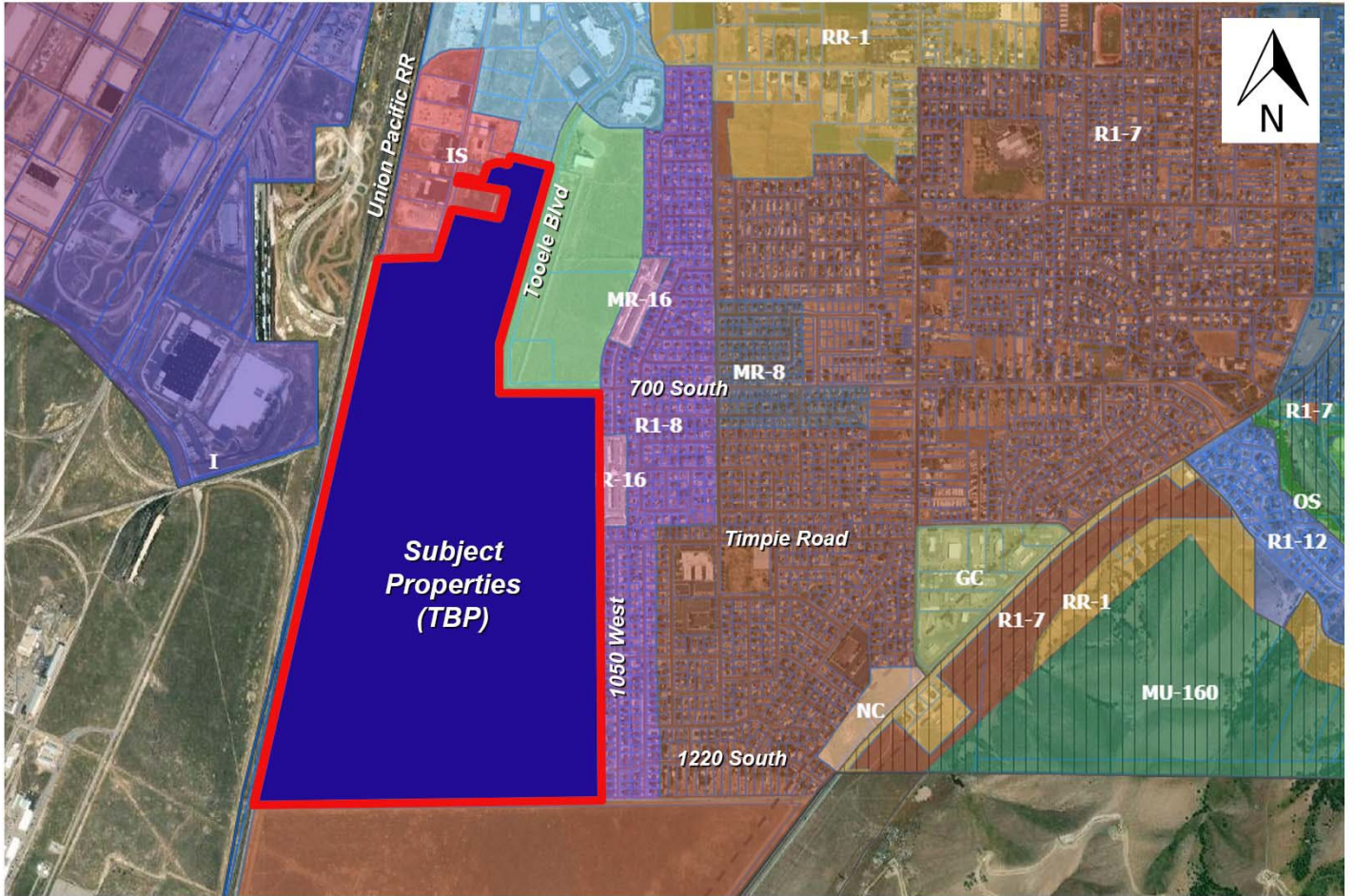
Aerial View

Tooele Business Park Zoning District



Current Zoning

Tooele Business Park Zoning District



Proposed Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
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.tooelecit.org



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

Project Information				23-409	
Date of Submission: May 2, 2023		Current Map Designation: RD & LI		Proposed Map Designation: Tooele Business Park	
Project Name: Tooele Business Park				Parcel #(s): see Attached	
Project Address: Approx. 700 S 1200 W				Acres: 326	
Proposed for Amendment: Zoning <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____					
Brief Project Summary: The Tooele Business Park is a section of vacant, undeveloped property where Tooele City RDA owns approximately 160 acres. As described, it will feature a custom zoning with lighter uses to the east & heavier uses on the west. All property owners are supportive.					
Property Owner(s):			Applicant(s): Tooele Redevelopment Agency		
Address:			Address: 90 N Main Street		
City:	State:	Zip:	City: Tooele	State: UT	Zip: 84074
Phone:			Phone: 435-843-2169		
Contact Person: Jared Stewart			Address: 90 N Main Street		
Phone: 435-843-2169			City: Tooele	State: UT	Zip: 84074
Cellular: 801-834-3858	Fax:		Email: Jared S@TooeleCity.org		

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

Note to Applicant:

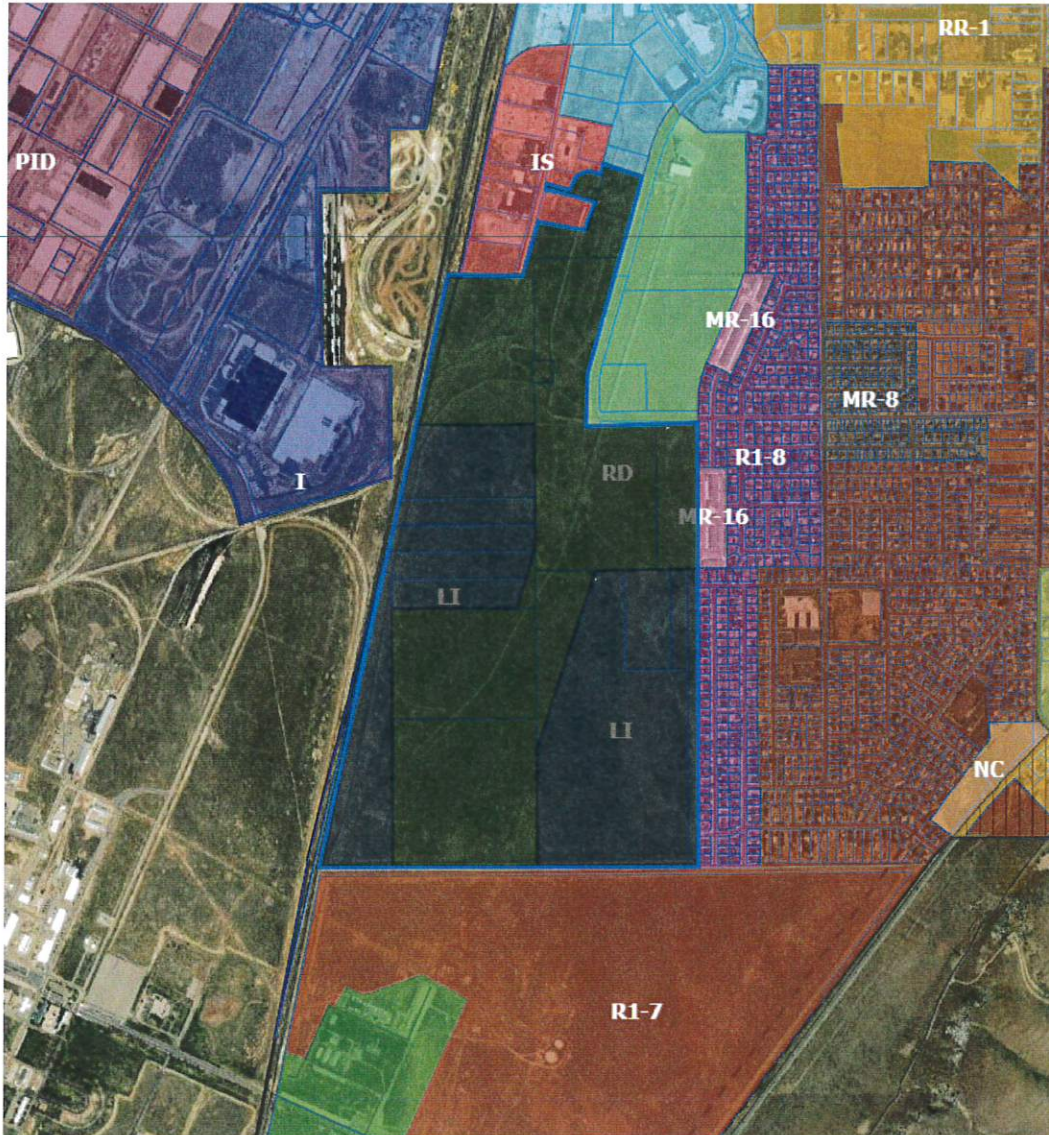
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as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

For Office Use Only			
Received By:	Date Received:	Fees: 6000.00	App. #:

Zoning Amendment Application: Tooele Business Park Amendment of 326 acres)

What is the present zoning of the subject property?

Currently the property is zoned as Research and Development (RD) and Light Industrial (LI).



Explain how the proposed zoning is consistent with the current land use designation:

A land use map amendment is being reviewed concurrently with this application. If approved, the land use designation will be Light Industrial. While the Tooele Business Park zone will be customized and host to a variety of uses, staff believes that the proposed zoning will fit well within the LI land use designation due to the primarily light industrial uses on the west and north. Eastern portions will be sectioned off for retail and commercial uses.

The proposed zoning for the municipal well parcel is Industrial Services (IS), to match adjacent zoning.

Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area:

The zoning to the north is Light Industrial, Industrial Services, and Research and Development. To the east the zoning is Single Family and Multi-family residential. The northern uses are similar and compatible to what is being proposed. To mitigate any potential impacts to residential there will be a section of the zoning (Section A) which does not allow industrial type uses and is focused on retail, office, and commercial uses. Currently the zoning which abuts residential is Light Industrial; it is anticipated the proposed zoning could have less impact on existing residential than the current designation.

Explain how the proposed zoning is suitable for the existing uses of the subject properties:

Currently the property is vacant and has no existing uses. Ongoing property sales to businesses would create light manufacturing and assembly type uses, which are appropriate for the proposed zone.

Explain how the proposed zoning promotes the goals and objectives of Tooele City.

