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**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, March 27, 2019** 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.

**Agenda**

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Recommendation** on a Subdivision Final Plat for the Providence at Overlake Phase 3 Subdivision, application by Howard Schmidt located at 1400 North 400 West in the R1-7 Residential zoning district for the purposes of creating 25 single-family residential lots.
4. **Recommendation** on a Subdivision Final Plat for the Tooele City Police Station Subdivision, application by Tooele City, located at 70 North Garden Street in the GC General Commercial zoning district for the purposes of consolidating five parcels into one lot.
5. **Discussion** regarding potential text amendments to Title 7 of the Tooele City Code regarding parking.
6. **Review and Approval** of Planning Commission minutes for meeting held March 13, 2019.
7. **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 or TDD (435) 843-2108.

**STAFF REPORT**

March 19, 2019

**To:** Tooele City Planning Commission  
Business Date: March 27, 2019

**From:** Planning Division  
Community Development Department

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

**Re: Providence at Overlake Phase 3 – Final Plat Subdivision Request**

Application No.: P18-894  
Applicant: Howard Schmidt  
Project Location: Approximately 1400 North 400 West  
Zoning: R 1-7 Residential Zone  
Acreage: Approximately 12 Acres (522,720 ft<sup>2</sup>)  
Request: Request for approval of a Final Plat Subdivision in the R 1-7 Residential zone regarding the creation of 48 single-family residential lots.

**BACKGROUND**

This application is a request for approval of a Final Plat Subdivision for approximately 12 acres located at approximately 1400 North 400 West. The property is currently zoned R 1-7 Residential. The applicant is requesting that a Final Plat Subdivision be approved to allow for the development of the currently vacant site as a 25 lot single-family subdivision.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R 1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R 1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” All surrounding properties are currently zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* Providence at Overlake Phase 3 is a very straight-forward subdivision. The subdivision is laid out with streets running north to south and a connection to Providence Way that in turn connects to Clemente Way. This subdivision will construct a portion of Berra Boulevard and will leave stubs on the east side and west side for future connections as well as stubs to the south as connections for future phases in the Providence at Overlake Subdivision.

Each lot within Phase 3 meets or exceeds all standards of lot width, lot frontage and lot size as required by the R1-7 Residential ordinance. There are no open spaces, double fronting lots or storm water

management basins to maintain and there are no fencing requirements for this phase of the subdivision.

*Criteria For Approval.* The procedure for approval or denial of a Subdivision Final Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-10 and 11 of the Tooele City Code.

## **REVIEWS**

*Planning Division Review.* The Tooele City Planning Division has completed their review of the Final Plat Subdivision submission and has issued a recommendation for approval for the request.

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Final Plat Subdivision by Howard Schmidt, , application number P18-894, subject to the following conditions:

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

This recommendation is based on the following findings:

1. 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 subdivision as proposed meets and/or exceeds all development standards as required by Tooele City's Subdivision ordinance and the R1-7 zoning district.

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Providence at Overlake Phase 3 Final Plat Subdivision Request by Howard Schmidt, to create 48 single family lots at approximately 1400 North 400 West, application number P18-894, based

on the findings and subject to the conditions listed in the Staff Report dated March 19, 2019”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Providence at Overlake Phase 3 Final Plat Subdivision Request by Howard Schmidt, to create 48 single family lots at approximately 1400 North 400 West, application number P18-894, based on the following findings:”

1. List any findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE PROVIDENCE AT OVERLAKE PHASE 3 FINAL PLAT SUBDIVISION**

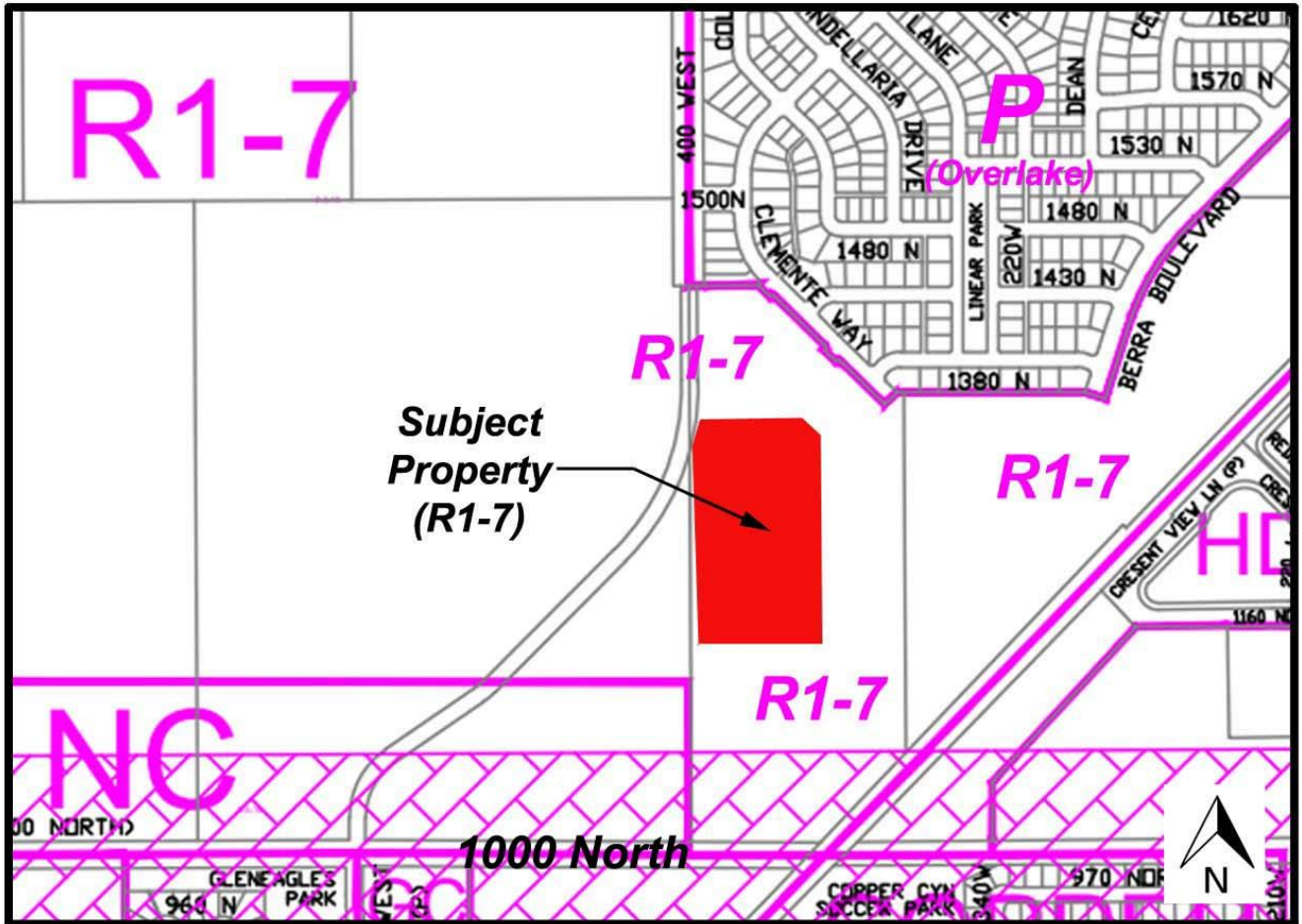
***Providence at Overlake Phase 3 Final Plat***