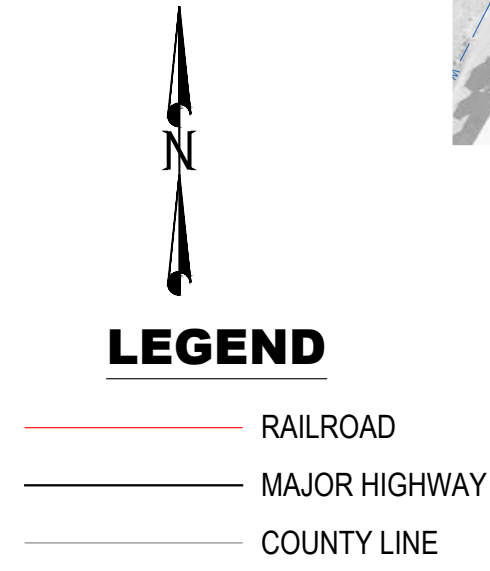
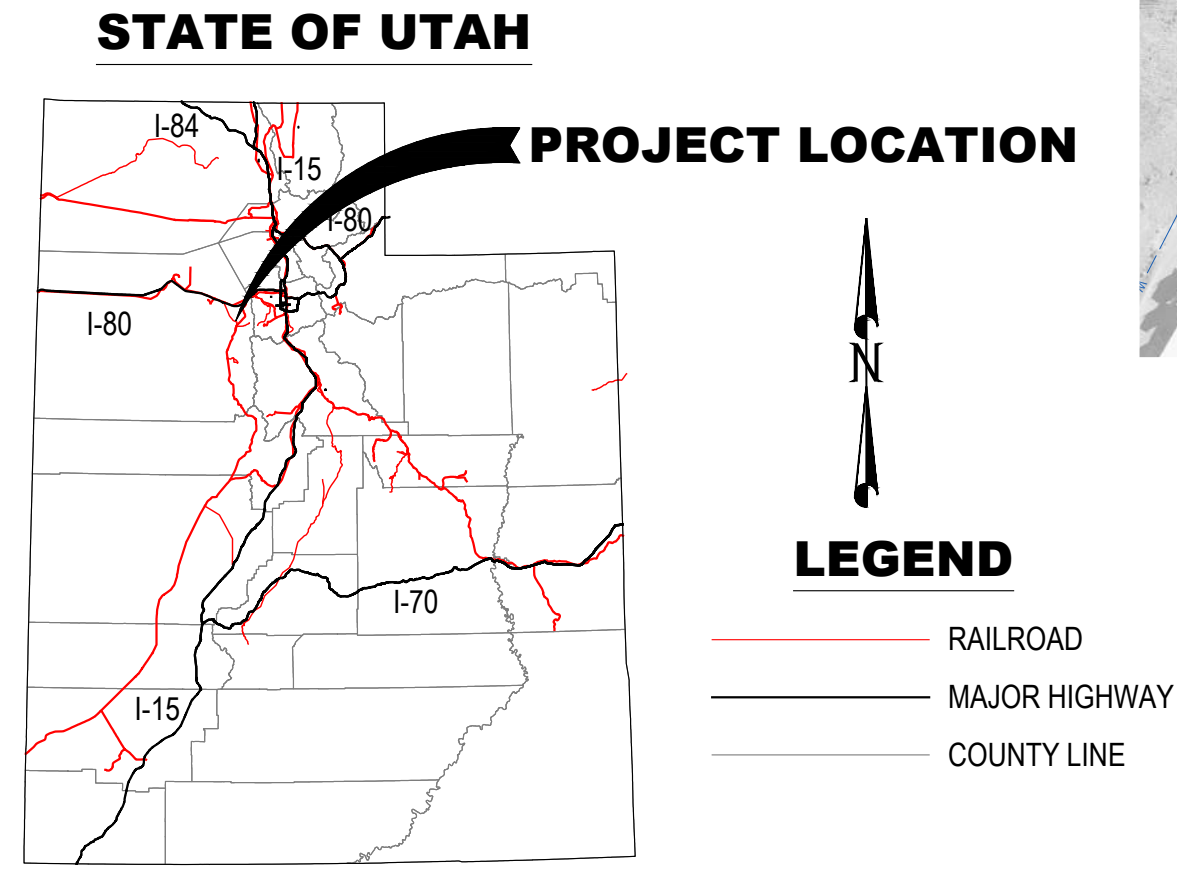
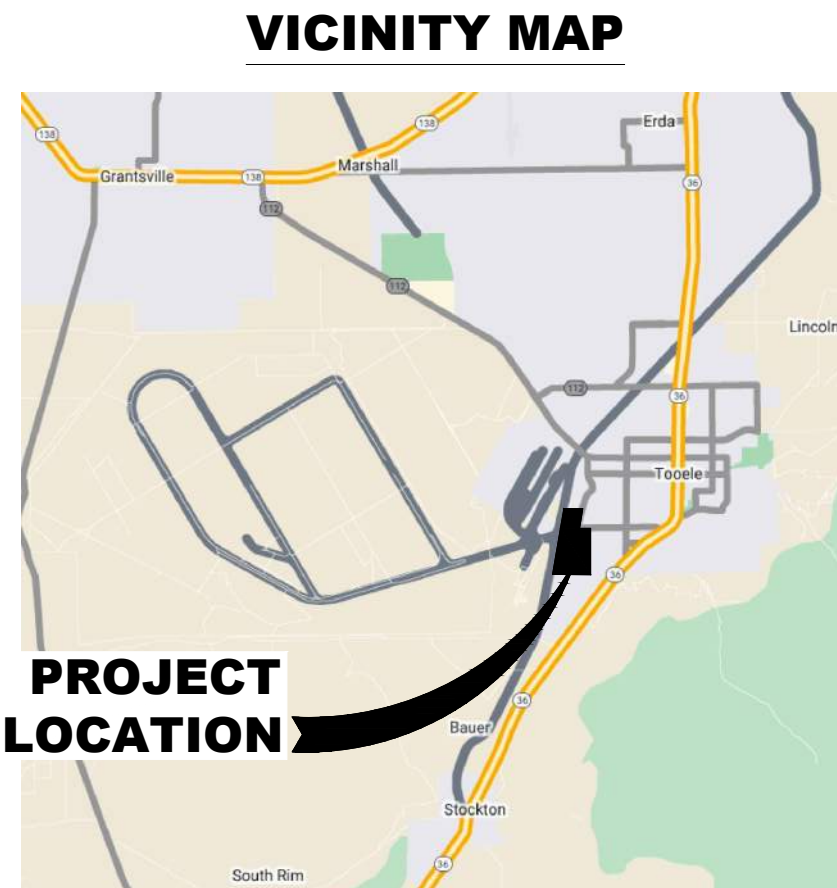
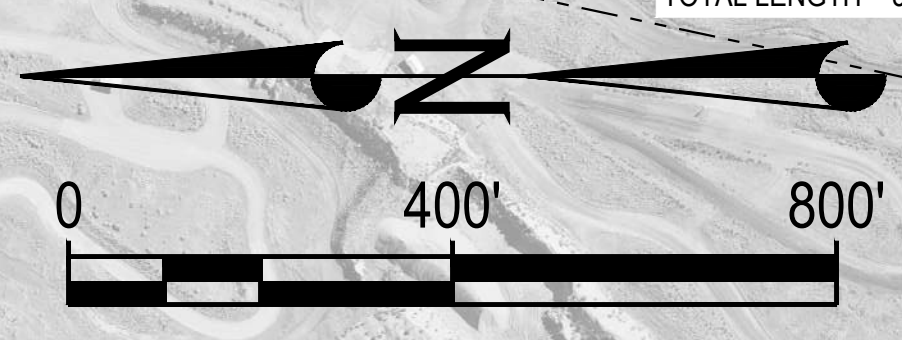
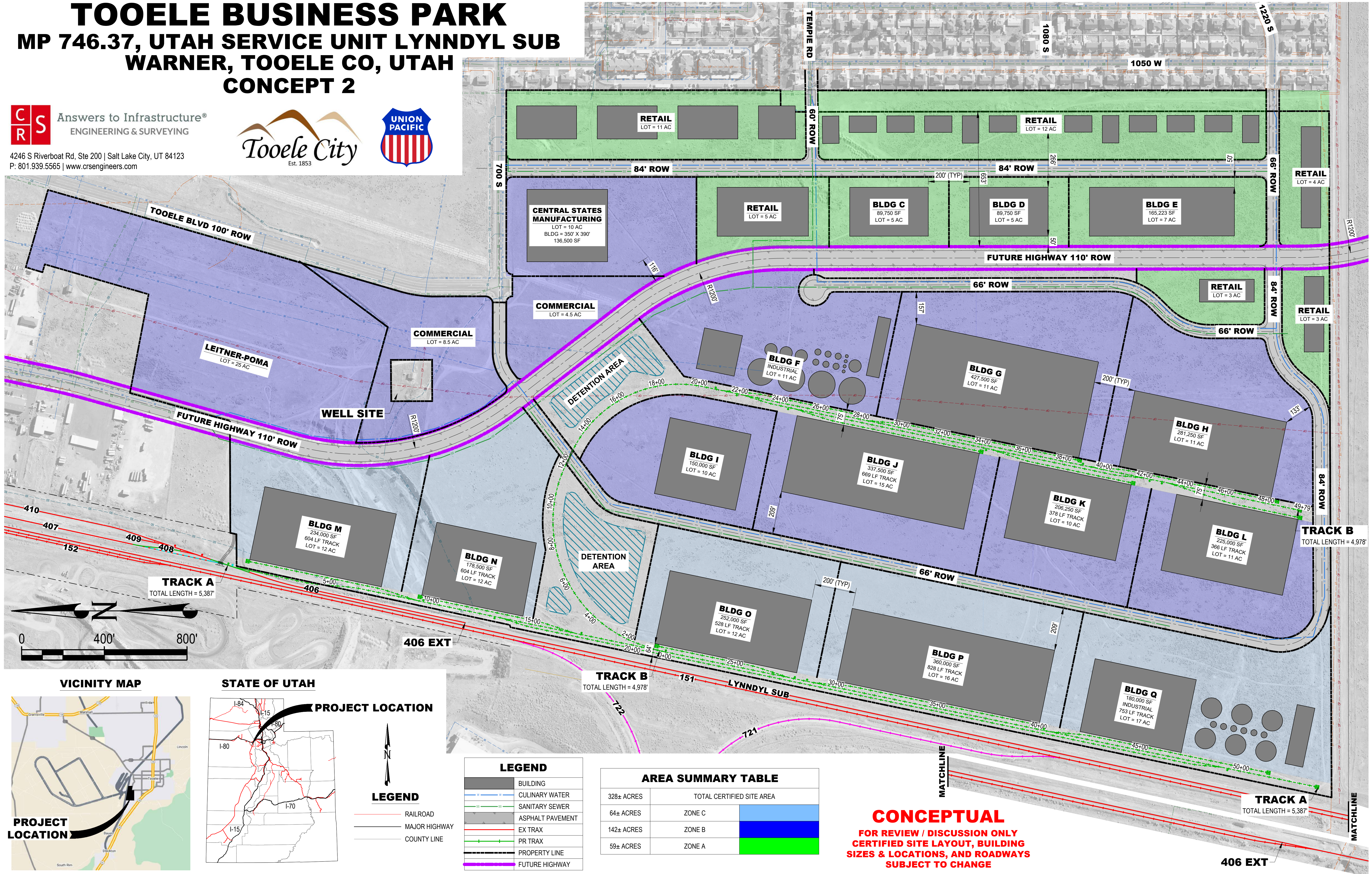
The RDA and Tooele City's intent has been to use land in the Tooele Business Park area to create new jobs for residents with the goal of reducing the need for residents to commute to the Salt Lake Valley for employment. This proposed zoning amendment supports local business expansion and job creation. A Light Industrial designation on the land use map (along with the Tooele Business Park re-zone application) will allow the RDA to pursue efforts of business expansion and relocation. These objectives will improve property values and benefit the tax base of the community.

TOOELE BUSINESS PARK

MP 746.37, UTAH SERVICE UNIT LYNN DYL SUB WARNER, TOOELE CO, UTAH CONCEPT 2



4246 S Riverboat Rd, Ste 200 | Salt Lake City, UT 84123
P: 801.939.5565 | www.crsengineers.com



LEGEND

[Grey Box]	BUILDING
[Blue Line]	CULINARY WATER
[Green Line]	SANITARY SEWER
[Black Line]	ASPHALT PAVEMENT
[Red Line]	EX TRAX
[Green Line]	PR TRAX
[Dashed Line]	PROPERTY LINE
[Purple Line]	FUTURE HIGHWAY

AREA SUMMARY TABLE

328± ACRES	TOTAL CERTIFIED SITE AREA	
64± ACRES	ZONE C	[Blue Box]
142± ACRES	ZONE B	[Dark Blue Box]
59± ACRES	ZONE A	[Green Box]

CONCEPTUAL
FOR REVIEW / DISCUSSION ONLY
CERTIFIED SITE LAYOUT, BUILDING
SIZES & LOCATIONS, AND ROADWAYS
SUBJECT TO CHANGE

406 EXT

CHAPTER 7-16b. TOOELE CITY BUSINESS PARK ZONING DISTRICT

7-16b-1. Purposes.

7-16b-2. Zoning Map.

7-16b-3. Land Uses.

7-16b-4. Development Standards.

7-16b-5. Architectural Standards.

7-16b-6. Landscaping Standards.

7-16b-7. Sign Standards.

7-16b-8. Lighting Standards.

7-16b-1. Purposes.

The purpose of the Tooele Business Park zoning district is to determine the form of uses and buildings on approximately 324 acres of contiguous land adjacent to recorded phases of the Tooele City Commercial Park in a manner that (1) transitions appropriately from existing single-family and multi-family residential uses to future commercial and industrial uses, (2) establishes regulations aimed at maximizing the quality and value of a business park through architectural, landscaping, lighting, and other development standards, (3) creates a unique railed-served mixed-use commercial-industrial business park, and (4) fosters renewable energy sources.

7-16b-2. Zoning Map.

The Tooele Business Park zoning district shall have the general form shown on Figure 1, which identifies three use areas known as Section A (general and neighborhood commercial uses), Section B (lighter-industrial uses), and Section C (heavier-industrial uses).

7-16b-3. Land Uses.

The land uses allowed in the Tooele Business Park zoning district, including both permitted and conditional uses, are set forth in Table 1: Table of Uses. A use not identified as either P or C in a Section shall be prohibited in that Section. A use not identified in the Table shall be a prohibited use unless substantially similar to an identified use, as determined by the Zoning Administrator in light of existing use definitions contained in Section 7-1-5.

7-16b-4. Development Standards.

(1) Development Standards. Except as otherwise provided in this Chapter, the development standards for the Tooele Business Park zoning district shall be those indicated in the Light Industrial column of Chapter 7-16, Table 2 (Development Standards).

(2) Building Height. The maximum building height in Section A shall be 35 feet, except a hotel may have a maximum building height of 50 feet for up to

three stories. The maximum building height in Section B shall be 50 feet. The maximum building height in Section C shall be 70 feet.

(3) Parking. Off-street parking requirements shall be determined under Chapter 7-4.

(4) Fencing. All outdoor storage areas shall be fenced with a solid and opaque view-obscuring fence at a height at least equal to the height of the materials stored, but not higher than eight feet. Acceptable fence materials include masonry, vinyl, rhino rock, metal panel, and other similar materials. Chain link fence with slats is not an acceptable fence material.

(5) Wind Turbines. Where permitted, wind turbines shall be limited to a height of 175 feet to vertical tip of the blade and shall be setback 115% of its height from all property lines.

7-16b-5. Architectural Standards.

(1) Building Materials – General. All primary structures shall have an exterior finish of either concrete masonry units, brick, tilt-up concrete, precast concrete, stucco or stucco-appearing material, or colored enamel metal panels.

(2) Materials – Specific. The front façade of all primary structures shall be finished with architectural block, face brick, glass, stucco or stucco-appearing material, tilt-up concrete, or precast concrete, or a combination of these materials. For buildings finished with colored enamel panels, a portion of the front façade may utilize metal panels to help maintain architectural continuity.

(3) Minimum Design Details. All primary structures must provide architectural relief. This may be achieved by one or more of the following or similar methods and materials: windows with minimum four-inch trim of alternate but complementary materials and colors, awnings, varying facial planes, covered entryways, colonnades, etc. For the façades of concrete tilt-up buildings, indented patterns, windows, and coloration shall be an acceptable method of satisfying this requirement. To avoid large uninterrupted wall expanses, all front façades shall include architectural elements at least every 50 horizontal linear feet. All façades facing public roads, façades facing residential structures, and front façades shall include a minimum of 15% of wall façade composed of brick, stone, or other similar masonry product.

(4) Mechanical Equipment. All rooftop mechanical equipment shall be concealed from public view to the maximum extent by screening it with integral portions of building architecture, including structural parapet walls. “Concealed from public view” shall be determined by what a person would see when standing on the street in front of a building. The color of all conduits, vents, and other appurtenances

shall match the color of the surrounding building surfaces.

(5) Roofs. All primary structure roofs in Section A shall be pitched at a minimum slope of 3:1 and shall not include any rooftop mechanical equipment.

7-16b-6. Landscaping Standards.

(1) Section A Landscaping.

(a) Lots in Section A shall include landscaping on at least 10% of the lot.

(b) For other landscaping standards applicable to Section A, see Chapter 7-16, Table 2, Note F1.

(2) Sections B and C Landscaping.

(a) Lots in Sections B and C shall include landscaping on at least 1% of the lot.

(b) For other landscaping standards applicable to Sections B and C, see Chapter 7-16, Table 2, Note 2.

(3) Public right-of-way parkstrip landscaping and on-site parking lot landscaping may be included in determining compliance with the requirements of this Section.

(4) Landscaping shall be water-wise in nature and shall not include sod or turf grass. All landscaping shall be irrigated, and all irrigation shall utilize drip or similar bubbler systems.

(5) Public right-of-way landscaping in Sections A-C shall include trees as required in Chapter 7-16, Table 2, Note F1, and shall consist of trees approved by the City's street tree selection guide.

7-16b-7. Sign Standards.

(1) General. Signs in the Tooele Business Park shall be regulated by Chapter 7-25.

(2) Section A. Signs allowed in Section A of the Tooele Business Park shall be those allowed in commercial zoning districts as provided in Section 7-25-14.

(3) Sections B and C. Signs allowed in Sections B and C of the Tooele Business Park shall be those allowed in industrial zoning districts as provided in Section 7-25-15.

(4) Frontage on Mid-Valley Highway or its successor state road shall not be included in determining the permissibility of pole or pylon signs, notwithstanding any contrary provisions in Chapter 7-25.

7-16b-8. Lighting Standards.

(1) Color Temperature. The maximum color temperature for outdoor light fixtures shall be 3,000K.

(2) Lumens. The maximum lumens for outdoor light fixtures shall be 2,500 lumens per fixture, and 100,000 lumens per acre.

(3) Light Poles. The maximum pole height for parking lot lighting shall be 16 feet for parking lots with less than 200 parking stalls, and 20 feet for parking lots with 200 or more parking stalls.

(4) Shielding. Outdoor light fixtures shall be fully shielded and directed downward. Compliant shielding is illustrated in Figure 2.

Figure 1. Zoning Map.

Figure 2. Light Fixture Standards.



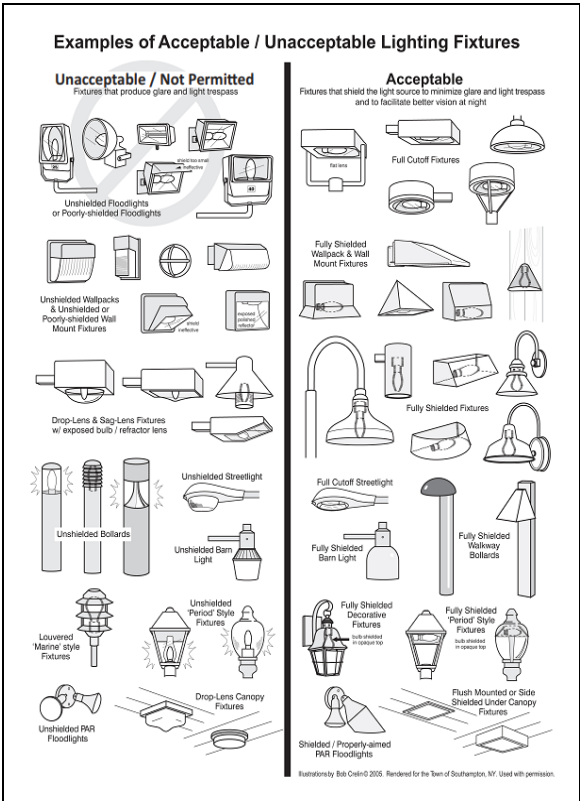


Table 1. Table of Uses

Table 1: Table of Uses

Tooele City Business Park Zoning District			
Use	Section A (Commercial)	Section B (Lighter Industrial)	Section C (Heavier Industrial)
Accessory Building	P	P	P
Accessory Drive Through Facility	C	C	C
Accessory Outdoor Sales & Display (Incidental to an Allowed Use)	C	P	P
Accessory Outside Storage		P	P
Agriculture (indoor only)	C		
Automobile Body & Fender Service and Repair		C	
Building Maintenance Services		P	P
Business Office	P		
Business Office (located within an existing structure)	P	P	P
Contractor's Display/Office	P		
Convenience Store, without Gasoline Sales	P	P	
Convenience Store, with Gasoline Sales	P	P	
Cultural Activities and Uses	P		
Day Care/ Pre-School Center (located within an existing structure)	P	P	
Fast Food Restaurant	P	P	P
Financial Services	P		
General Industrial Activity		P	P
Greenhouse	C		
Health Care Provider	P		
Health Care Provider (located within an existing structure)	P	P	P
Health Club	P		
Heavy Equipment Sales & Rental		P	P

Tooele City Business Park Zoning District

Use	Section A (Commercial)	Section B (Lighter Industrial)	Section C (Heavier Industrial)
Heavy Industrial Manufacturing & Assembly			C
Hotel	P		
Laundromat	P		
Light Manufacturing & Assembly		P	P
Open Space Areas, Trails	P	P	P
Personal Services	P		
Professional Office	P		
Professional Office (located within an existing structure)	P	P	P
Public Use	C	C	C
Reception Center	P		
Reception Center (located within an existing structure)	P		
Research Facility	P		
Restaurant	P		
Restaurant (located within an existing structure)	P	P	P
Retail Sales (accessory to an allowed use)	P	P	P
Retail Store (located within an existing structure)	P	P	P
Retail Store (total maximum 3,000 square footage)	P		
Temporary Construction Office		P	P
Utility Service Facility (major)		C	C
Utility Service Facility (minor)		C	C
Wind Turbine		P	P

STAFF REPORT

May 15, 2023

To: Tooele City Planning Commission
Business Date: May 24, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Golden Bone Inn – Conditional Use Permit Request

Application No.: P23-412
Applicant: Crystal Neerings
Project Location: 580 N 1000 W
Zoning: LI Light Industrial Zone
Acreage: .5 Acres (Approximately 21,780 ft²)
Request: Request for approval of a Conditional Use Permit in the LI Light Industrial zone regarding authorization of the use of “kennel” on the property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .5 acres located at 580 N 1000 W. The property is currently zoned LI Light Industrial. The applicant is requesting that a Conditional Use Permit be approved to allow for the development of the currently vacant site as a “kennel” for the day time boarding and long-term kenneling of cats and dogs.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the LI Light Industrial zoning classification, Properties to the north and to the south are zoned LI Light Industrial. Properties to the west are zoned RR-1 Residential and property to the east is zoned LI Light Industrial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is proposing to operate an animal daycare facility that specializes in the care of cats and dogs. The facility will provide short term and long-term kenneling care to these animals. The facility will be a drop-off and pick-up facility only and kenneling for secured vendors only. The applicant is proposing to use the existing facility to kennel the animals and all kenneling will be done indoors. There will not be any outdoor kenneling of the animals and overnight kenneling will be done inside of the existing structure.

Site Plan Layout. The applicant has provided a site plan showing the existing building on the site, formerly known as the Hunsaker Meats processing facility. No changes to the site are proposed other than minor improvements such as fencing.

Parking. The site is .5 acres and the existing building sits closer to the 1000 West right-of-way. There is ample room behind the structure for the parking of customer vehicles, delivery vehicles, etc. Parking is not a concern in this area.

Fencing. The applicant has indicated that they will be installing fencing around the property for both the protection of the animals as well as the community at large.

Criteria For Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application, the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) the evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) the reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) the reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) the evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.
3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is

imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request.

Engineering & Public Works Review. The Tooele City Engineering Division has completed their review of the Conditional Use Permit submission and have issued a recommendation for approval for the request with the following comments:

1. It is anticipated that a meat processing facility uses more water than an animal kennel and thus has not concerns regarding the water usage.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Conditional Use Permit submission and has not issued any comments regarding this proposal.

Noticing. The applicant has expressed their desire to obtain the Conditional Use for 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 approval of the request for a Conditional Use Permit by Crystal Neerings, application number P23-412, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division 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 Public Works Development 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 Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. 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.

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.
6. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit request by Crystal Neerings to authorize the use of “Kennel” to occur on property located at 580 North 1000 West, application number P23-412, based on the findings and subject to the conditions listed in the Staff Report dated May 15, 2023:”

1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we deny the Conditional Use Permit request by Crystal Neerings to authorize the use of “Kennel” to occur on property located at 580 North 1000 West, application number P23-412, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

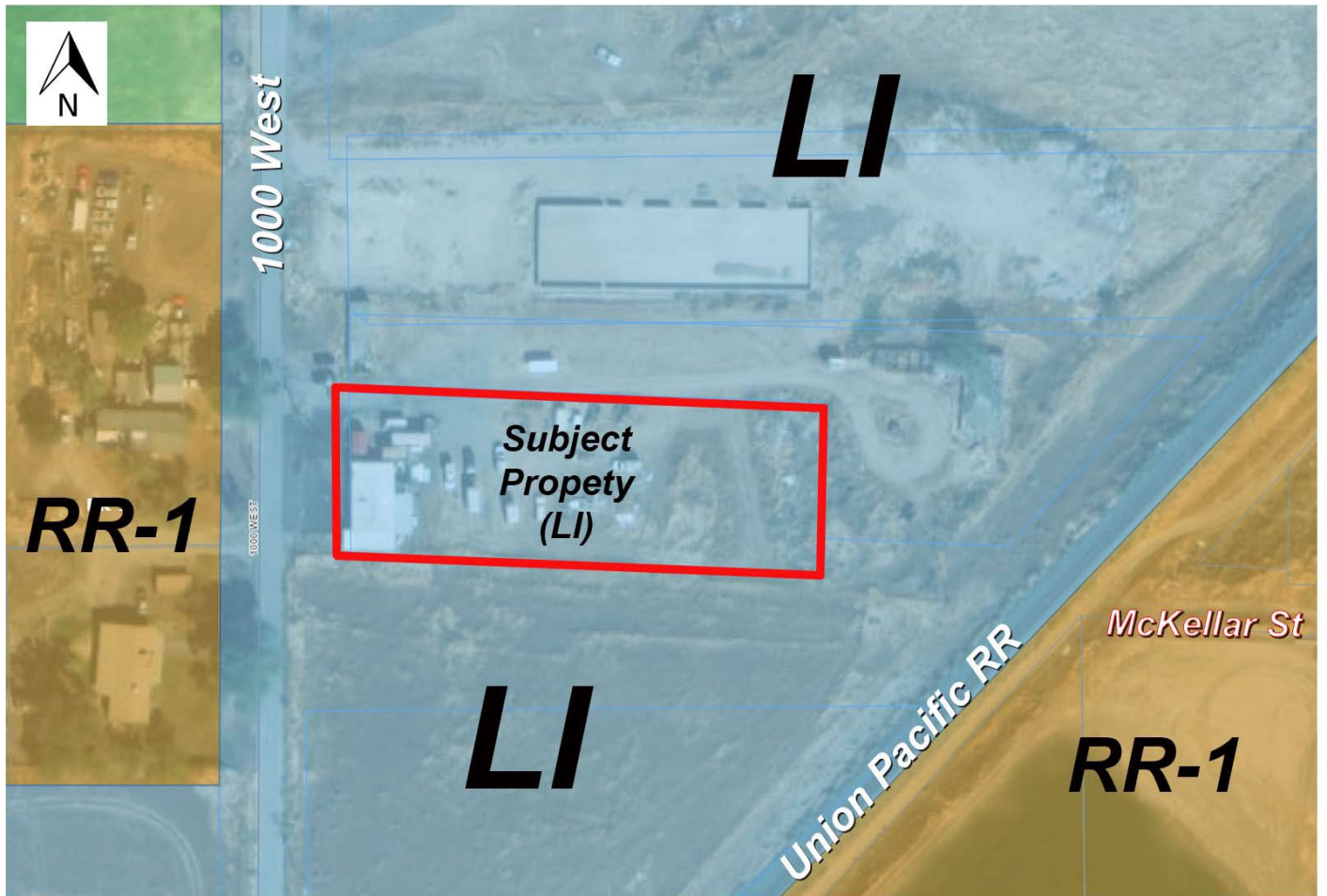
**MAPPING PERTINENT TO THE
GOLDEN BONE INN CONDITIONAL USE PERMIT**

Golden Bone Inn Conditional Use



Aerial View

Golden Bone Inn Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Project Information				23-412			
Date of Submission: 04/20/2023		Current Zoning: Light Industrial		Parcel #(s): 02-002-0-0034			
Project Name: Golden Bone Inn: Valor Ofvience LLC						Acres: 1/2	
Project Address: 580 N. 1000 W. Tooele, UT. 84074						Units:	
Project Description: (Golden Bone Inn will be a canine and feline boarding, day-care, kenneling, with secured vendors. We will be providing a safe and secure kennel for these animals, both short term and long term. Drop off and pick up facility only.)							
Current Use of Property: meat processing							
Property Owner(s): Mike Hunsaker				Applicant(s): Crystal Neerings			
Address: 1211 Hunsaker Lane				Address: 702 S. Main Street			
City: Stockton		State: UT	Zip: 84071	City: SLC		State: UT	Zip: 84101
Phone: 801-558-7963				Phone: 801-702-1749			
Contact Person: Crystal Neerings				Address: 702 S. Main Street			
Phone: 801-577-9404				City: SLC		State: UT	Zip: 84101
Cellular: 801-702-1749		Fax:		Email: crystalneerings96@gmail.com			
Signature of Applicant: Crystal Neerings							
Date 4-24-2023							

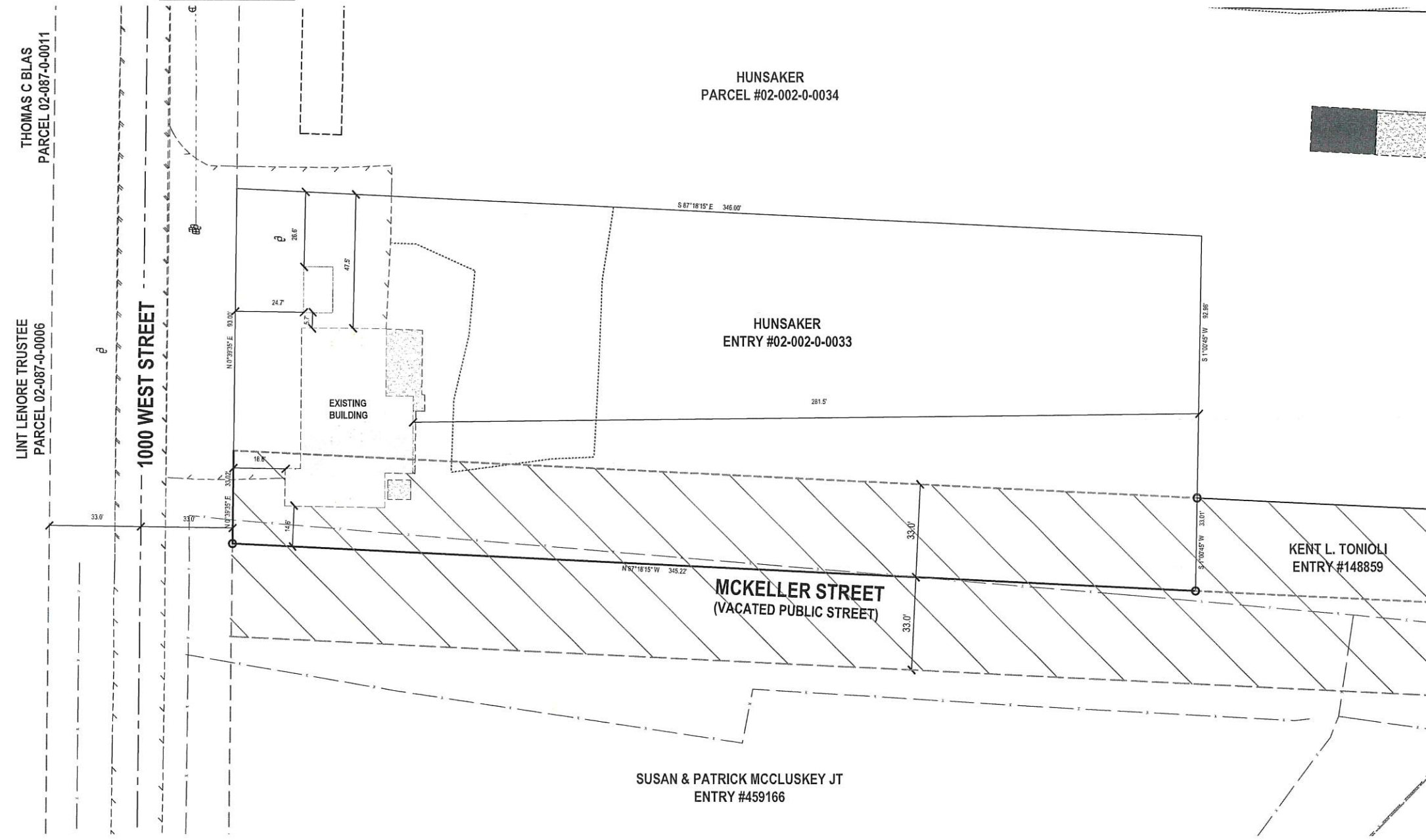
*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This 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.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only				2230434			
Fee: 600.00		Received By: 		Date Received: 5/5/23		Receipt #: 56038	
(213)							



BENCHMARK
 SOUTHWEST CORNER OF SECTION 20,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST,
 SALT LAKE BASE AND MERIDIAN
 ELEV = 4668.58



GENERAL NOTES

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



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

SALT LAKE CITY
 Phone: 801.255.0529

LAYTON
 Phone: 801.547.1100

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR
 GOLDEN BONE INN
 287 WEST 400 NORTH
 TOOLE, UT 84074
 CONTACT:
 LONI GOETZ
 PHONE: 801-577-9404

GOLDEN BONE INN
 580 NORTH 1000 WEST
 TOOLE, UTAH

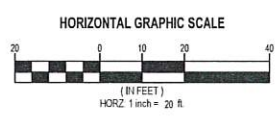
For Review
 04/24/2023 12:01:22 PM

NO.	DATE	REVISION	BY
1			
2			
3			
4			
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9			
10			

SITE PLAN

PROJECT NUMBER: 92910
 PRINT DATE: 5/2/23
 DRAWN BY: J. CLEGG
 CHECKED BY: J. CLEGG
 PROJECT MANAGER: J. CLEGG

C-100



STAFF REPORT

May 16, 2023

To: Tooele City Planning Commission
Business Date: May 24, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Halim Subdivision – Preliminary Subdivision Plan Request

Application No.: P21-675
Applicant: Kurti Halim
Project Location: 400 East 1000 North
Zoning: R1-8 Residential Zone
Acreage: 3.37 Acres (Approximately 146,797 ft²)
Request: Request for approval of a Preliminary Subdivision Plan in the R1-8 Residential zone regarding the creation of three single-family residential lots, rights-of-way, emergency vehicle turn around and storm water detention basin.

BACKGROUND

This application is a request for approval of a Preliminary Subdivision Plan for approximately 3.37 acres located at 400 East 1000 North. The property is currently zoned R1-8 Residential. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant property into three single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-8 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-8 The R1-8 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. Properties to the east of the subject property are zoned R1-8 Residential and are currently developed as single-family residential. Properties to the west are zoned RR-5 Residential are currently undeveloped. Property to the south is zoned R1-7 and are also single-family residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant owns 3.37 acres of property on the north side of the intersection at 400 East and 1000 North. The property is a wedged shaped parcel with the greatest width being along the 1000 North frontage. The property is encumbered with the Middle Canyon Drainage that runs south to north along the entire eastern side of the parcel. The applicant is not developing the entire parcel but wishes, with this Preliminary Subdivision Plan, to develop just three lots, the necessary roads, storm water management basin and a necessary emergency vehicle turn around. The portion of the property to be developed in this phase of the subdivision is approximately 1.24 acres.