***Aerial View***



**Providence at Overlake Phase 3 Final Plat**



**Current Zoning**

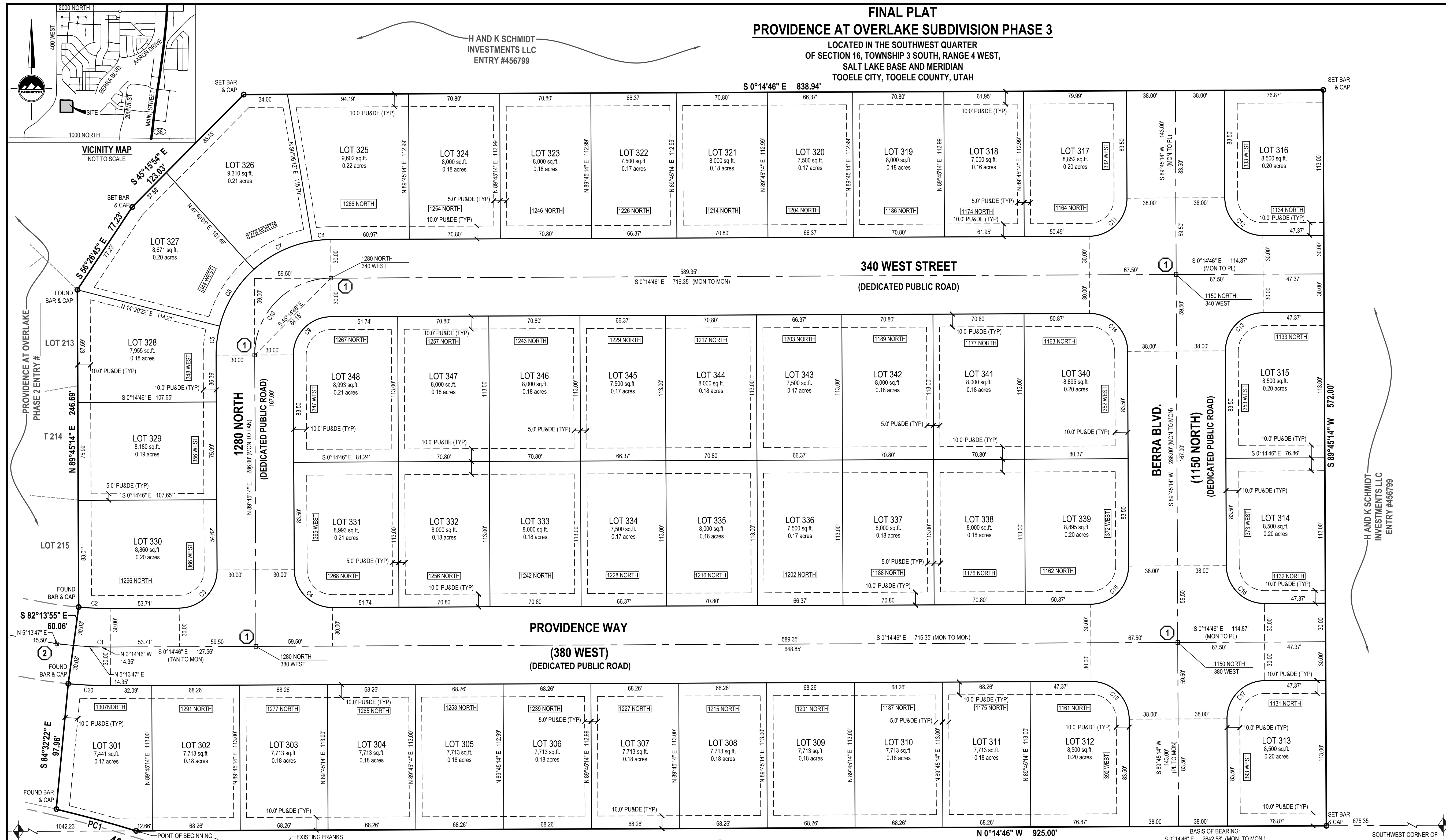
**EXHIBIT B**  
**PROPOSED DEVELOPMENT PLANS**



# FINAL PLAT PROVIDENCE AT OVERLAKE SUBDIVISION PHASE 3

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH

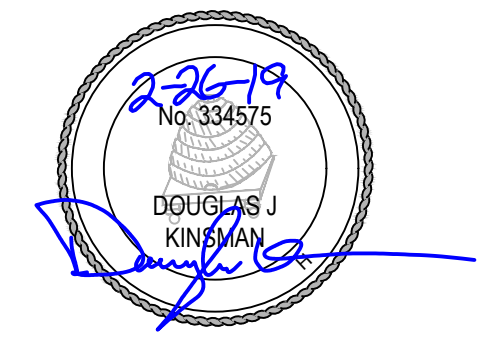
H AND K SCHMIDT  
INVESTMENTS LLC  
ENTRY #456799



**SURVEYOR'S CERTIFICATE**  
I, Douglas J. Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 334575, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots, and streets, hereafter to be known as PROVIDENCE AT OVERLAKE SUBDIVISION PHASE 3, 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 16, 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 on the section line, said point being South 0°14'46" East 1042.23 feet along the section line from the West Quarter Corner of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:  
thence Northeasterly 64.32 feet along the arc of a 1047.00-foot radius curve to the left (center bears North 73°00'48" West and the long chord bears North 15°13'30" East 64.31 feet through a central angle of 3°13'12"), along a future road dedication called 400 West Street, to the south line of Providence at Overlake Subdivision Phase 2;  
thence South 84°32'22" East 97.96 feet along said subdivision;  
thence South 82°13'55" East 60.06 feet along said south line;  
thence North 89°45'14" East 246.69 feet along said south line of said subdivision;  
thence South 56°29'45" East 77.23 feet;  
thence South 45°15'54" East 123.03 feet;  
thence South 0°14'46" East 838.94 feet;  
thence South 89°45'14" West 572.00 feet to the section line;  
thence North 0°14'46" West 925.00 feet along said section line, to the Point of Beginning.  
Parcel contains: 546,589 square feet or 12.55 acres.

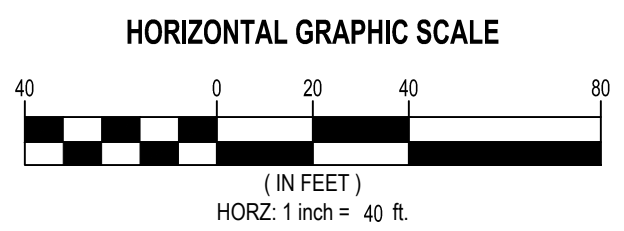
**FEB 26, 2019**  
Date  
Douglas J. Kinsman  
License No. 334575



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	300.00'	28.67'	5°28'33"	S2°29'31"W	28.66'
C2	270.00'	24.48'	5°11'38"	S2°21'03"W	24.47'
C3	29.50'	46.34'	90°00'00"	S45°14'46"E	41.72'
C4	29.50'	46.34'	90°00'00"	S44°45'14"W	41.72'
C5	89.50'	22.78'	14°35'08"	N82°57'12"W	22.72'
C6	89.50'	52.29'	33°28'38"	N58°55'18"E	51.55'
C7	89.50'	50.95'	32°37'11"	N25°52'24"W	50.27'
C8	89.50'	14.55'	9°19'02"	N4°54'17"W	14.54'
C9	29.50'	46.34'	90°00'00"	N45°14'46"W	41.72'
C10	59.50'	93.46'	90°00'00"	N45°14'46"W	84.15'
C11	29.50'	46.34'	90°00'00"	S45°14'46"E	41.72'
C12	29.50'	46.34'	90°00'00"	S44°45'14"W	41.72'
C13	29.50'	46.34'	90°00'00"	N45°14'46"W	41.72'
C14	29.50'	46.34'	90°00'00"	N44°45'14"E	41.72'
C15	29.50'	46.34'	90°00'00"	S45°14'46"E	41.72'
C16	29.50'	46.34'	90°00'00"	S44°45'14"W	41.72'
C17	29.50'	46.34'	90°00'00"	N45°14'46"W	41.72'
C18	29.50'	46.34'	90°00'00"	N44°45'14"E	41.72'
C20	330.00'	32.87'	5°42'25"	S2°36'27"W	32.86'
C46	29.50'	46.34'	90°00'00"	S45°14'46"E	41.72'
PC1	1047.00'	64.32'	3°13'12"	N15°13'36"E	64.31'