Subdivision Layout. The subdivision proposes the creation of three lots located at the south west corner of the parcel. Each lot will range in size from 8000 square feet up to 8873 square feet. All lots comply with the minimum standards required by the R1-8 zoning district for lot width, lot size and lot frontages. The subdivision also proposes the creation of Halim Lane, a 60 foot wide public right-of-way that will be a dedicated public road. Halim Lane will terminate temporarily into a temporary turn around that will be paved in either asphalt or concrete and will need to be included in an easement in favor of Tooele City. This turn around area is necessary for large emergency vehicles as it is not feasible to require a large fire apparatus to reverse itself onto 1000 North, a very busy collector street.

North of the turnaround is proposed a temporary storm water retention basin. This basin is temporary because when the applicant completes phase 2 of the subdivision the basin will be relocated.

Middle Canyon Drainage. The main encumbrance of this property is the Middle Canyon Drainage that runs south to north along the entire eastern side of the property eliminating nearly half the property for development without significant flood plain alterations. Any improvements or changes to the flood plain would need to be approved by the Federal Emergency Management Agency (FEMA). The site plan proposed by the applicant and included in this report delineates the flood plain area and all proposed development with this phase will remain outside of the existing flood plain and no alterations are proposed.

Public Improvements. Halim Lane will be a public street and will be dedicated to Tooele City for maintenance and ownership once the final plat for phase 1 is recorded. The improvements will include asphalt, curb, gutter, park strip and sidewalk on both sides of the street.

Emergency Vehicle Access. The Tooele City Fire Department uses large apparatuses to fight fires and attend to other emergency issues. These vehicles are large and cumbersome to maneuver in tight places. It is even more difficult to move these large vehicles in reverse. As such, the Fire Department and City standards require that when a public street terminates in a manner such as is proposed for Halim Lane that a temporary turn around cul-de-sac be provided until the road is extended and connects to another road and provides a secondary access. Until then the turn around cul-de-sac will need to be constructed of either asphalt or concrete and engineered to withstand the weight of the City's large fire fighting apparatuses. You will note that the plans presented indicate that the turn around will be constructed of a hard surface on 10" of aggregate base capable of supporting at 75,000 pounds. The Tooele City Fire Chief added a note along with his approval requiring that the cul-de-sac be paved in either concrete or asphalt.

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

1. All lots within the subdivision meet or exceed minimum requirements for lot size, lot width and lot frontage as required by the R1-8 Zoning district.
2. The subdivision is not proposing any alterations to the Middle Canyon Drainage running south to north along the east side of the parcel.

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

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

1. The cul-de-sac turn around at the north end of Halim Lane shall be paved in either asphalt or concrete.

Noticing. Preliminary Subdivision Plans do not require a public hearing and as such do not require public noticing.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Subdivision Plan by Kurti Halim, application number P21-675, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. The cul-de-sac turn around at the north end of Halim Lane shall be paved in either asphalt or concrete.

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.
6. The proposed Preliminary Subdivision Plan meets or exceeds all minimum requirements as found in Tooele City's development code.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Halim Subdivision Preliminary Subdivision Plan request by Kurti Halim, application number P21-675, based on the findings and subject to the conditions listed in the Staff Report dated May 16, 2023:”

1. List any additional findings and conditions...

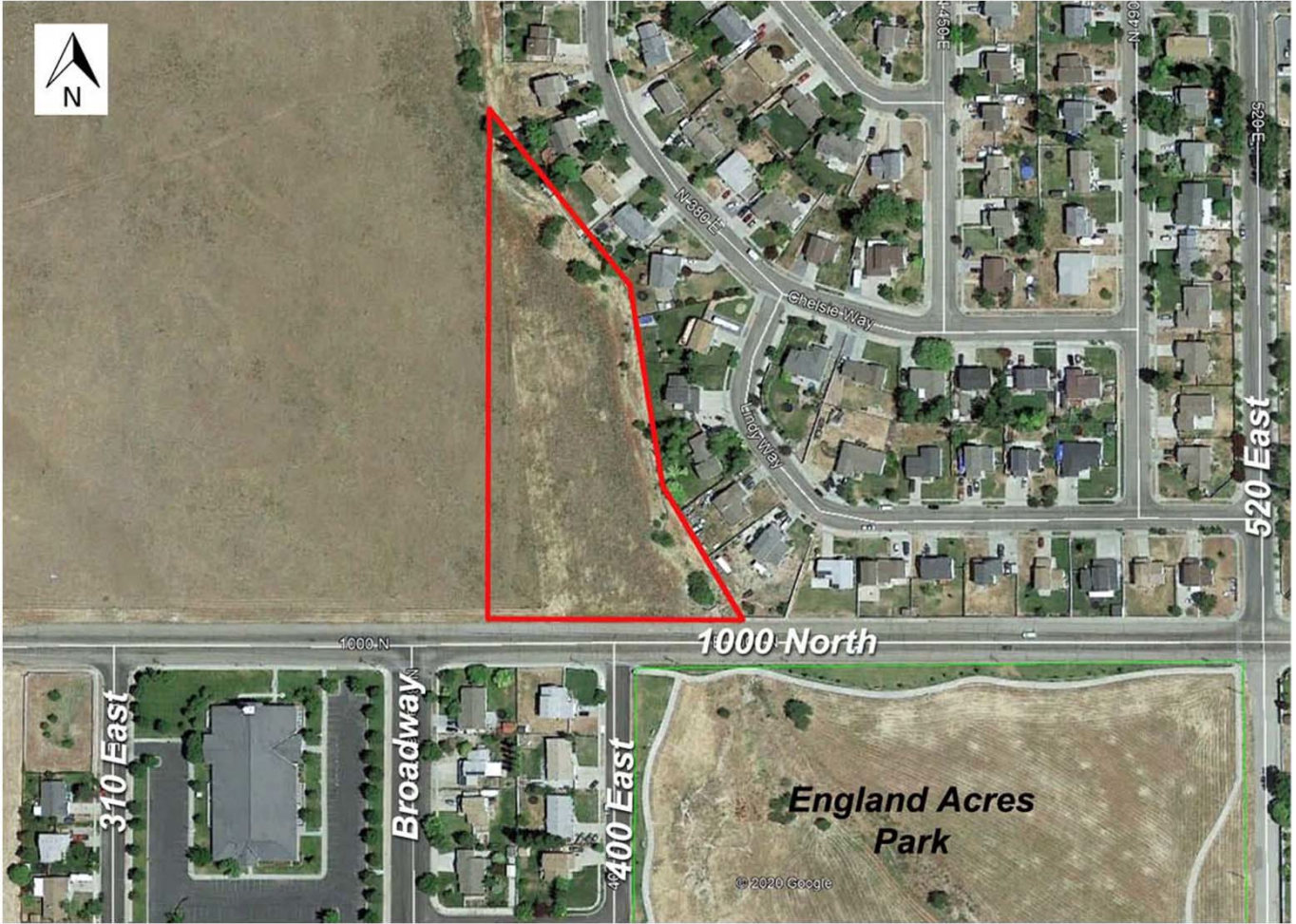
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Halim Subdivision Preliminary Subdivision Plan request by Kurti Halim, application number P21-675, based on the following findings:”

1. List findings...

EXHIBIT A

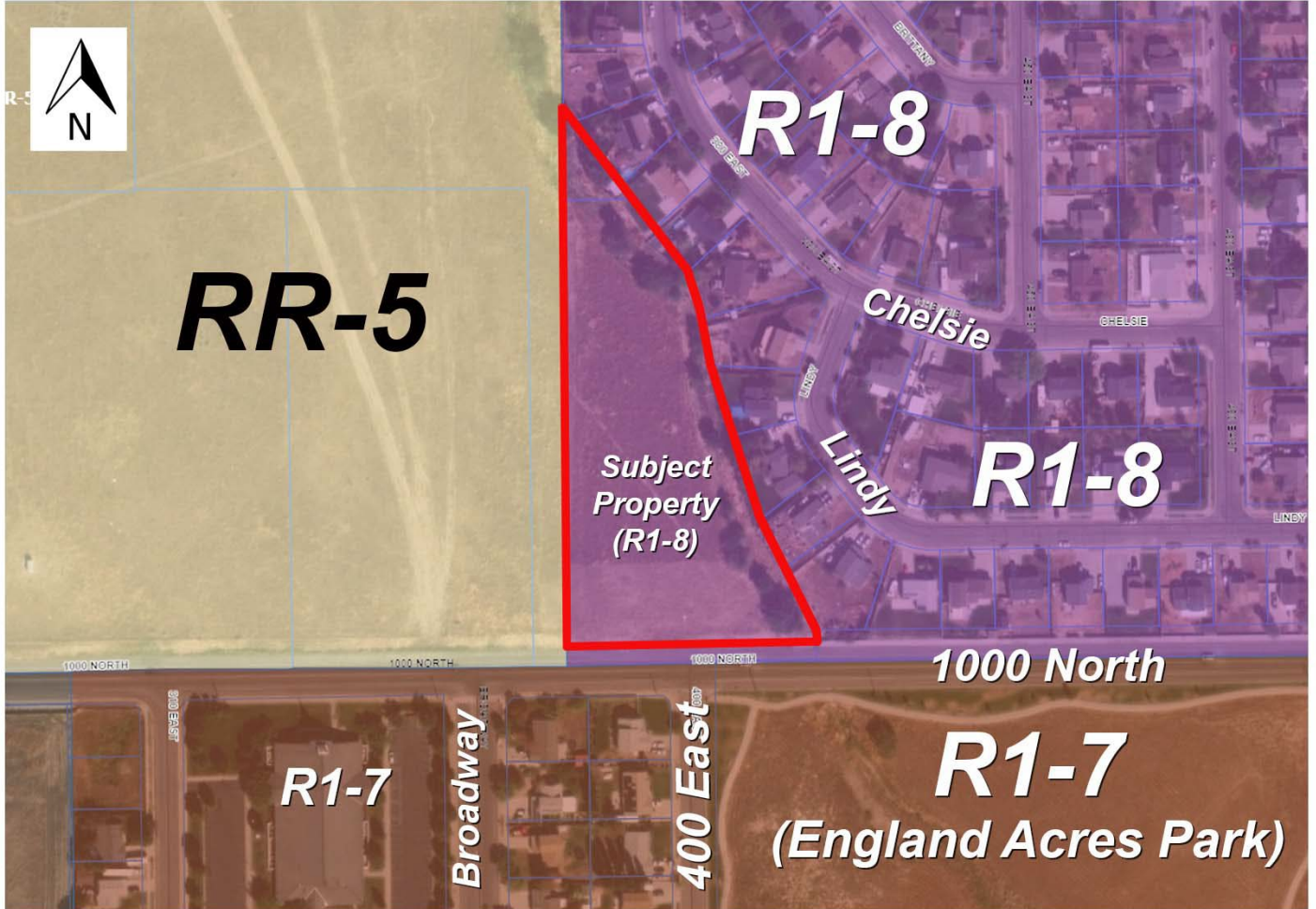
**MAPPING PERTINENT TO THE HALIM SUBDIVISION PRELIMINARY
SUBDIVISION PLAN**

Halim Subdivision Preliminary Subdivision Plan



Aerial View

Halim Subdivision Preliminary Subdivision Plan



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Subdivision - Preliminary Plan 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 preliminary plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a set of preliminary plans 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 preliminary plan proposals shall be reviewed in accordance with the Tooele City Code. Submission of preliminary plans in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all plans be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 7-01-21	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: R1-8	Acres: 3.37	Parcel #(s): P21-675 02-125-0-0001 02-125-0-0006	
Project Name: Halim Subdivision					
Project Address: 400 East 1000 North					
Project Description: 5 Lot Subdivision			Phases:	Lots:	
Property Owner(s): Kurti Halim			Applicant(s): Kurti Halim		
Address: 769 N. Sir Phillip Drive			Address:		
City: Salt Lake	State: Utah	Zip: 84116	City:	State:	Zip:
Phone: 385-259-4326	Email: halim.shqipe_2008@hotmail.com		Phone:	Email:	
Contact Person: Kurti Halim			Address:		
Phone:			City:	State:	Zip:
Cellular:	Fax:	Email:			
Engineer & Company: Corey/Jared - Ensign Engineering			Surveyor & Company: Doug - Ensign Engineering		
Address: 169 North Main Street, Unit 1			Address:		
City: Tooele	State: Utah	Zip: 84074	City:	State:	Zip:
Phone: 435-843-3590	Email: jcid@ensignutah.com		Phone:	Email: dkinsman@ensignutah.com	

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For Office Use Only					
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:
Fire Flow Test					
Location:	Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):		
Performed By:	Date Performed:	Corrections Needed:	Comments Returned: Date:		
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		



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

BENCHMARK

SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN
ELEV = 4921.2

LEGEND

- | | | | | |
|--|------------------------|-------------------------|-----|--------------------------|
| SECTION CORNER | ADJACENT RIGHT OF WAY | STORM DRAIN CLEAN OUT | SD | STORM DRAIN LINE |
| MONUMENT EXISTING | RIGHT OF WAY | STORM DRAIN CATCH BASIN | LD | LAND DRAIN LINE |
| MONUMENT PROPOSED | CENTERLINE | STORM DRAIN COMBO BOX | W | CULINARY WATER LINE |
| EXIST REBAR AND CAP | PROPERTY LINE | STORM DRAIN CULVERT | SW | SECONDARY WATER LINE |
| SET 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSGN ENG. & LAND SURV." | ADJACENT PROPERTY LINE | SIGN | IRR | IRRIGATION LINE |
| WATER METER | DEED LINE | ELECTRICAL BOX | OHP | OVERHEAD POWER LINE |
| WATER MANHOLE | TANGENT LINE | UTILITY MANHOLE | E | ELECTRICAL LINE |
| WATER VALVE | EXIST DITCH FLOW LINE | UTILITY POLE | G | GAS LINE |
| FIRE HYDRANT | FENCE | LIGHT | | EXISTING CONTOURS |
| SECONDARY WATER VALVE | EDGE OF ASPHALT | CABLE BOX | | CONCRETE |
| IRRIGATION VALVE | SANITARY SEWER LINE | TELEPHONE BOX | | BUILDING |
| | SANITARY SEWER MANHOLE | GAS METER | | PUBLIC DRAINAGE EASEMENT |
- NOTE: MAY CONTAIN SYMBOLS THAT ARE NOT USED IN THIS PLAN SET.