**OWNER'S DEDICATION**  
Known all men by these presents 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:  
**PROVIDENCE AT OVERLAKE SUBDIVISION PHASE 3**  
The undersigned owner(s) hereby dedicate to Tooele City all those parts or portions of said tract of land on said plat designated herein as streets, the same to be used as public thoroughfares forever. The undersigned owner(s) also hereby convey to Tooele City and any and all public utility companies providing service to the herein described tract a perpetual, non-exclusive easement over the streets and public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of public utility service lines and facilities. The undersigned owner(s) also hereby conveys any other easements as shown hereon to the parties indicated and for the purpose shown hereon.  
In witness whereof I have hereunto set my / our hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

- KEY NOTES**
- SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS
  - FOUND STREET MONUMENT



**LEGEND**

	EXISTING STREET MONUMENT		ADJACENT PROPERTY LINE
	PROPOSED STREET MONUMENT TO BE SET		SECTION LINE
	SECTION CORNER		CENTER LINE
	5/8"X24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."		EASEMENT LINE
	P.U.D.E. PUBLIC UTILITY AND DRAINAGE EASEMENT		ADJACENT RIGHT OF WAY LINE
	BOUNDARY LINE		TANGENT LINE

**NOTE:**  
OFFSET PINS TO BE PLACED IN TOP BACK OF CURB, 3/4" x 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL OTHER LOT AND BOUNDARY CORNERS

**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 ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET 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 1-800-366-8532.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_

**ROCKY MOUNTAIN POWER**  
ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF ELECTRICAL UTILITIES SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ROCKY MOUNTAIN POWER AT 1-800-469-3961.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_

**TOOELE CITY COUNCIL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

**DEVELOPER**  
HOWARD SCHMIDT  
PO BOX 95410  
SOUTH JORDAN, UTAH  
801-859-9449

**SHEET 1 OF 1**  
PROJECT NUMBER: 7563A  
MANAGER: D. KINSMAN  
DRAWN BY: R. FISH  
CHECKED BY: D. KINSMAN  
DATE: 2/26/2019

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

SALT LAKE CITY  
Phone: 801.541.1100  
LAVYTON  
Phone: 435.865.1453  
CEDAR CITY  
Phone: 435.865.1453  
RICHFIELD  
Phone: 435.866.2863

WWW.ENSGNENG.COM

**COUNTY TREASURER APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER

**CITY ATTORNEY'S APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE CITY ATTORNEY

TOOELE CITY ATTORNEY

**CITY ENGINEER'S APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE CITY ENGINEER

TOOELE CITY ENGINEER

**COUNTY SURVEY DEPARTMENT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOOELE COUNTY SURVEY DEPARTMENT.  
RECORD OF SURVEY FILE #2018-0019

TOOELE COUNTY SURVEY DIRECTOR

**COUNTY HEALTH DEPARTMENT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOOELE COUNTY HEALTH DEPARTMENT

TOOELE COUNTY HEALTH DEPT.

**COMMUNITY DEVELOPMENT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE COMMUNITY DEVELOPMENT

TOOELE CITY COMMUNITY DEVELOPMENT

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN TOOELE CITY PLANNING COMMISSION

**PROVIDENCE AT OVERLAKE SUBDIVISION PHASE 3**  
LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH

RECORDED # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
FEES \_\_\_\_\_  
TOOELE COUNTY RECORDER



**STAFF REPORT**

March 21, 2019

**To:** Tooele City Planning Commission  
Business Date: March 27, 2019

**From:** Planning Division  
Community Development Department

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

**Re: Tooele City Police Station – Final Plat Subdivision Request**

Application No.: P19-171  
Applicant: Tooele City  
Project Location: 70 North Garden Street  
Zoning: GC General Commercial Zone  
Acreage: 2.27 Acres (Approximately 98,880 ft<sup>2</sup>)  
Request: Request for approval of a Final Plat Subdivision in the GC General Commercial zone regarding the consolidation of five individual metes and bounds parcels into one platted subdivision lot and creating necessary utility easements.

**BACKGROUND**

This application is a request for approval of a Final Plat Subdivision for approximately 2.27 acres located at 70 North Garden Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Final Plat Subdivision plat be approved in order to consolidate five metes and bounds parcels into one platted subdivision lot. The plat will also finalize various public utility and drainage easements on the property.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The purpose of the GC to encourage the establishment of a wide variety of retail commercial uses, service commercial activities, entertainment and other services and activities meeting the needs of the residents of the City. The General Commercial District (GC) allows and encourages that retail and service businesses and related uses be grouped together into commercial centers. The uses and activities allowed in this District should enhance employment opportunities, provide for commercial activities and services required by residents of the city and surrounding areas, encourage the efficient use of land, enhance property values and add to the overall strength of the city's tax base. The GC General Commercial zoning designation is identified by the General Plan as a preferred zoning classification for the Commercial land use designation. Properties to the north, west and south are all zoned GC General Commercial. Properties to the east are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

*Subdivision Layout.* This is a one lot subdivision plat that is the mechanism Tooele City has chosen to use to consolidate five older metes and bounds parcels into one platted lot. Tooele City ordinance requires new lots in the GC zone to be 3 acres but provides a reduction in lot size to properties that are existing GC zones. The property has been GC zone for many years and is not requiring a zoning map amendment. The lot itself exceeds all requirements for lot frontages and lot widths.

The subdivision plat also facilitates the vacation and creation of various public utility and drainage easements on the property. Existing overhead power line easements on the property will be vacated and public utility and drainage easements will be created along the perimeter of the parcel.

*Criteria For Approval.* The procedure for approval or denial of a Subdivision Final Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-10 and 11 of the Tooele City Code.

## **REVIEWS**

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

1. The subdivision lot as proposed meets or exceeds all minimum requirements as found in the GC General Commercial zone regarding lot size, lot width and lot frontages.

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

*Noticing.* Subdivisions do not require a public hearing and therefore do not require noticing.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Final Plat Subdivision by Tooele City, application number P19-171, subject to the following conditions:

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

This recommendation is based on the following findings:

1. 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 subdivision lot as proposed meets or exceeds all minimum requirements as found in the

GC General Commercial zone regarding lot size, lot width and lot frontages.

**MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Tooele City Police Station Final Plat Subdivision Request by Tooele City for the purpose of creating a new 1 lot subdivision, application number P19-171, based on the findings and subject to the conditions listed in the Staff Report dated March 21, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Tooele City Police Station Final Plat Subdivision Request by Tooele City for the purpose of creating a new 1 lot subdivision, application number P19-171, based on the following findings:”

1. List any findings...



**EXHIBIT A**

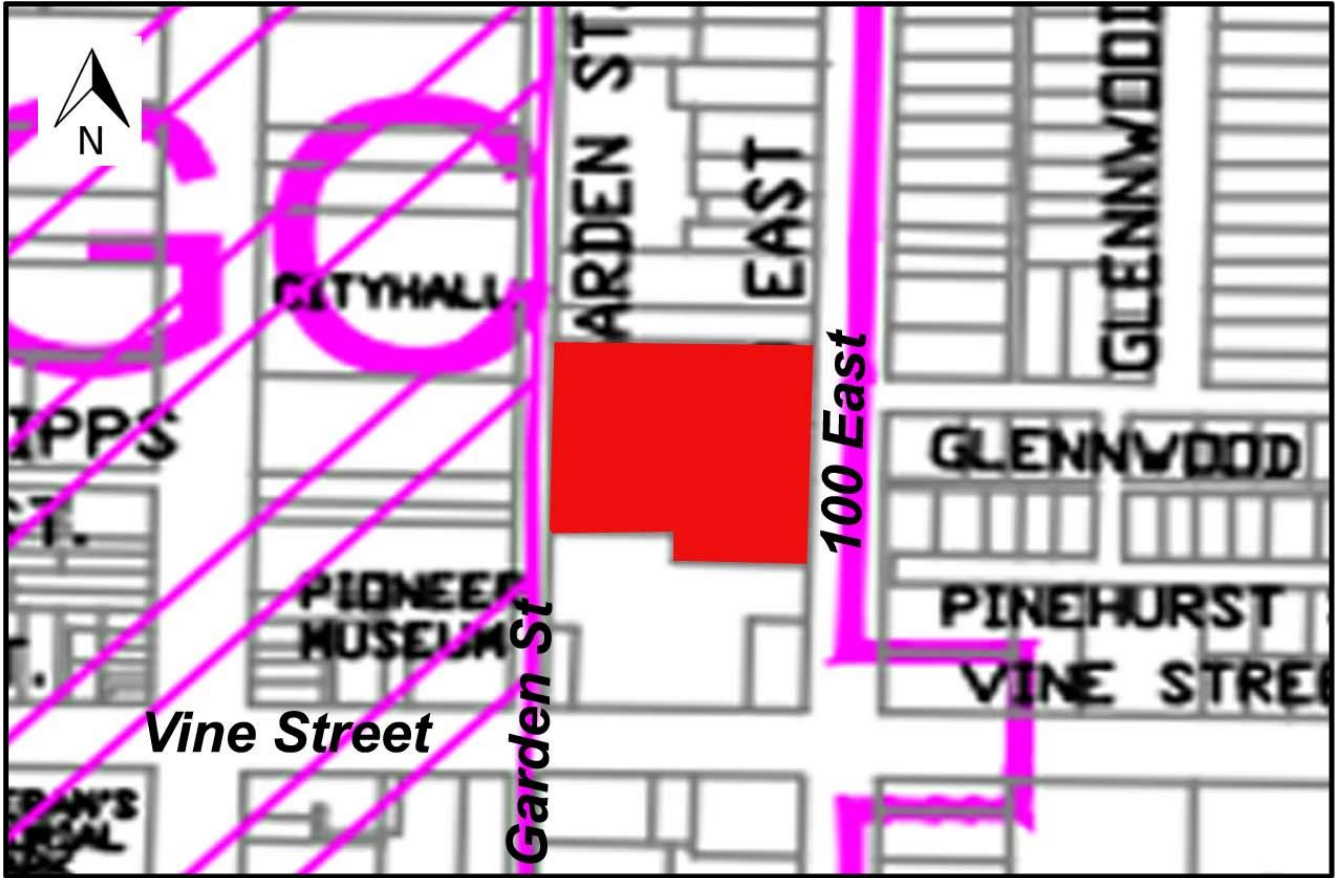
**MAPPING PERTINENT TO THE TOOEELE CITY POLICE STATION FINAL PLAT  
SUBDIVISION**

***Tooele City Police Station Site Plan Design Review***



***Aerial View***

**Tooele City Police Station Site Plan Design Review**

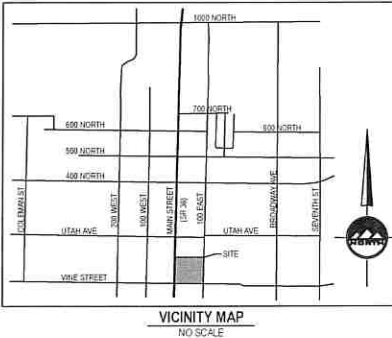


**Current Zoning**



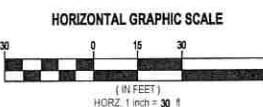
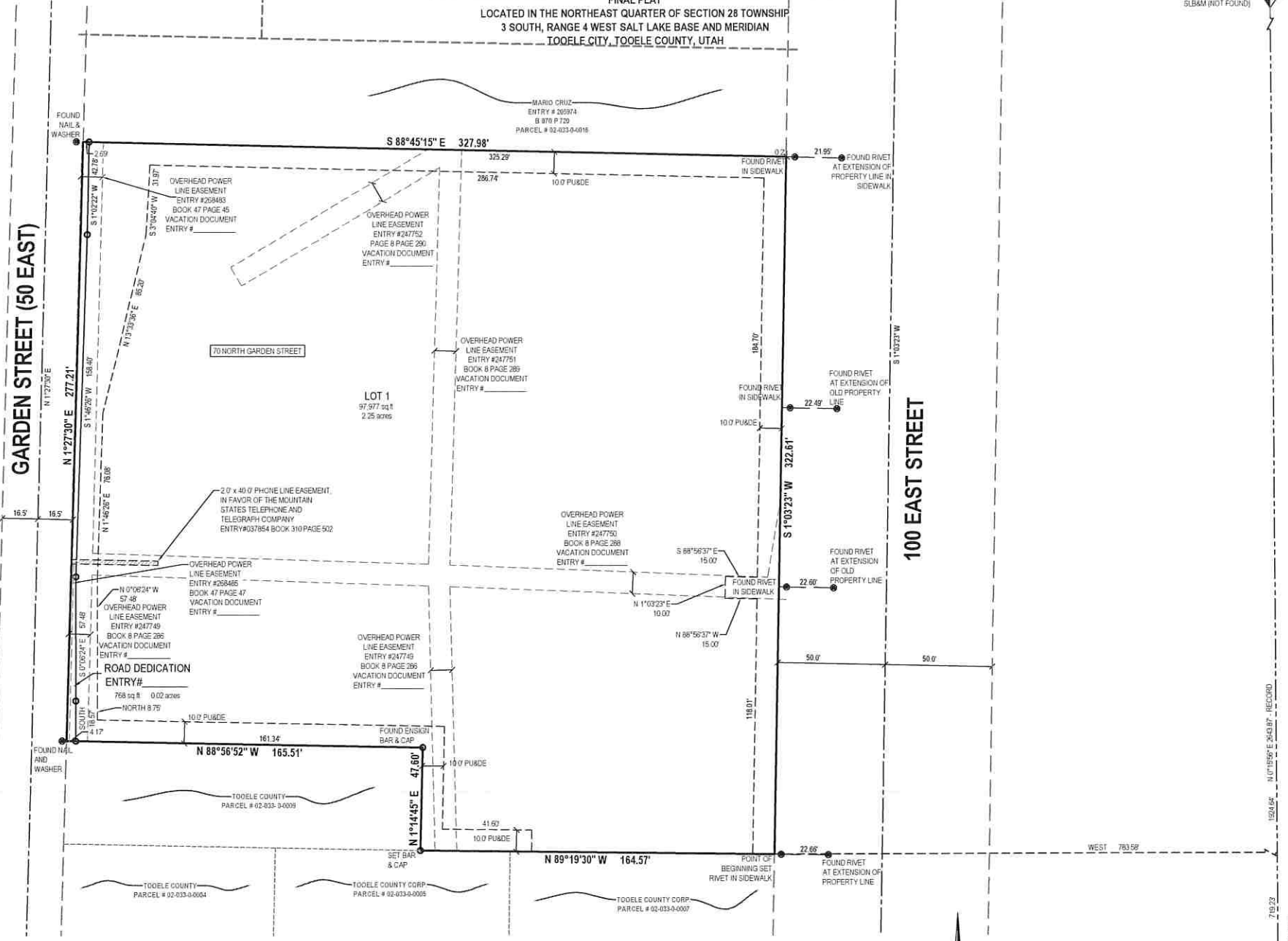
**811** CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.  
Know what's below.  
Call before you dig.