**PRELIMINARY PLAT
HALIM SUBDIVISION**

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP
3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

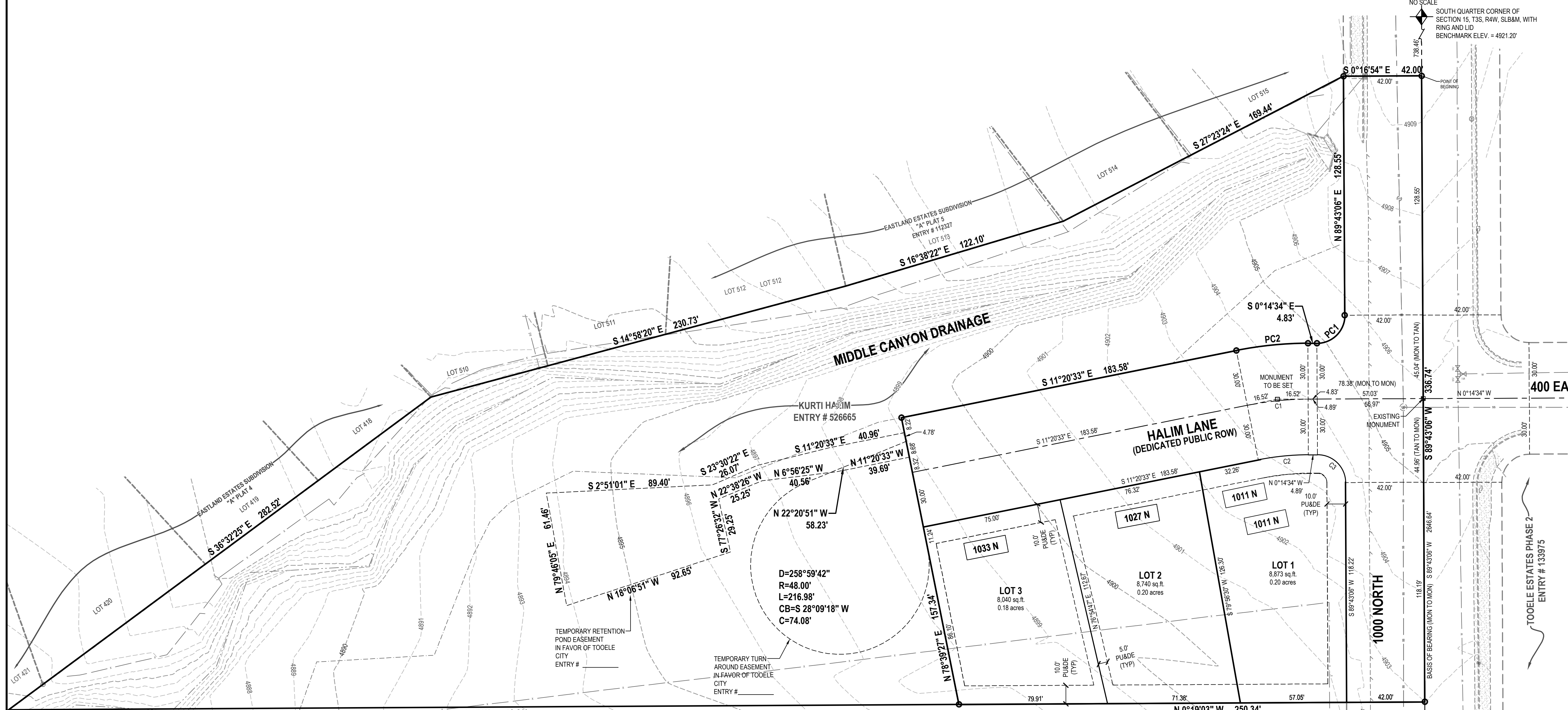
CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	170.00'	32.83'	11°05'59"	N5°47'34"W	32.88'
C2	140.00'	27.12'	11°05'59"	N5°47'34"W	27.08'
C3	15.00'	23.55'	89°57'40"	N44°44'16"E	21.21'
PC1	15.00'	23.57'	90°02'20"	S45°15'44"E	21.22'
PC2	200.00'	38.75'	11°05'59"	S5°47'34"E	38.68'



VICINITY MAP

NO SCALE
SOUTH QUARTER CORNER OF SECTION 15, T3S, R4W, SLB4M, WITH RING AND LID BENCHMARK ELEV. = 4921.20'



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

Boundary Description
A parcel of land, situate in the Southwest Quarter of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Tooele City, Tooele County, Utah, more particularly described as follows:
Beginning at a point being South 89°43'06" West 738.46 feet along the Section line from the South Quarter Corner of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:
thence South 89°43'06" West 336.74 feet along the Section line;
thence North 0°19'03" West 250.34 feet;
thence North 78°39'27" East 157.34 feet;
thence South 11°20'33" East 183.58 feet;
thence Southwesterly 26.75 feet along the arc of a 200.00 foot radius tangent curve to the right (center bears South 78°39'27" West and the long chord bears South 5°47'34" East 38.68 feet through a central angle of 11°05'59");
thence South 0°14'34" East 4.83 feet;
thence Southwesterly 23.57 feet along the arc of a 15.00 foot radius tangent curve to the left (center bears North 80°45'26" East and the long chord bears South 45°15'44" East 21.22 feet through a central angle of 90°02'20") to the north line of 1000 North Street;
thence North 89°43'06" East 128.55 feet along north line to the southwest corner of Lot 515 of Eastland Estates Subdivision "A" Plat 5, entry number 112327, according to the official plat thereof as recorded in the office of the Tooele County Recorder;
thence South 0°16'54" East 42.00 feet, along said westerly line to the Point of Beginning.

Contains 54,076 square feet or 1.24 acres. (3 Lot)

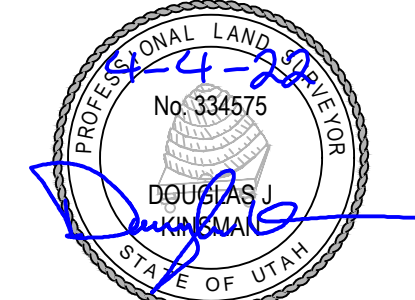
OWNER'S DEDICATION AND CONSENT TO RECORD
Known all men by these present that the undersigned are the owner(s) of the herein described tract of land and hereby cause the same to be divided into lots and streets, together with easements as set forth hereafter to be known as:

HALIM SUBDIVISION

The undersigned owner(s) hereby dedicate to Tooele City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owner(s) hereby convey to Tooele City and to any and all public utility companies providing service to the herein described tract a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities.

In witness whereof I have hereunto set my / our hand this _____ day of _____ A.D. 20____.

By: HALIM KURTI



APRIL 4, 2022
Date
Douglas J. Kinsman
License no. 334575

HALIM SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP
3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEES: _____ TOOELE COUNTY RECORDER

DOMINION ENERGY

DOMINION APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8522.

APPROVED THIS _____ DAY OF _____ A.D. 20____

BY: _____

TITLE: _____

ROCKY MOUNTAIN POWER COMPANY

1. PURSUANT TO UTAH CODE ANN. § 54-3-2 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(V)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(1) A RECORDED EASEMENT OR RIGHT-OF-WAY
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____, 20____

BY: _____

TITLE: _____

HEALTH DEPARTMENT

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

TOOELE COUNTY HEALTH DEPARTMENT

DEVELOPER
HALIM KURTI
769 N. SIR PHILLIP DR.
SALT LAKE CITY, UT 84116
385-259-4326

SCHOOL DISTRICT

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

TOOELE COUNTY SCHOOL DISTRICT

POST MASTER

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

POST MASTER

COMCAST

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

COMCAST

CENTURY LINK

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

CENTURY LINK

CHIEF OF POLICE

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

TOOELE CITY CHIEF OF POLICE

FIRE CHIEF

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

TOOELE CITY FIRE CHIEF

PARKS DEPARTMENT

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

TOOELE CITY PARKS DEPARTMENT

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

TOOELE CITY ATTORNEY

CITY ENGINEER

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT APPROVAL

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

TOOELE CITY COMMUNITY DEVELOPMENT

COUNTY RECORDER

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

TOOELE COUNTY RECORDER

CITY COUNCIL

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

CHAIRMAN TOOELE CITY COUNCIL

PLANNING COMMISSION

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

ATTEST:

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

ENSIGN
www.ensigneng.com

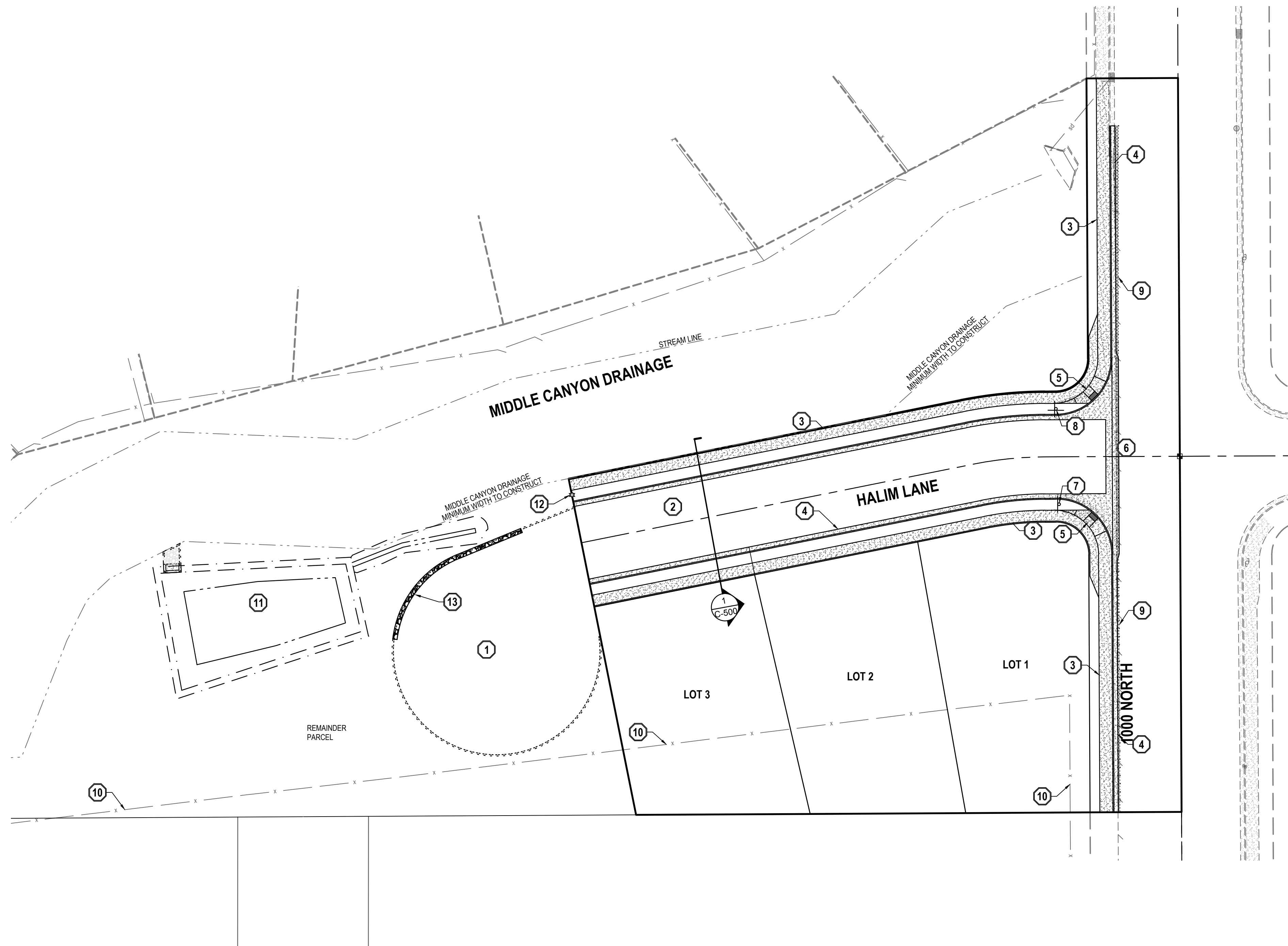
SALT LAKE CITY
Phone: 801.255.0529
LAKYON
Phone: 801.547.1100
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.886.2983

PROJECT NUMBER: C9737K
MANAGER: D. KINSMAN
DRAWN BY: J. CID
CHECKED BY: D. KINSMAN
DATE: 2022-04-04

SHEET 1 OF 1



BENCHMARK
 SOUTHWEST QUARTER OF SECTION 15,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE AND MERIDIAN
 ELEV = 4921.2



GENERAL NOTES

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5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOI, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- TEMPORARY FIRE APPARATUS ACCESS ROAD TURNAROUND CONSTRUCTED WITH A HARD SURFACE; 10" AGGREGATE BASE 95% MOD PROCTOR ON SUITABLE NATURAL SOILS, PROPERLY PREPARED SOILS, AND/OR STRUCTURAL SITE GRADING FILL EXTENDING TO PROPERLY PREPARED/SUITABLE NATURAL SOILS; CAPABLE OF SUPPORTING THE IMPOSED LOAD OF AT LEAST 75,000 POUNDS AND COMPACTION PROCTOR TO AT LEAST 95%. TURNAROUND TO BE INSPECTED BY DEVELOPMENT INSPECTOR.
- ① ASPHALT PAVEMENT PER DETAIL 2/C-500.
- ② CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231R. SEE SHEET C-501
- ③ 30" TYPE "A" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205R. SEE SHEET C-501
- ④ HANDICAP ACCESS RAMP PER APHA STANDARD PLAN NO. 235 WITH DETECTABLE WARNING SURFACE PER TOOELE CITY STANDARD PLAN NO. 238R.
- ⑤ 6" WATER WAY PER TOOELE CITY STANDARD PLAN NO. 213R. SEE SHEET C-501
- ⑥ "STOP" SIGN PER M.U.T.C.D. STANDARD PLANS.
- ⑦ STREET NAME SIGNPOST PER TOOELE CITY STANDARD PLAN NO. 292R.
- ⑧ SAWCUT EXISTING ASPHALT PAVEMENT TO PROVIDE A CLEAN EDGE FOR THE TRANSITION BETWEEN EXISTING AND PROPOSED ASPHALT PAVEMENT.
- ⑨ FENCE TO BE REMOVED
- ⑩ RETENTION BASIN. SEE SHEET C-200
- ⑪ INSTALL STREET LIGHT PER TOOELE CITY STANDARDS. SEE DETAIL C-500
- ⑫ ROCKERY WALL. SEE SHEET C-200 AND DETAIL 10/D-500



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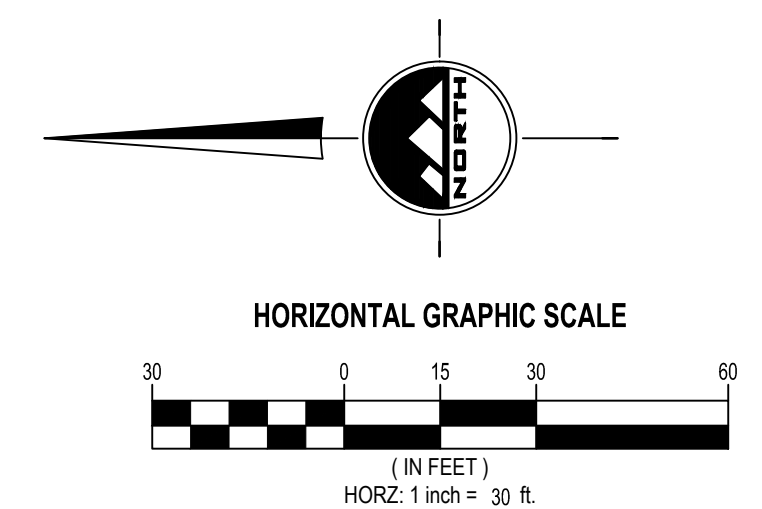
1000 NORTH 400 EAST
 TOOELE, UTAH 84074

For Review
 04/04/2022 5:02:37 PM

SITE PLAN

PROJECT NUMBER: 9505A
 PRINT DATE: 4/4/22
 DRAWN BY: J.CID
 CHECKED BY: C.CHILD
 PROJECT MANAGER: D. KINSMAN

C-100



STAFF REPORT

May 16, 2023

To: Tooele City Planning Commission
Business Date: May 24, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator / Director

Re: Tooele City Landscaping Standards – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment regarding proposed revisions to the Tooele City Code Title 4 and Tooele City Code Title 7 regarding landscaping standards in Tooele City’s residential, commercial and industrial zoning districts.

BACKGROUND

This application is a request for approval of City Code Text Amendments in Tooele City Code Title 4 and Tooele City Code Title 7. The proposed text amendments address landscaping standards for residential, commercial and industrial zoning districts.

ANALYSIS

Purpose. A few weeks ago staff began an evaluation of Tooele City’s code in regards specific landscaping requirements. This was done to determine how the code is written in regards to requirements for water thirsty turf grass and sod verses areas of dry scape or otherwise water less landscaping. The intent is to amend the code to require less thirsty turf grass and require more water wise landscaping. As the Commission is aware water has become a significant issue in Tooele City and water conservation measures are an effective and less expensive means of managing the City’s water needs. These amendments are also necessary to make sure that the City’s landscaping requirements are in line with the State of Utah’s “flip your strip” and turf buy back programs.

Ordinances Affected. The following ordinances all have landscaping standards and are proposed for amendments:

1. Title 4; Building Regulations, Chapter 11, Sidewalks.
2. Title 4; Building Regulations, Chapter 11a, Residential Park Strip Landscaping Requirements.
3. Title 7; Uniform Zoning, Chapter 4, Off-Street Parking.
4. Title 7; Uniform Zoning, Chapter 11, Design Review.
5. Title 7; Uniform Zoning, Chapter 11a, Design Standards, Multi-Family Residential.
6. Title 7; Uniform Zoning, Chapter 14, Residential Zoning Districts.
7. Title 7; Uniform Zoning, Chapter 16 Part 2, Table of Development Standards.
8. Title 7; Uniform Zoning, Chapter 19, Subdivisions.

Title 4 Chapter 11; Sidewalks. Requires that all trees planted in the park strip shall comply with the Tooele City Tree Selection Guide.

Title 4 Chapter 11a; Residential Park Strip Landscaping Requirements. Establishes standards for landscaping in the park strip and prohibits the use of sod or turf grass. The amendment also requires that irrigation systems

for plantings be of a drip or bubbler type systems and authorizes the use of artificial turf. Amendments also increases the amount of time a tree bond can be requested for release from two years to three years.

Title 7 Chapter 4; Off-Street Parking. Prohibits the use of sod or turf in parking areas, authorizes the use of artificial turf and requires drip irrigation systems for all plantings in the parking area.

Title 7 Chapter 11; Design Review. Prohibits the use of sod or turf grass in industrial zoning districts. Sod or turf grass used in commercial or mixed use zones shall be reserved for active recreation such as a sports field. Authorizes the use of artificial turf and requires all plantings be irrigated with a drip irrigation system.

Title 7 Chapter 11a; Multi-Family Residential Design Guidelines. Encourages water wise plantings, clarifies what dry-scape landscaping actually is, requires drip irrigation systems for plantings, limits sod and turf grass to areas dedicated for recreation or activity, authorizes the use of artificial turf, prohibits the use of sod or turf grass in storm water basins not dedicated for active recreational purposes.

Title 7 Chapter 14; Residential Zoning Districts. Requires water conservation measures with new developments approved after April 1, 2023. Lots with at least 250 feet of landscaping shall be landscaped with no more than 50% of front and side yards as sod or turf grass. Encourages no or low water use landscaping. Encourages the use of artificial turf and requires drip irrigation systems for plantings.

Title 7 Chapter 16; Table of Development Standards. Requires that all trees planted in the park strip shall comply with the Tooele City Tree Selection Guide.

Title 7 Chapter 19; Subdivisions. Addresses minimum concrete thickness for sidewalks. Requires that all trees planted in the park strip shall comply with the Tooele City Tree Selection Guide. Requires street trees be spaced 30 to 40 feet apart. Requires drip irrigation systems for plantings. Prohibits the use of sod or turf grass in commercial park strips. Authorizes the use of artificial turf as a ground cover.

Tooele City Tree Selection Guide. City Staff was also asked to re-evaluate the Tooele City Street Tree Selection guide. Street trees are important. Trees have incredible benefits to a community. They increase property values. It has been proven that a healthy, mature tree can add as much as 10% value to a home's sale price. Trees provide shade which serves to reduce the heat island effect. Trees are an abundant source of food for humans, birds and many other animals. Trees act as wind breaks. Trees provide aesthetic beauty for neighborhoods, parks, landscapes and streetscapes. However, there is a big caveat here. In order to be beneficial trees must be planted in the right place, a place that is friendly to the type of tree being planted. The growth habit and tree species in its fully mature condition must be considered. Trees planted in the wrong place can ultimately end up causing a nuisance, can damage machinery, can damage public infrastructure and can even cause injury to people.

When a tree species is planted in an inappropriate area it can grow too large for the space it is in and the root systems can lift concrete sidewalks, damage curbs and asphalt and this also poses a risk to adjacent buildings. These trees that don't have an expanding root system can result in a tree potentially less stable in a severe wind event. A spreading root system will hold onto more soil making the tree harder to topple but root systems need to be able to spread without damaging adjacent infrastructure.

It isn't just under the ground where trees can cause problems. Trees grow tall so it is wise to consider what is over head before planting a park strip tree. To often large variety trees that grow tall are planted under power lines or other utilities. Rocky Mountain Power has great arborists that come and prune trees away from the utilities and they do a great job but the necessary pruning doesn't always result in a very attractive tree specimen.

City Staff has experience as a former certified arborist and horticultural training as a former landscape architect. Staff has put together a short and simple tree selection guide. The guide recommends medium

size trees for park strips 5 – 8 feet in width and recommends certain large type tree species for park strips wider than 8 feet. Please keep in mind that trees never stop growing during their life span. The difference between a medium size tree and a large size tree is the rate of growth and the life span of the tree. Eventually, even medium size trees will get large but a honey locust tree doesn't live as long as a Bur Oak. A honey locust tree will live on average 40 years and an Oak can live 200 years or more. 200 years of growth enables a tree to grow a lot larger than 40 years of growth.

The selection guide includes a list of trees that are known performers in a hostile environment such as a park strip. These trees are known to resist salt over spray, be disease resistant, have strong wood and don't break apart in wind storms, are tolerant of vehicular emissions and the heat that radiates from sun soaked asphalt. They also have a growth habit that will allow proper pruning to achieve the necessary clearances above the sidewalk and the street.

There are many trees that are popular in Utah but do not make good street trees. The selection guide also recommends avoiding many of these tree species for use in the park strips.

NOTE:

The street tree selection guide is not proposed to be an ordinance and shall not be considered part of the proposed landscaping ordinance amendments. However, Staff would like to have the guide adopted by resolution of the City Council to make the document officially supported by City Administration.

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

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

REVIEWS

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

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

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

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

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

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Tooele City Landscaping Text Amendment requests by Tooele City for the purpose of revising the City Codes regarding minimum landscaping standards for park strips, residential developments, commercial and industrial developments, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Tooele City Landscaping Text Amendment requests by Tooele City for the purpose of revising the City Codes regarding minimum landscaping standards for park strips, residential developments, commercial and industrial developments, based on the following findings:”

1. List findings ...

EXHIBIT A

AMUSEMENT FACILITIES CITY CODE TEXT AMENDMENT

TITLE 4. BUILDING REGULATIONS.

CHAPTER 11. SIDEWALKS

4-11-20. Varieties of trees.

It is unlawful to plant any species of tree within any public right-of-way which is not on the Tooele City Street Tree Selection Guide. No trees shall be planted in park strips of less than four feet in width. The Tooele City [Street Tree](#) Selection Guide shall be available from the Community Development and Public Works Departments and may be updated when deemed necessary and appropriate by the Directors.

CHAPTER 11a. RESIDENTIAL PARK STRIP LANDSCAPING REQUIREMENTS

4-11a-1. Park strip landscaping.

- (1) All park strip areas in residential subdivisions, with the exception of paved drive approaches and sidewalks as approved in the site plan, shall be landscaped and maintained seeded or sodded with lawn grass or a form of dry scape approved by the Director, pursuant to standards developed by the Director. ~~Landscaping of park strips with seed, sod, or lawn shall be prohibited.~~ Park strip landscaping shall be hardscapes, i.e. colored and/or stamped concrete, decorative rock, mulches, or similar decorative materials that do not require irrigation. Park strips shall also include street trees as required in Section 4-11a-2 herein and may include water-wise shrubs and plantings that requires little to no water. Hardscapes in park strips may also include artificial turf that gives the appearance of lawn but requires no water. All landscaping shall be perpetually maintained by the owner of the appurtenant property. ~~The commercial or industrial subdivision developer shall prepare park strip areas to receive seed or sod.~~

4-11a-2. Park strip trees.

- (1) Within two (2) years of receiving a certificate of occupancy for a residential housing unit, the owner of each residential lot within Tooele City shall plant trees within the unpaved portion of the park strip of each public street that abuts the property, as follows: at least one (1) tree per park strip frontage in the R1-7 and R1-8 zones; at least two (2) trees per park strip frontage in the R1-10, R1-12, and R1-14 zones; and at least three (3) trees per park strip frontage in the R1-30, RR-1, and RR-5 zones.
- (2) If public streets abut the front and rear boundaries of the residential lot, trees are required in the park strip abutting the front boundary but not the rear boundary. If public streets abut the front and any side boundaries of the residential lot, trees must be planted in park strips abutting the front and side(s).
- (3) Trees planted within park strip areas shall be of a variety specified in §4-11-~~22~~20. All other varieties are prohibited in the park strip.
- (4) Trees shall not be less than one and one-half inches caliper measured one foot from the ground and shall not be shorter than six feet in height. Park strip trees shall be spaced ~~at least fifteen feet apart~~ according to the Tooele City Street Tree Selection Guide and shall not be planted less than ten feet from the adjoining property line. Lot owners shall be responsible for the perpetual care and maintenance of trees planted in park strip areas.
- (5) Any park strips that are less than five feet in width, including areas with integral sidewalk, shall have the required trees installed behind the sidewalk, on private property, in the same manner as would be installed in the park strip.

4-11a-3. Residential Park Strip Tree Bond Requirements.

- (1) Upon applying for a building permit to construct a residential housing unit upon a residential lot in Tooele City, the owner of the residential lot or his or her agent shall post a refundable deposit in the amount of \$150 for each park strip tree that is required under §4-11a-2, Tooele City Code.
- (2) Park strip trees shall of a variety specified in §4-11-~~22~~20, Tooele City Code, and shall meet the height and caliper measurement requirements of §4-11a-1(3).
- (3) Within ~~two~~ three years, but not less than two years, of receiving a certificate of occupancy for a residential housing unit constructed upon a residential lot within Tooele City, the owner of the lot shall may submit proof an application for reimbursement of the street tree bond paid with the building permit for the primary single-family residence on that lot to the Tooele City Building Division Department for consideration ~~that the required park strip trees have been planted.~~
- ~~(4) Adequate proof shall consist of receipts for the purchasing or planting of the required park strip trees accompanied by a photograph or photographs of the planted trees. The photograph or photographs shall give context to the location of the trees by depicting some part of the surrounding area.~~
- ~~(5) After receiving proof of compliance, the Building Official may, for any reason, send a building inspector to verify that park strip trees have been planted as represented, and that they comport with all of the requirements of this Chapter.~~
- ~~(6)~~ (4) Once ~~adequate proof of compliance with~~ an application for reimbursement for the park strip tree planting requirement has been provided, as set forth herein, and the Building Official or his representative is satisfied that the provisions of this Chapter have been met, Tooele City shall release the park strip tree bond to the owner or owners of record of the appurtenant residential lot, regardless of whether a previous owner posted the bond or purchased and planted the trees. The obligation to plant trees in the park strip(s), as well as the entitlement to recoup the bond proceeds, shall attach to lot ownership, and no one other than the owner of record at the time that ~~proof of compliance~~ the application for reimbursement is submitted shall have any claim upon the bond amount.
- ~~(7)~~ (5) If the owner of a residential lot fails to submit ~~proof of compliance with this section~~ an application for reimbursement of the street tree bond within ~~two~~ three years of receiving a certificate of occupancy for a residential housing unit constructed upon the property, the bond posted for park strip trees shall be forfeited to the City.
- ~~(8)~~ (6) Forfeited bond proceeds shall be deposited in a special account and used exclusively for tree planting and landscape beautification projects in public spaces located anywhere within Tooele City.

TITLE 7. UNIFORM ZONING.

CHAPTER 4. OFF-STREET PARKING REQUIREMENTS

7-4-9. Parking Lots.

- (3) Landscaping.
 - (a) Each parking lot shall be landscaped and permanently maintained. All landscaping is strongly encouraged to be low or no water use design and varieties. There shall be no natural turf, seed, or sod used for landscaping within parking lot areas. Artificial turf shall be utilized in areas where a sod-like appearance is desired. Trees and shrubs within parking lot areas shall utilize drip-style irrigation systems.
 - (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 7-4-2 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) Landscaped Islands. Landscaping islands shall be provided in all parking areas as follows:
 - (i) Parking areas containing less than 75 parking spaces shall not be required to provide landscaped islands that break up rows of parking.
 - (ii) Parking areas containing less than 75 parking spaces which are part of a phased development that will result in the expansion of the parking for the development to be more than 75 parking spaces shall be required to provide landscaped islands as described in Subsection (f)(iii) herein.
 - (iii) When required, the maximum number of parking spaces in a row without separation by a landscaping island shall be 15. 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 feet in width is provided between the walkway and the parking spaces it borders.

CHAPTER 11. DESIGN REVIEW

7-11-8. Considerations in review of applications.

The City shall consider the following matters, among others, in their review of applications:

- (1) Considerations relating to traffic safety and traffic congestion:
 - (a) The effect of the site development plan on traffic conditions on abutting streets.
 - (b) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
 - (c) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
 - (d) The location, arrangement, and dimensions of truck loading and unloading facilities.
 - (e) The circulation patterns within the boundaries of the development.
 - (f) The surfacing and lighting of off-street parking facilities.
 - (g) The effect of the site development plan on traffic conditions for uses within the development, including compliance with Chapter 4-8 of the Tooele City Code.
- (2) Considerations relating to outdoor advertising: including

- ~~(a)~~ The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with neighboring development.
- (3) Considerations relating to landscaping:
 - (a) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with neighboring development, or to conceal storage areas, utility installations, or other unsightly development.
 - (b) The planting of low or no water irrigation required ground cover or other surfacing to prevent dust and erosion.
 - (c) The unnecessary destruction of existing healthy trees.
 - (d) The planting of sod or seeded grass turf shall be prohibited in industrial zones.
 - (e) The planting of sod or seeded grass turf in commercial and mixed-use zones shall be limited to areas intended, designed, and constructed for active recreation, activity, and similar areas.
 - (f) Areas desired for the decorative, aesthetic or appearance of grass or turf that are not intended, designed, and constructed for active recreation, activity, and similar areas shall utilize artificial turf.
 - (g) All plantings outside of allowable turf areas shall utilize drip-style irrigation systems.
- (4) Considerations relating to buildings and site layout:
 - (a) Consideration of the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to neighboring development.
 - (b) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on streets, line and pitch of roofs, and the arrangement of structures on the parcel.
- (5) Considerations relating to drainage: including
 - ~~(a)~~ The effect of the site development plan on the adequacy of the storm and surface water drainage, retention, and/or detention.

CHAPTER 11a. DESIGN STANDARDS: MULTIFAMILY RESIDENTIAL

7-11a-12. Design Standards: Landscaping.