**BENCHMARK**  
RIVET IN SIDEWALK AT THE NORTHEAST  
CORNER OF THE PROPERTY  
ELEVATION +5142.35  
SECONDARY  
RIVET IN SIDEWALK AT THE SOUTHEAST  
CORNER OF PROPERTY  
ELEVATION +5150.45



**TOOELE CITY POLICE STATION 1 LOT SUBDIVISION**

FINAL PLAT  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 TOWNSHIP  
3 SOUTH, RANGE 4 WEST SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



**ENSIGN**  
SALT LAKE CITY  
45 W 10000 S, Suite 500  
Sandy, UT 84070  
Phone: 801.255.0525  
Fax: 801.255.8449  
WWW.ENSIGN.COM

**LAYTON**  
Phone: 801.547.1100  
**TOOELE**  
Phone: 435.843.3358  
**CEDAR CITY**  
Phone: 435.843.3322  
**RICHFIELD**  
Phone: 435.350.0197  
**COLORADO SPRINGS**  
Phone: 303.436.0118

**SHEET 1 OF 1**  
PROJECT NUMBER: #172  
MANAGER: D KINSMAN  
DRAWN BY: C CARPENTER  
CHECKED BY: D KINSMAN  
DATE: 3/20/19

**TOOELE CITY COUNCIL APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
  
CHAIRMAN TOOELE CITY COUNCIL \_\_\_\_\_ ATTEST \_\_\_\_\_

**DEVELOPER**  
TOOELE CITY  
90 NORTH MAIN STREET  
TOOELE, UTAH, 84074  
435-843-2100

**ROCKY MOUNTAIN POWER COMPANY**  
1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.  
2. PURSUANT TO UTAH CODE ANN. § 17-27A-803(A)(3)(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 \_\_\_\_\_

**DOMINION ENERGY**  
DOMINION ENERGY APPROVED THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET 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 ENERGY'S RIGHT-OF-WAY DEPARTMENT.  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE DOMINION ENERGY  
SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_

**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 and streets, hereafter to be known as **TOOELE CITY POLICE STATION 1 LOT 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.

**SURVEYORS NARRATIVE**  
The basis of bearing for this survey is the line between the found monuments at the East Quarter Corner and the Southeast Corner of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, which bears South 0°15'56" East 2843.87 feet (record and measured).

**BOUNDARY DESCRIPTION**  
As Surveyed Description  
A parcel of land, situated in the Northeast Quarter of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:  
Beginning at a point on the west line of 100 East Street, which is located North 0°15'56" West 719.23 feet along the Section line and West 783.58 feet from the found monument at the East Quarter Corner of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:  
thence North 89°19'30" West 164.57 feet;  
thence North 1°14'45" East 47.60 feet;  
thence North 88°56'52" West 165.51 feet to the east line of 50 East Street;  
thence North 1°27'30" East 277.21 feet along said east line;  
thence South 88°48'15" East 327.98 feet to the west line of said 100 East Street;  
thence South 1°03'23" West 322.81 feet along said west line to the Point of Beginning.

Parcel contains: 26,745 square feet or 2.27 acres.

**MARCH 20, 2019**  
Date  
Douglas J. Kinsman  
License no. 334575

**OWNER'S DEDICATION**  
Known all men by these presents that I, we, the under- signed owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the  
**TOOELE CITY POLICE STATION 1 LOT SUBDIVISION**  
do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.  
In witness whereof I, we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

By Municipal Bldg. Authority of Tooele City, Utah, \_\_\_\_\_ By \_\_\_\_\_  
Tooele City Mayor, Debbie Winn

By \_\_\_\_\_ By \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**  
STATE OF UTAH \_\_\_\_\_ J.S.S.  
County of Tooele  
On the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.  
MY COMMISSION EXPIRES \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY  
NOTARY PUBLIC

**TOOELE CITY POLICE STATION 1 LOT SUBDIVISION**  
FINAL PLAT  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 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

**PLANNING COMMISSION APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
CHAIRMAN TOOELE CITY PLANNING COMMISSION \_\_\_\_\_

**COMMUNITY DEVELOPMENT APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TOOELE CITY COMMUNITY DEVELOPMENT \_\_\_\_\_

**COUNTY HEALTH DEPARTMENT APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TOOELE COUNTY HEALTH DEPT \_\_\_\_\_

**COUNTY SURVEYOR APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
RECORD OF SURVEY FILE # 2013-0012-01  
TOOELE COUNTY SURVEYOR \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TOOELE CITY ENGINEER \_\_\_\_\_

**COUNTY TREASURER**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TOOELE COUNTY TREASURER \_\_\_\_\_

**CITY ATTORNEY'S APPROVAL**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TOOELE CITY ATTORNEY \_\_\_\_\_



**EXHIBIT B**  
**PROPOSED DEVELOPMENT PLANS**

## MEMORANDUM

To: Tooele City Planning Commission  
From: Jim Bolser, AICP, Director  
Date: March 21, 2019  
Re: Parking Standards Text Amendment to the Tooele City Code

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## Subject:

Over the past number of years, Tooele City has supplemented the existing provisions of Chapter 7-4 of the City Code regarding parking with policy determinations to address certain aspects of parking design and layout. It is proposed not only to revisit the existing provisions of the Chapter 7-4 for areas that may be improved but also look for ways to condense provisions or remove duplications as well as bring policies topics into the codified regulations. This proposal was developed using a committee of various staff members, a City Council member representative, and a Planning Commission representative. This committee did a wonderful job working together to develop the attached proposal for your review which is intended to address multiple intentions. Because there are multiple intentions and the resulting effort produced a proposal with extensive revisions, the attached proposal for Chapter 7-4 is shown in a final layout form rather than in the typical strikeout and underline format for ease of reading. For comparative purposes, there is also attached a copy of the existing Chapter 7-4. The listing below is intended to provide a brief synopsis of the primary themes included in this proposal to hopefully help guide your review through the proposal.

**Background Purposes**

- General update and modernization of ordinances related to parking
- Incorporate existing policies related to parking design and layout into the Code
- Clarify term for the provision of parking
- Clarify terms on the calculation of parking requirements
- Provide some measure of flexibility where appropriate for the requirements for parking
- Provide clarity and codification of provisions regarding parking lot design, including landscaping
- Establish clear provisions for aspects of parking design related to public safety
- General housekeeping and technical updates

**Chapter 7-15 – Residential Facilities for Persons with a Disability**

- Clarify provision regarding parking to defer to Chapter 7-4

**Chapter 7-15a – Residential Facilities for Elderly Persons**

- Clarify provision regarding parking to defer to Chapter 7-4

**Chapter 7-16 – Zoning District Purpose and Intent. Mixed use, Commercial, Industrial and Special Purpose Districts**

- Remove Table 3 to the Chapter to condense and include the information contained into Chapter 7-4

As always, should you have any questions or concerns please feel free to contact me at any time.