- (1) Purpose: The intent of Project landscaping is to provide a variety of plant materials to give color and texture to the Project, to frame views, to screen undesirable views, and to create areas of public space that encourage positive human interaction using creative design and selective planting types that use little or no water with an emphasis on regular and thorough maintenance of landscaped areas.
- (2) Design. All landscaping shall be designed by a licensed landscape architect or similarly qualified licensed professional, and installed by a licensed landscaping contractor in accordance with this Chapter and general landscaping industry standards.
- (3) Land Use Buffers. Landscaping shall be used as a buffer in areas between multi-family developments and differing adjacent land uses.
- (4) Interior Setback. All Projects shall incorporate a landscaped area at least ten feet between buildings and all interior roadways and parking areas. Sidewalks and pathways shall not count towards this requirement.
- (5) Percentage. At least 25% of each site shall be landscaped. This requirement may be reduced to 20% if at least 25% of the 20% landscaping is dry-scape requiring low or no water for irrigation. Areas landscaped with no irrigation artificial turf shall count as dry-scape.
- (6) Quantity. The plantings throughout multi-family Projects are intended to enhance and beautify community appearance and to protect welfare by protecting residents and visitors from the traffic, noise, glare, trash, activity, vibration, odor, visual disorder and other adverse or harmful effects

associated with some uses. For the purpose of this Section, a building section shall mean the area between building entrances, the area between a building entrance and the edge of the facade, or the number of horizontal units behind the facade where there are no building entrances. The following shall be required for areas of the Project:

- (a) In on-site areas between each building and streets outside of the Project, per building section, exclusive of right-of-way and parkstrip requirements:
 - (i) along arterial class roads:
 - A. at least two shade trees and one ornamental tree [*utilizing drip-style irrigation systems*](#); and,
 - B. at least 150 square feet of planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover;
 - (ii) along major collector class roads:
 - A. at least two shade trees and one ornamental tree [*utilizing drip-style irrigation systems*](#); and,
 - B. at least 100 square feet of planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover;
 - (iii) along minor collector class roads:
 - A. at least two shade trees [*utilizing drip-style irrigation systems*](#); and,
 - B. at least 100 square feet of planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover;
 - (iv) along local class roads:
 - A. at least two shade trees [*utilizing drip-style irrigation systems*](#); and,
 - B. at least 75 square feet of planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover;
- (b) In areas fronting upon a road which fall between buildings, there shall be at least one tree [*utilizing drip-style irrigation systems*](#) for every 40 feet of frontage for that area;
- (c) In areas around buildings that border on Common Areas:
 - (i) along a side facade of each building shall have at least one shade tree [*utilizing drip-style irrigation systems*](#); and,
 - (ii) along a rear facade of each building shall have at least two shade trees [*utilizing drip-style irrigation systems*](#);
- (d) In areas between buildings and parking areas or internal access roads:
 - (i) along a side facade of each building shall have at least one shade tree [*utilizing drip-style irrigation systems*](#); and,
 - (ii) along a front or rear facade of each building shall have at least two shade trees and planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover that outline the entrance to the building; and,
- (e) In areas between buildings and Project boundaries not abutting a street, the requirements shall be the same as those for areas between buildings and a minor collector class street.
- (f) Common Areas not immediately adjacent to a building shall have shade trees and planting beds containing flowers, [*and shrubs utilizing drip-style irrigation systems*](#); and non-turf ground cover to complement usable open amenity areas for residents identified in Section 7-11a-22 of this Title. The number of trees to be provided shall not be less than the number of ground floor dwelling units in the Project and shall be generally distributed throughout the Project but may be clustered in Common Areas to provide open activity areas as identified in Section 7-11a-22 of this Title.
- (g) For the purpose of compliance with this Section, townhouse Projects or portions of Projects containing townhomes, may reduce the required landscaping from Subsection (6)(a) herein,

- along the front and rear facade to not less than one tree and 50% of the required planting bed area but shall include the remainder of this requirement in Common Areas of the Project.
- (7) The landscaping plan for a Project shall consist of ground covers, shrubs and planting beds, and trees. Projects shall provide a landscaping plan that consists of at least 25% ground cover that is sod, grass or other surface material that provides a playable surface and a maximum of 75% may be planted with such ground covers. For the purpose of this calculation fall surfaces around play equipment may be considered as a playable ground cover surface.
- (8) Types. Landscaping includes trees, shrubs, groundcover, flowerbeds with perennial flowers, dry-scape, and grass. New trees shall be at least two-inch caliper measured at the base of the tree and at least six feet in height measured from the top of the root ball. Drought tolerant and water-wise landscaping that utilizes drip-style irrigation systems when irrigation is required and plantings that need little to no water is highly encouraged. Sod, seeding, and natural grass turf shall be limited strictly to areas design and dedicated as active and usable spaces such as recreation and activity amenities. Artificial turf shall be utilized in areas where a sod-like appearance is desired but are not intended for use as active and usable spaces.
- (9) Projects shall be designed to incorporate existing mature trees (i.e., ten or more years old, or four-inch caliper trunk measured at the base of the tree). The minimum required number of new trees in any Project area (i.e. Common Area) may be reduced by three for every existing mature tree preserved and incorporated into that area of the Project.
- (10) Landscaping used to satisfy any one requirement of this Section shall not be construed to satisfy any other requirement. Each requirement shall be satisfied independent of any other unless otherwise specified.
- (11) Irrigation.
- (a) All landscaped areas shall incorporate permanent, automated, irrigation systems that shall:
- (i) Utilize water consumption reducing mechanisms or devices, such as, low-volume sprinkler heads, drip emitters, and bubbler emitters; and,
- (ii) Utilize water saturation sensors or other mechanisms or devices that prevent over-watering; and,
- (iii) Irrigate trees and shrubs with drip irrigation; and,
- (iv) Reduce wasteful and unnecessary water usage.
- (b) Trees and shrubs shall be located in similar water usage demand zones.
- (12) Maintenance. Each Project shall include the creation of an association, or other legal mechanism acceptable to the City, with responsibility for, and authority to require and enforce, the permanent maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat, and orderly appearance.
- (a) Dead trees, shrubs, and other plantings shall be replaced within 60 days, or by November 1, whichever is earlier.
- (b) Grassy areas shall be treated in a manner so as to discourage weed growth.
- (c) For the purposes of compliance with this Chapter, artificial grass which emulates natural grass may be substituted for natural grass provided that maintenance is established for the regular cleaning of the surface and period replacement of the artificial grass as needed.
- (13) Parking areas. All landscaped areas shall be separated from parking and drive surfaces by a curb.
- (14) Multi-family redevelopment projects within an existing registered historical building shall have no landscaping requirements specific to the historical building beyond those landscaping areas previously established with and around the building. Those previously established landscaping areas shall be developed according to the provisions of this Section.
- (15) Storm water basins, including detention and retention basins, shall be landscaped and maintained as a part of the Project landscaping. Basins shall be landscaped with the need for low or no water

demand using dry scapes, water-wise and drought tolerant plantings on drip-style irrigation systems, and artificial turf for areas where a grass or sod appearance is desired. Landscaping within basins shall not include sod, seeding or natural grass turf unless intended, designed, and constructed to include active recreational purposes as approved by the Tooele City Parks and Recreation Department. Basins intended, designed, and constructed to include active recreational purposes shall be designed with 5:1 maximum slopes around the perimeter so provide for appropriate access and egress. Basins not intended, designed, and constructed to include active recreational purposes shall be designed with 3:1 maximum slopes around the perimeter.

CHAPTER 14. RESIDENTIAL ZONING DISTRICTS

7-14-11 Landscaping and Water Conservation With New Development.

- (1) Sod or seeded lawn grass shall be prohibited from park strips and areas on the lot less than eight feet in width.
- (2) Lots within subdivisions whose preliminary plan approval occurred after April 1, 2023 and which has at least 250 square feet of total landscaped area within the lot shall be landscaped with no more than 50% of front and side yards landscaped area as natural lawn grass. Front and side yards shall be landscaped and maintained. Landscaping is strongly encouraged to necessitate no or low water use. The use of artificial turf is strongly encouraged for the appearance or desire of lawn. Where irrigation is needed for plantings outside of lawn areas shall be of a drip-style irrigation system.

CHAPTER 7-16. DESIGN STANDARDS: SINGLE-FAMILY RESIDENTIAL

**TABLE 2
DEVELOPMENT STANDARDS**

DEVELOPMENT REQUIREMENT	DISTRICT									
	Mixed Use (MU-G) (MU-B)	Neighborhood Commercial (NC)	General Commercial (GC)	Regional Commercial (RC)	Light Industrial (LI)	Industrial Service (IS)	Industrial (I)	Research & Development (RD)	Downtown Overlay (DO)	Gateway Overlay (GO)
Minimum Required Front Yard Landscape Area (measured from front property line) See Note F1	20 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1	20 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1	15 Feet. See Note F1	40 Feet. See Note F1	15 Feet. See Note F1	15 Feet. See Note F1	15 Feet. No landscaping required for auto impound yard, military surplus yards, or vehicle storage yards. See Note H. See "Minimum Required Landscape Area" below	15 Feet. See Note F1	10 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1	20 Feet. See Note F1
Minimum Required Landscape Area (percentage of total site area which may include required landscaping within parking areas)	No Requirement but must comply with requirements of the Planning	No Requirement but must comply with requirements of the Planning	10% See Note F1	15% See Note F1	See Note F2	See Note F2	See Note F2	10% See Note F1	No Requirement but must comply with requirements of the Planning	15% provided a greater percentage may be required by the Planning

	Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1	Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1							Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1	Commission for compliance with Chapter 7- 11 Tooele City Code See Note F1
Landscaping Requirements	See Note F1	See Note F1	See Note F1	See Note F1	See Note F2	See Note F2	Critical Areas plus 1% of site acreage or mitigation See Note F2	See Note F1	See Note F1	See Note F1

NOTES:

F1. No plans for any primary building or structure shall be approved by the Planning Commission or Community Development Department unless a Landscaping Plan is submitted and approved by the Planning Commission or Community Development Department, consistent with the considerations of Tooele City Code §7-11-8. Landscaping in accordance with the approved Landscaping Plan shall be installed prior to issuance of a Certificate of Occupancy unless a bond is posted pursuant to Tooele City Code §7-22-4. The Landscaping Plan shall include at a minimum:

1. A 50/50 mix of evergreen and deciduous trees and shrubs;
2. 60% of trees and shrubs with a minimum caliper of 2 inches and a minimum height of 5 feet;
3. park strip trees, at least one for every 30 feet of right-of-way frontage, in compliance with Tooele City Code §4-11-~~2220~~ [and be of a variety identified in the Tooele City Street Tree Selection Guide.](#)

F2. 1. Critical Areas. "Critical Areas" shall mean those areas of a development site which have a particular sensitivity to environmental considerations, aesthetics, and employee and public convenience, health, and well being. Critical areas shall be determined administratively during discussions/negotiations between Tooele City staff and the developer, and shall address at least the following areas: principle vehicle entrances for employees and customers; principle pedestrian building entrances for employees and customers; employee gathering and rest areas; storm water drainage, detention, and retention facilities; and, screening of exterior building equipment.

2. Minimum Acreage. The 1% site acreage requirement is in addition to, not inclusive of, Critical Area landscaping.

3. Minimum Acreage Requirement Mitigation. In lieu of the 1% acreage landscaping requirement, the developer may pay to Tooele City a mitigation sum equal to the requirement, multiplied by \$20,000 per acre, a reasonable average landscaping budget based upon the most current Tooele City Parks and Recreation master planning documents. For example, the optional mitigation sum for a 200-acre site would be \$40,000; for a five-acre site, \$1,000. Tooele City will apply mitigation funds to landscaping improvements in Tooele City Parks.

4. Critical Area Requirement Mitigation. In the event that Tooele city staff and the developer conclude that landscaping of a given Critical Area is not possible or practicable due to feasibility or engineering difficulties, the developer shall pay a mitigation sum equal to the area of the Critical Area not landscaped, multiplied by \$20,000 per acre, in lieu of installing the subject Critical Area landscaping. Financial or budgetary difficulties shall not be considered grounds for a determination of impossibility or impracticability or for payment of a Critical Area requirement mitigation sum.
5. Administrative Appeal. Development applicants affected by the administrative determination referenced above may appeal in writing to the Planning Commission, which shall uphold, modify, or reject the determination. No further administrative appeal shall exist.

CHAPTER 19. SUBDIVISIONS

7-19-17.1. Double-frontage lots – definitions – design – maintenance.

- (1) Definitions. For purposes of this Section, the following terms shall be defined as follows.
 - (a) Double-frontage lot: a residential lot that abuts more than one public right-of-way or private road on opposite sides of the lot. “Double-frontage lot” includes corner lots adjacent to other double-frontage lots. “Double-frontage lot” does not include lots whose secondary frontages are on roads that are designated as alleys that do not require sidewalk access and that serve primarily as private access to the rear of lots.
 - (b) Primary frontage: the portion of a residential lot abutting a public right-of-way or private road that contains the main pedestrian entry to a residence.
 - (c) Secondary frontage: the portion of a residential lot abutting a public right-of-way or private street that is not the principle frontage.
- (2) Design Standards. The secondary frontage of any double-frontage lot shall include the following design elements located within the public right-of-way or private street.
 - (a) Park strip. The park strip located between the curb and the sidewalk shall be of colored, texture-stamped concrete, which shall differ in color and texture from the adjacent sidewalk.
 - (i) The concrete color shall be of earth-tones, to include tan, light brown, beige, and similar colors, but shall not include yellow, pink, blue, green, and similar bright colors.
 - (ii) The concrete texture shall simulate cobblestone, variegated slate squares and rectangles, brick, or similar pattern.
 - (iii) The park strip concrete thickness shall be a minimum of ~~five and one half~~ four inches.
 - (iv) The park strip shall contain a decorative metal grate around each park strip tree. The grate shall be chosen from a list of City-approved grate types, the list being on file with the Public Works Department.
 - (b) Park strip trees. Trees shall be planted in the park strip as follows.
 - (i) Park strip trees shall be chosen from the Tooele City Street Tree Selection Guide ~~a list of City-approved trees, the list being on file with the Public Works Department.~~
 - (ii) Park strip trees shall be spaced not more than ~~35~~ 40 feet apart and not less than 30 feet apart, or as called for in the Tooele City Street Tree Selection Guide.
 - (iii) Park strip tree size, bonding, and other details not address in this Section shall be as provided in Tooele City Code Sections 4-11a-2 and 7-19-26, as amended.
 - (iv) The park strip shall include an irrigation system for park strip tree irrigation. The underground piping shall be placed within conduit located beneath the park strip. The irrigation system shall include meters, meter vaults, power, valve boxes, irrigation heads, and other necessary components to provide a fully functioning irrigation system. Irrigation to park strip trees shall be a drip-style irrigation system.
 - (c) Sidewalk. Sidewalk shall be as required by Tooele City Code and Policy.
 - (d) Fencing wall. The secondary frontage shall be fenced and screened with a masonry wall possessing the following design elements.
 - (i) The wall shall be six feet in height except as required under Tooele City Code Section 7-2-11 Clear vision area at intersecting streets.
 - (ii) The wall materials shall be masonry block or prefabricated decorative masonry panels chosen from a list of City-approved wall material types, the list being on file with the Public Works Department. The wall shall be uniform within each subdivision phase.
 - (iii) The wall shall include capped pillars spaced at even intervals, not to exceed 20 feet. The pillar materials shall be similar to those comprising the wall.

- (iv) No portion of the wall shall contain cinderblock, smooth-faced block, or cast-in-place concrete.
- (v) All fencing walls shall receive a City-approved anti-graffiti seal coat upon their construction and prior to acceptance by the City.
- (e) Gates. Gates in the fencing wall or otherwise accessing the secondary frontage shall not be allowed.
- (f) Special Service District Standards. Where a double-frontage lot is included in an existing special service district that imposes its own design standards for double frontage lots, the district design standards shall apply.
- (g) The final determination of whether an application complies with the design standards of this Section shall be made by the City Planner. Such determinations are not subject to appeal.
- (3) Bonding. Park strips, park strip trees, park strip irrigation systems, and fencing walls discussed in this Section shall be included in the definition of public improvements. As such, they shall be bonded for in the manner provided in Tooele City Code Section 7-19-12, as amended, except that park strip trees shall be bonded for in the manner provided in Tooele City Code Section 7-19-29, as amended.
- (4) Maintenance. Because of the added burdens upon the City caused by double-frontage lots, and because residents are disinclined to maintain the secondary frontage, the portions of the public right-of-way located behind the curb and gutter and abutting the secondary frontage shall be maintained as follows.
 - (a) Home Owners Association. As a condition of final subdivision plat approval, every subdivision with double-frontage lots shall be required to form and fund a home owners association (HOA). At a minimum, the HOA shall maintain and perform at its cost, for the life of the HOA, the following items: park strip, park strip trees and grates, park strip irrigation system, park strip water bill, fencing wall, sidewalk, and sidewalk snow removal. The HOA articles shall provide for a minimum HOA existence of 30 years.
 - (b) Covenants, Conditions, and Restrictions. As a condition of final subdivision plat approval, every subdivision with double-frontage lots shall be required to record against all lots within the subdivision covenants, conditions, and restriction (CCRs). A copy of the recorded CCRs will be provided to the City. At a minimum, the CCRs shall provide for the perpetual maintenance and maintenance funding of the following items: park strip, park strip trees and grates, park strip irrigation system, park strip water bill, fencing wall, sidewalk, and sidewalk snow removal.
 - (c) If the HOA fails to enforce the CCRs pertaining to maintenance and maintenance funding for a period of three months or more, the City may bring an action in court to compel the HOA to fund and perform its maintenance obligations.
 - (d) Special Service District Maintenance. Where a double-frontage lot is included in an existing special service district that maintains some or all of the public improvements adjacent to a secondary frontage, the portions of the public right-of-way located behind the curb and gutter and abutting the secondary frontage shall be maintained in perpetuity by the district.

7-19-26. Park Strip Landscaping in Commercial and Industrial Subdivisions.

- (1) All park strip areas in commercial and industrial subdivisions, with the exception of paved drive approaches and sidewalks as approved in the site plan, shall be *landscaped seeded or sodded with lawn grasses* and perpetually maintained by the owner of the appurtenant property *with low or no water use materials and plantings with drip-style irrigation systems for trees and where irrigation is necessary. The use of seeded or sodded lawn grasses in park strips areas of non-residential subdivisions shall be prohibited. The decorative aesthetic or appearance of lawn grass may be accomplished through the use of artificial turf. The commercial or industrial subdivision developer shall prepare park strip areas to receive seed or sod.*

- (2) (a) The commercial or industrial subdivision developer shall be responsible for the cost of purchasing and planting trees on both sides of all proposed subdivision streets within all park strip areas, except where there are existing trees acceptable to the Director of [the Parks and Recreation Department](#). Newly planted trees shall not be farther apart than 35 feet. Trees planted in park strip areas shall be of a type listed in ~~Section 4-11-22 of~~ the Tooele City [Street Tree Selection Guide Code](#). Newly planted trees shall not be less than two inches in caliper, measured one foot from the ground, and shall not be shorter than eight feet in height. Trees shall be planted during a season of the year when it reasonably can be expected that they will survive. In no case shall trees be planted sooner than seven days prior to the issuance of an occupancy permit for any structure on the property appurtenant to the park strip.
- (b) Commercial or industrial subdivision developers shall do one of the following to ensure compliance with the park strip tree requirement:
- (i) post a bond in accordance with the provisions of Section 7-19-12 of the Tooele City Code, in the amount of \$200 per required park strip tree; or
 - (ii) make a non-refundable payment to Tooele City in the amount of \$200 per required tree, which shall be used by the Director of [the Parks and Recreation Department](#) to plant trees within the park strips of the subdivision.
- (3) Protective screen planting may be required to secure a reasonably effective physical barrier between residential properties and adjoining uses which minimizes adverse visual, auditory, and other conditions. The screen planting plan shall be approved by the Planning Commission and the City Council upon the recommendation of the Community Development and Parks and Recreation Departments.

Tooele City Park Strip Tree Selection Guide

Planting the right tree in the right place supports maximum tree health and longevity in the landscape.

Small Tree Species

Tooele City does not recommend the use of small tree species in the park strips such as crab apples, hawthorns, ornamental cherries and ornamental varieties of maple. These trees have a low growth habit which results in clearance problems over sidewalks and streets that ultimately result in critical damage to the tree, pedestrians and automobiles. Small tree species may be planted in a park strip wider than 8 feet where individuals and vehicles will not need to pass under the tree's canopy.

Medium Tree Species

Medium Tree Species shall be used if one or more of the following conditions exist:

1. Park Strip is 5 – 8 feet wide.
2. Planting site has no overhead high voltage transmission lines.
3. Intermediate size is compatible with the site.

Catalpa – *Catalpa speciosa*, 45-50' mature height, 20 -25' mature canopy spread.

Frontier Elm – *Ulmus parvifolia*, 30-40' mature height, 20-30' mature canopy spread.

Ginkgo – *Ginkgo biloba*, 40-45' mature height, 15-30' mature canopy, very slow growth.

Goldenrain Tree – *Koelreuteria paniculata*, 30-40' mature height, 30-40' mature canopy spread.

Hackberry – *Celtis occidentalis*, 40-60' mature height, 30-50' mature canopy spread.

Honeylocust – *Gleditsia tricanthos*, 35-50' mature height, 20-40' mature canopy spread.

Crimean Linden – *Tilia x euchlora*, 40-50' mature height, 20-30' mature canopy spread.

Purple Blow Maple – *Acer truncatum*, 20-25' mature height, 20-30' mature canopy spread.

Hedge Maple – *Acer ampestre*, 25-35' mature height, 25-35' mature canopy spread.

Fruitless Mulberry – *Morus alba*, 30-50' mature height, 30-50' mature canopy spread.

Chokecherry – *Prunus virginiana*, 30' mature height, 20' mature canopy spread.

Columnar Oak – *Quercus robur 'fastigiata'*, 50' mature height, 15' mature canopy spread.

Zelkova – *Zelkova seratta*, 40-55' mature height, 30-50' mature canopy spread.

Large Tree Species

Large tree species shall be used ONLY if one or more of the following conditions exist:

1. Park strip is 8 feet wide or wider.

2. Planting site has no overhead high voltage transmission lines.
3. Site will accommodate large trees with maximum size, shade and energy conservation benefits.
4. Space for root and branch growth will not conflict with site features.

All medium sized trees may be planted in a large park strip in addition to the following large tree varieties:

European Beech – *Fagus sylvatica*, 50-60' mature height, 35-50' mature canopy spread.

Valley Forge Elm - *Ulmus Americana*, 60' mature height, 40-50' mature canopy spread.

Kentucky Coffeetree – *Gymnocladus dioicus*, 60-80' mature height, 40-45' mature canopy spread.

London Planetree – *Platanus x acerifolia*, 60-70' mature height, 30-60' mature canopy spread.

Silver Linden – *Tilia tomentosa*, 50-70' mature height, 25-40' mature canopy spread.

Bur Oak – *Quercus macrocarpa*, 60-80' mature height, 60-80' mature canopy spread.

English Oak – *Quercus robur*, 50-70' mature height, 50-70' mature canopy spread.

Norway Maple – *Acer platanoides*, 50 – 70' mature height, 50-60' mature canopy spread.

Horsechestnut – *Aesculus hippocastanum*, 50-75' mature height, 40-65' mature canopy spread.

Trees not Recommended for Planting in the Park Strips

All evergreen coniferous tree varieties. Evergreen trees impact visibility due to their dense canopies and should not be used in any park strip.

Siberian Elm, Russian Olive, Silver Maple, Box Elder, Cottonwoods, Poplars, Aspens and all varieties of **Willows**. These trees either generate pests, excessive suckering, are pollution intolerant, are disease prone or are soft wooded trees that tend to be short lived and break apart easily in wind storms.

Ash Trees. These trees are terrible street trees. They do not tolerate vehicle emissions and road salts from snow plows. Their canopies break apart as the tree struggles to survive in a harsh environment such as a park strip.

Prunes (prunus). These trees are popular due to their red foliage. However, these trees have a low growth habit that creates clearance problems on sidewalks and streets. They also generate large fruit that create a significant mess on the sidewalks and streets.

Callery Pear Trees. These trees are overplanted in Utah due to their compact upright growth habit that has made them very popular. Due to the high numbers of these trees that have been planted they have become susceptible to outbreaks of the bacterial disease known as Fire Blight. These trees also suffer from iron chlorosis due to incompatibility with Tooele's alkali soils. Please avoid this variety if possible. If the upright columnar look is desired in a park strip, look to the Columnar English Oak variety described in the list above.

Crab Apples. Beautiful ornamental trees that have a very small and low growth habit. These trees create clearance problems for sidewalks and streets when planted in a park strip. They also grow dense

fruit that creates a considerable mess on the sidewalk and street when the tree sheds the fruit. These trees are best suited for locations where people and cars will not be travelling underneath them.

Additional Recommendations

1. This tree species list is not exclusive of all varieties of trees. Tooele City acknowledges that there may be other species of trees that may grow and thrive in the Tooele area and are not included on this list. The purpose of this list is to encourage the use of tree species that are known performers and consistently do well in this City. The list also discourages the use of tree species that tend to be a nuisance, problematic and perform poorly within the park strip.
2. All trees planted in the park strip shall be maintained by the adjacent property owner. Trees shall be pruned to maintain pedestrian and vehicular clearances appropriately watered during hot summer months to ensure tree health and vitality.
3. All street trees shall be planted in accordance with tree placement requirements as found in Tooele City Code 4-11a-2; Park Strip Trees.
4. Trees shall not be planted within the 40 foot clear view zone where streets intersect.
5. Trees shall be planted 10 feet from a fire hydrant.
6. Trees shall be planted 30 feet from a stop sign.
7. Trees shall be planted 10 feet from a utility pole.

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 10, 2023

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Doug Newel
Jon Proctor
Weston Jensen

Commission Members Excused:

Melanie Hammer
Chris Sloan
Matt Robinson
Melodi Gochis
Alison Dunn

City Council Members Present:

Justin Brady

City Employees Present:

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

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:13 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Jon Proctor, Present
Tyson Hamilton, Present
Weston Jensen, Present
Doug Newell, Present
Chris Sloan, Excused
Melodi Gochis, Excused
Alison Dunn, Excused
Melanie Hammer, Excused

Matt Robinson, Excused

3. Public Hearing and Decision on a Conditional Use Permit request by Matt Hendrickson to authorize the use of “Warehouse” for 2.81 acres of property located at 1121 West Utah Avenue in the LI Light Industrial zoning district

Mr. Aagard presented a Conditional Use Permit for the property located west of 1100 West. This property is currently vacant. The applicant would like to do a flex-space development. It is zoned LI, Light Industrial. The use of flex-space is not defined in the ordinances. Typically, in a flex-space, materials are stored and have office space. They did provide a concept plan with access onto Utah Avenue. They are proposing some vinyl fencing surrounding the property. Staff is recommending approval with conditions listed in the staff report.

The public hearing was opened.

Kalani Mascherino shared concerns of traffic in this area.

The public hearing was closed.

Mr. Aagard addressed the Commission. At this point in time, that road is a City owned road with no plans to install a traffic light. When you have commercial next to residential, the Ordinance does state the Planning Commission can put a condition on the permit to mitigate.

Mr. Hansen addressed the Commission. There are no present plans to install a traffic stop in that area. When staff met with the developer, they made them aware a traffic study must be submitted to the City. As well as looking at access to and from property, visibility, and the train track.

Mr. Baker asked the following questions:

Will a traffic study identify if one or two accesses are needed?

The application mentioned vinyl fencing. Does the Commission need to include that as a condition?

Commissioner Jensen motioned to approve a Conditional Use Permit request by Matt Hendrickson to authorize the use of “Warehouse” for 2.81 acres of property located at 1121 West Utah Avenue in the LI Light Industrial zoning district based on the findings and conditions listed in the staff report including site-obscuring fencing along the south side of the property. Commissioner Newel seconded the motion. The vote was as follows:

Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

4. Public Hearing and Recommendation on a proposed text amendment to Tooele City Code Chapter 4-8: Road and Bridge Construction Standards to include new standards for secondary local class streets

Mr. Aagard presented a text amendment for Tooele City Code Chapter 4-8. In Tooele there are second-class roads, often referred to as alleys. Due to these roads being secondary roads, these roads have not been kept up. When land owners come forward to make improvements to their properties, they ask the City what improvements may need to be made. Staff has put together a table to show the conditions on these roads, requirements, and additional notes. These changes will apply to new developments and re-developments. This will provide a standard for staff to rely upon.

The Planning Commission asked the following questions:

If they are going to have access the roads, is there a way to add sidewalk to the area?

If someone wanted to build a garage on their property, would they have to make improvements to the roads?

Mr. Aagard addressed the Planning Commission. For a typical street, there is sufficient right-of-way width. With these particular roads, there is not wide enough right-of-way to add these with out going onto private property. Building an accessory dwelling would not be considered a re-development. Development would be determined by the main use of the property.

Mr. Baker addressed the Commission. State law says the City can take land and require improvements from developers, if developers are making an impact to the City.

The public hearing was opened. No one came forward. The public hearing was closed.

Commissioner Proctor motioned to forward a positive recommendation on a proposed text amendment to Tooele City Code Chapter 4-8: Road and Bridge Construction Standards to include new standards for secondary local class streets based on the findings and conditions listen in the staff report. Chairman Hamilton seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

5. Decision on a conceptual condominium plat proposed by Harris Community Village located at 251 North 1st Street in the R1-7 zoning district on 9.35 acres.

Mr. Aagard presented a conceptual condominium plat for the Harris Community Village. A condominium plat divides the subdivision of space above the land. The plat provides private ownership within the space. They are not creating this for individual ownership. The first step is to come to the Planning Commission for a conceptual approval. There are no proposed changes to the site plan.

The Planning Commission asked the following questions:

Insurance or title companies would not be able to write a policy with the way the plat is written.

In each building, are there going to be individual units?

Are the roads a part of the common areas?

How will these be rental properties?

Mr. Aagard addressed the Commission. The Planning Commission can request additional things of the applicant.

Ivan Carol addressed the Planning Commission. This project is funded through federal tax credits. The office that gives the money has allowed two allocations per project. Utah housing needed to provide two identification numbers. They would like to have a condominium plat for the two wings to meet the guidelines. There are no changes to the buildings, operations, or the project. There are 24 units in one wing and 48 units in the other. Everything outside the three buildings is common area. Apartments are rented to people who qualify for affordable housing. There is a deed restriction for 50 years that this property is affordable housing.

Mr. Baker addressed the Commission. One mechanism that the staff is used to seeing is a cross-access to other policies. The Concept plan for subdivisions have been eliminated by legislation. The code does make it a formal part of the process.

Mr. Hansen addressed the Commission. This is only a concept plat. The requirement is to have a concept meeting with the Planning Commission and the City Council. Then it will come back for a formal decision.

Commissioner Proctor motioned to approve a conceptual condominium plat to move forward in the process. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

6. City Council Reports

Council Member Brady shared the following information from the City Council Meeting:

Mr. Aagard has been sworn in as the Community Development Director.

The council has tabled Ordinance 2023-20 so they can work with the Downtown Alliance.

The Council denied approval of Ordinance 2023-19 due to concerns of traffic and a wide range of commercial.

The tentative budget was approved.

The pool will be finishing the concrete area in front of the pool.

7. Review and Approval of Planning Commission Minutes for the meeting held on April 26, 2023.

There are no changes to the minutes.

Commissioner Jensen motioned to approve the minutes. Commissioner Newel seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

8. Discussion regarding Pre-development Meeting Attendance assignments.

Commissioner Proctor will attend June.

Commissioner Jensen will attend July.

Commissioner Hamilton will attend August.
Commissioner Newel will attend September.

9. Adjourn

Chairman Hamilton adjourned the meeting at 7:57 p.m.

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

Approved this ____ day of May, 2023

Tyson Hamilton, Tooele City Planning Commission Chair

DRAFT