**PROPOSED LANGUAGE FOR CITY CODE CHAPTER 7-4 PARKING**



## CHAPTER 4. OFF-STREET PARKING REQUIREMENTS

### 7-4-1. Purpose and Scope.

### 7-4-2. Parking to be Prohibited.

### 7-4-3. Parking Calculation.

### 7-4-4. Number of Parking Spaces.

### 7-4-5. Parking Calculation Ranges.

### 7-4-6. Parking Studies

### 7-4-7. Parking Location.

### 7-4-8. Access Requirements.

### 7-4-9. Parking Lots.

### 7-4-10. Parking Dimensions.

### 7-4-11. Public Safety Aisles.

### 7-4-1 Purpose and Scope.

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

### 7-4-2 Parking to be Provided.

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

### 7-4-3. Parking Calculation.

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

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

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

**7-4-4. Number of Parking Spaces.**

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

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

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

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

<sup>1</sup> With adequate drop off and pick up area as determined by the Director

<sup>2</sup> Unless otherwise specified in Chapter 16 of this Title

<sup>3</sup> In developments of three-family, four-family, or multi-family dwelling units

#### 7-4-5 Parking Calculation Ranges.

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

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

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

#### **7-4-6. Parking Studies.**

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

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

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

**7-4-7. Parking Location.**

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



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

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

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

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

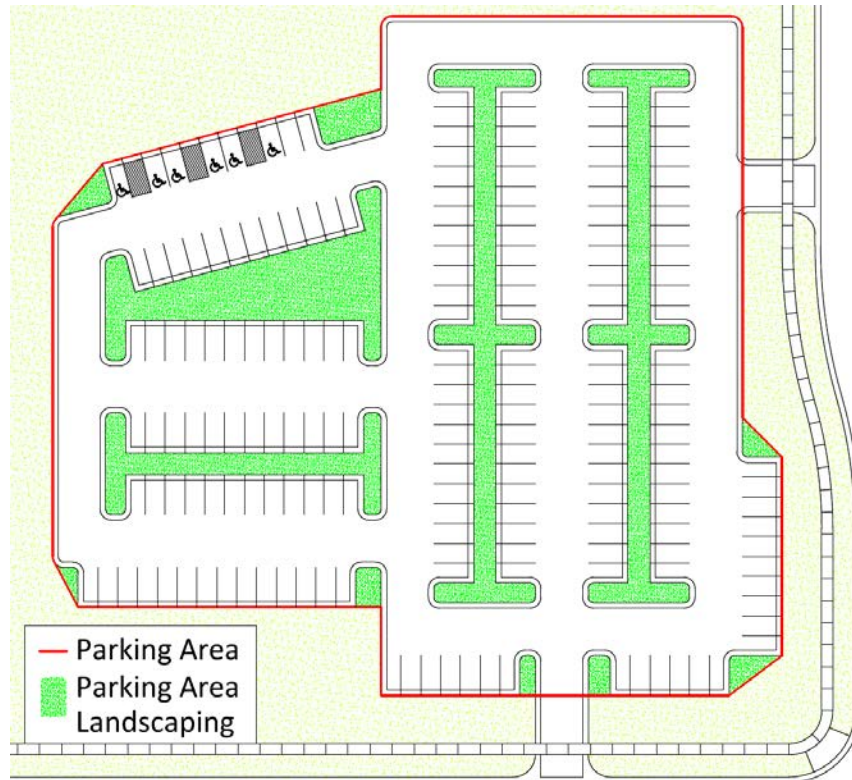
- (a) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two or more properties, no drive approach shall be closer than ten feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend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

**7-4-9. Parking Lots.**

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

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

**Figure 7-4-1 – Parking Area Landscaping.**



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

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

**7-4-10. Parking Dimensions.**

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

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

**Figure 7-4-2 – Angled Parking Layout.**

Parking Stalls with Front Overhang

Parking Stalls without Front Overhang

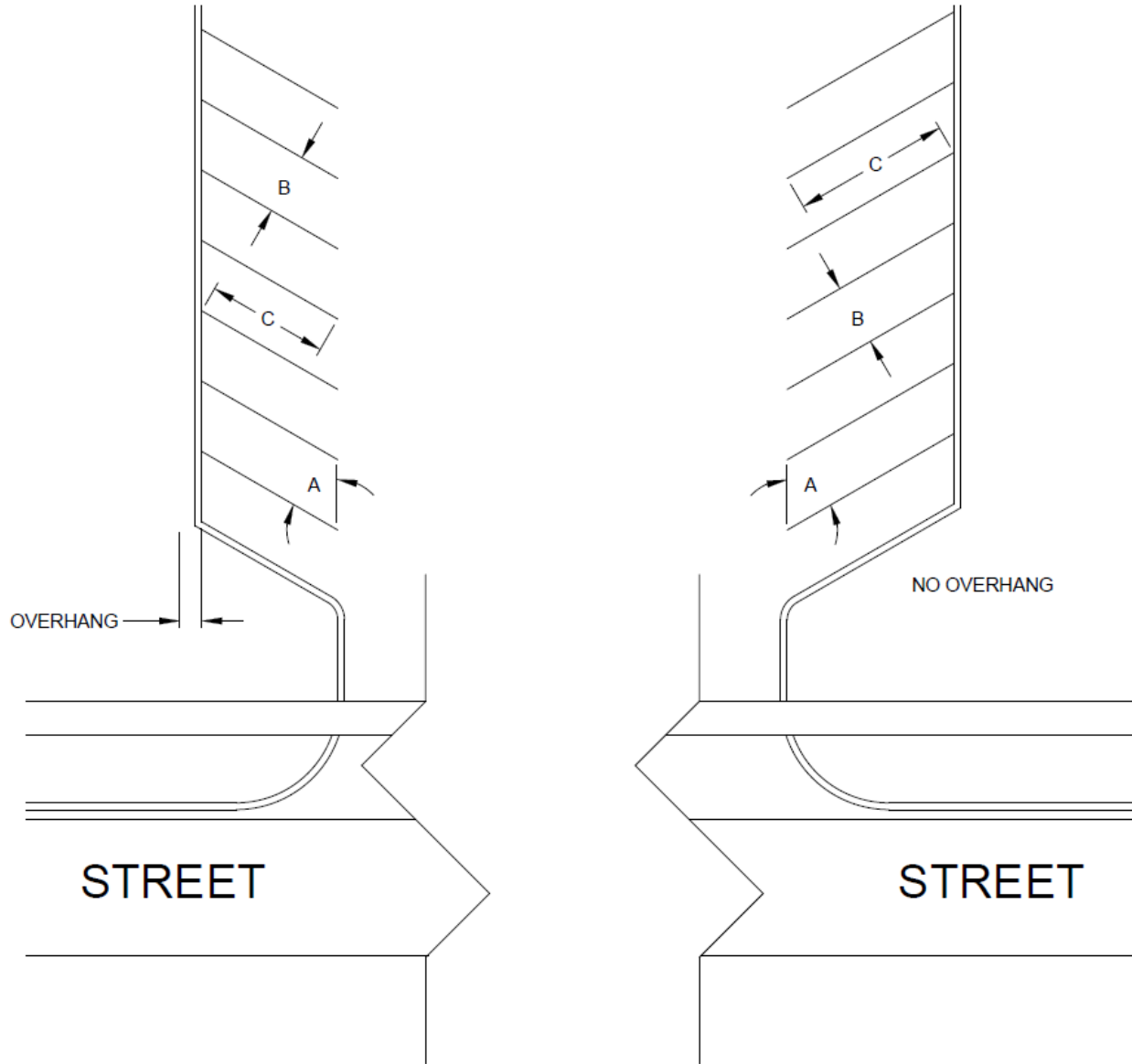


Table 7-4-2 – Angled Parking Dimensions.

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

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

**7-4-11. Public Safety Aisles.**

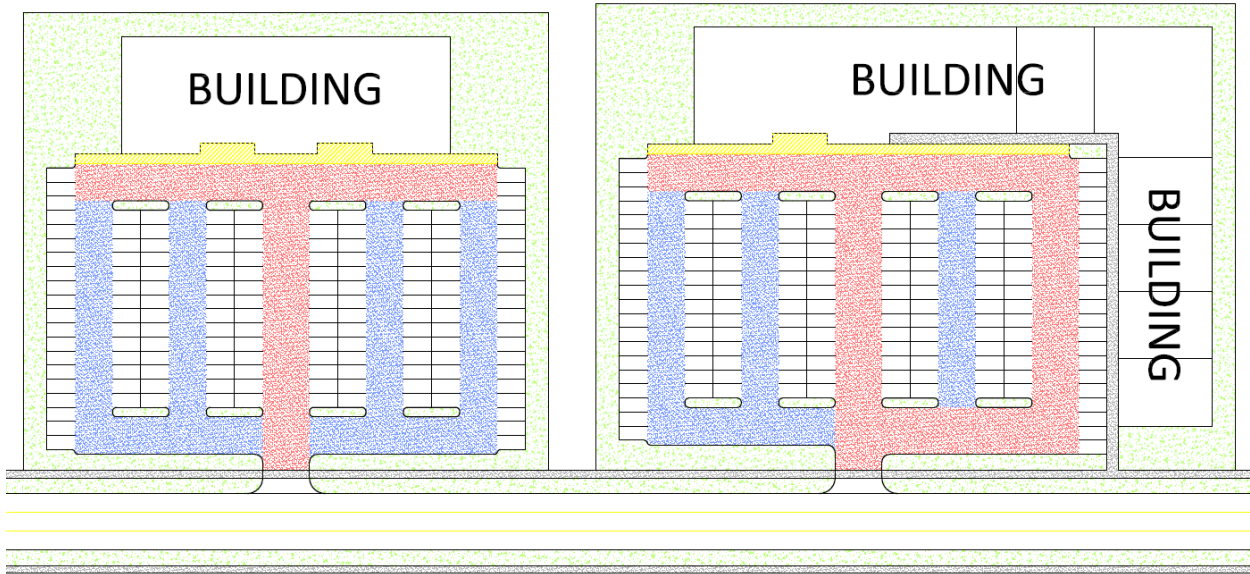
Every lot or parcel that includes a parking area with internal vehicular aisles for access to parking spaces shall provide public safety access and facilitation aisles. Those public safety aisles shall be a minimum of 30 feet in width, measured from curb-face to curb-face and as shown in Table 7-4-2,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

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



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

Figure 7-4-3 – Public Safety Aisles.



24' Standard Parking Aisles

30' Emergency Access Routes

**PROPOSED LANGUAGE FOR ASSOCIATED CITY CODE CHAPTERS**

**CHAPTERS 7-15  
CHAPTERS 7-15a  
CHAPTERS 7-16**

## CHAPTER 15. RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

### 7-15-1. Applicability.

### 7-15-2. Purpose.

### 7-15-3. Permitted Use; Requirements.

### 7-15-4. State Certification or Licensure.

### 7-15-5. Revocation of Occupancy Permit.

### 7-15-6. Violations.

### 7-15-7. Reasonable Accommodation.

### 7-15-8. Appeals.

### 7-15-1. Applicability.

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

### 7-15-2. Purpose.

The purposes of this Chapter include:

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

### 7-15-3. Permitted Use; Requirements.

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

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

### 7-15-4. State Certification or Licensure.

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

the property of others.

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

#### **7-15-5. Revocation of Occupancy Permit.**

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

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

#### **7-15-6. Violations.**

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

#### **7-15-7. Reasonable Accommodation.**

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

#### **7-15-8. Appeals.**

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



## CHAPTER 15a. RESIDENTIAL FACILITIES FOR ELDERLY PERSONS

### 7-15a-1. Applicability.

### 7-15a-2. Purpose.

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

### 7-15a-4. Revocation of Permit.

### 7-15a-5. Violations.

### 7-15a-6. Reasonable Accommodation.

### 7-15a-7. Appeals.

### 7-15a-1. Applicability.

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

### 7-15a-2. Purpose.

The purposes of this Chapter include:

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

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

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

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

upon the occurrence of any of the following:

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

**7-15a-5. Violations.**

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

**7-15a-6. Reasonable Accommodation.**

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

**7-15a-7. Appeals.**

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

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

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

**TABLE 3**  
**MINIMUM OFF-STREET PARKING STANDARDS**

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

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

**EXISTING LANGUAGE FOR CITY CODE CHAPTER 7-4 PARKING**



## CHAPTER 4. OFF-STREET PARKING REQUIREMENTS

### 7-4-1. Off-Street Parking Required.

### 7-4-2. Access to Individual Parking Space.

### 7-4-3. Number of Parking Spaces.

### 7-4-4. Access Requirements.

### 7-4-5. Parking Lots.

### 7-4-6. Parking Calculation.

### 7-4-1. Off-Street Parking Required.

- (1) 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.
- (2) For the purpose of this Title, when the required number of off-street spaces results in a fractional space, fractions less than one-half shall be disregarded. Fractions of one-half or more shall be rounded up.

### 7-4-2. Access to Individual Parking Space.

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

### 7-4-3. Number of Parking Spaces.

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

- (1) Beauty Shop. Two parking spaces for the first patron station and one parking space for each additional patron station. Excluding wash stations.
- (2) Business or professional offices. One parking space for each 200 square feet of floor area.
- (3) Churches, sports arenas, auditoriums, theaters, assembly halls, meeting rooms, funeral homes, mortuaries, etc. One parking space for each three seats of maximum seating capacity.
- (4) Commercial Day-Care/Pre-School Center. One space for every employee during regular business hours, plus four visitor parking spaces with adequate drop off and pick up area as determined by the Director.
- (5) Dwellings. Unless otherwise specified in Chapter 16 of this Title:
  - (a) single-family dwelling units shall provide two parking spaces per unit;
  - (b) two-family dwelling units shall provide two parking spaces per unit;
  - (c) multi-family dwelling units shall provide:
    - (i) units of less than two bedrooms shall provide 1½ parking spaces per unit;
    - (ii) two bedroom units shall provide 1½ parking spaces per unit;
    - (iii) units of three bedrooms or more shall provide two parking spaces per unit; and,
  - (d) visitor parking in developments containing multi-family dwelling units shall be provided as one space for every four dwelling units.
- (6) Furniture and appliance stores. One parking space for each 600 square feet of floor area.
- (7) Health Care Facility. One parking space for each two patient beds plus one parking space for each employee during regular business hours.
- (8) Health Care Provider. Three parking spaces for each doctor, dentist, therapist, or other health care provider plus one parking space for each employee during regular business hours.
- (9) Hotels, motels, motor hotels. One space for each living or sleeping unit, one space for each employee, plus parking space for all accessory uses as herein specified.
- (10) Nursing homes. One parking space for each four patient beds plus one parking space for each employee during regular business hours.
- (11) Personal Services. One parking space for each 300 square feet of gross floor area.
- (12) Public or Private Educational Facility, Public Use. As approved by Director recognizing the location and use proposed based on the nearest comparable use standards.
- (13) Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments. One parking space for each three seats or one parking space for each 100 square feet of floor area (excluding kitchen, storage, etc.), whichever is more.
- (14) Retail Stores. One parking space for each 300 square feet of gross floor area.

- (15) Wholesale establishments, warehouses, manufacturing establishments, and all industrial uses. One parking space for each employee during regular business hours, adequate spaces for company owned vehicles, plus four visitor parking spaces.
- (16) Commercial Centers. One parking space for each 300 square feet of gross floor area. As determined by the Director, individual establishments in a Commercial Center may share parking stalls upon the establishments demonstrating such factors as different hours of establishment operation and different peak hours of patronage to the sharing establishments.
- (17) All other uses not listed above. As determined by the Director, based on the nearest comparable use standards.

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

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

- (1) One- and two-family residential lots. Access to one- and two-family residential lots shall be provided to meet the following requirements:
  - (a) Not more than two drive approaches shall be allowed for any residential lot.
  - (b) The width of a drive approach shall not be greater than 30 feet or more than one-third of the lot frontage in which the drive approach is constructed, whichever is less. A drive approach adjacent to a Cul-de-sac or curved lot with a frontage of less than 90 feet may exceed one-third of that frontage, as determined by written administrative policy.
  - (c) A lot may have a singular thirty-foot drive approach or two drive approaches that total 30 feet wide. A drive approach shall have a minimum width of ten feet. Two drive approaches on the same lot must have a minimum of 12 feet between them.
  - (d) A drive approach shall be measured from the bottom of the flares. The flare shall not be greater than three feet long.
- (2) Other lots. Access to lots other than one- and two-family residential lots shall be provided to meet the following requirements:
  - (a) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street.
  - (b) No two of said drive approaches shall be closer to each other than 12 feet, and no drive approach shall be closer to a side property line than three feet.
  - (c) Each drive approach shall not be more than 40 feet wide, measured at right angles to the center line of the drive approach, except as increased by permissible curb return radii. Upon the recommendation of the City Engineer, the Planning Commission may extend a commercial drive approach to 50 feet wide.
  - (d) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two or more properties, no drive approach shall be closer than ten feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.
  - (e) In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant shall provide protection strips along the entire frontage of the property, except for the permitted drive approaches and on the street side of each such strip there shall be constructed a concrete curb, the height, location, and structural specifications of which shall be approved by the City Engineer.
  - (f) Driveways or drive approaches shall not be located where sharp curves, steep grades, restricted sight distances or any other feature or characteristics of the road or driveway or drive approach by itself or in combination impairs safe traffic operation. The relocation of highway signs, signals, lighting or other traffic control devices necessitated by a drive approach shall be relocated by Tooele City or its agent at the permittee's expense.

**7-4-5. Parking Lots.**

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

- (1) Each off street parking lot shall be surfaced with a bituminous surface course, Portland cement concrete or other approved surface to provide a dustless surface. The planning commission must approve any surface that is not bituminous surface course or Portland cement concrete.

- (2) The sides and rear of any off-street parking lot which face or adjoin a residential district shall be adequately screened from such district by a masonry wall or solid visual barrier fence not less than three or more than six feet in height as measured from the high side.
- (3) Each parking lot shall be landscaped and permanently maintained.
- (4) Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjoining premises and from street traffic.
- (5) Where not otherwise authorized by this Title, when in the best interests of the community as determined by the planning commission, the commission may grant temporary or permanent conditional use permits for the use of land in residential districts for a parking lot, provided that in all cases the following conditions are met:
  - (a) The lot is to be used only for parking of passenger automobiles of employees, customers, or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance and upkeep.
  - (b) No charges shall be made for parking on the lot.
  - (c) The lot shall not be used for sales, repair work, or servicing of any kind, but shall be used for parking of vehicles only.
  - (d) Entrances to and exits from the lot shall be located so as to do the least harm to the residential district in an aesthetic context.
  - (e) No advertising sign shall be located on the lot.
  - (f) All parking is to be kept back of the setback building lines by a barrier which will prevent the use of the premises in front of the setback lines for the parking of automobiles.
  - (g) The parking lot and that portion of the driveway behind the building line is to be adequately screened from the street and from adjoining property in a residential district by a hedge or sightly fence or wall not less than three feet, nor more than six feet in height, which is to be located behind the building setback line. All lighting is to be arranged so there will be no glare therefrom annoying to the occupants of an adjoining property in a residential district. The surface of the parking lot is to be smoothly graded, hard-surfaced and adequately drained.
  - (h) There may be imposed such other conditions as may be deemed necessary by the planning commission to protect the character of the residential district.
  - (i) Drainage shall be disposed of upon the premises of the parking lot, as per the requirement set by the city engineer.
  - (j) No private or public garage or parking lot for more than five motor vehicles shall have an entrance or exit in any district within 150 feet of the entrance or exit of a public school, church, playground, or other public or semi-public institution or facility.

**7-4-6. Parking Calculation.**

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

- (1) Fractional Numbers. Any fractional parking space requirement resulting from a parking calculation shall be rounded up to the next whole number.
- (2) More Than One Use on Lot. If a lot or parcel contains more than one use, parking spaces shall be provided in an amount equal to the total of the requirements for each use unless shared parking is approved pursuant to this Chapter.
- (3) Square Foot Basis. Parking requirements based on square footage shall be calculated using gross floor area unless otherwise provided in this Chapter.
- (4) Employee Basis. Parking requirements based on the number of employees shall be calculated using the largest number of persons working on any shift, including owners and managers.
- (5) Uses Not Listed. If a development application is received for a use not specifically included in this Chapter, the Director of the Community Development Department shall apply the parking requirements for the use deemed by the Director to be most similar to the use proposed in the application or may require a parking study be provided by the applicant to determine the appropriate parking requirement.
- (6) Accessible Parking Spaces. Parking spaces compliant with ADA regulations shall be provided as required by the current building codes adopted by the City and any other standards adopted by the City. Accessible spaces shall be counted towards the fulfillment of the on-site parking requirement for each use.

**TOOELE CITY PLANNING COMMISSION MINUTES**  
**March 13, 2019**

**Date:** Wednesday, March 13, 2019

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

**Commission Members Present:**

Tony Graf  
Tyson Hamilton  
Melanie Hammer  
Chris Sloan  
Shaunna Bevan  
Phil Montano  
Bucky Whitehouse

**Commission Members Excused:**

Matt Robinson

**City Employees Present:**

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

**Council Members:**

Council Member McCall  
Council Member Gochis

Minutes prepared by Kelly Odermott

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Bevan.

**2. Roll Call**

Tyson Hamilton, Present  
Tony Graf, Present  
Melanie Hammer, Present  
Chris Sloan, Present  
Shaunna Bevan, Present  
Phil Montano, Present  
Bucky Whitehouse, Present

3. **Public Hearing and Decision on a Zoning Map Amendment from the RR-1 Residential zoning district to the MDR Medium Density Residential zoning district by Sylacauga Development, LLC for 16.4 Acres located at 600 and 650 West Utah Avenue.**

Presented by Andrew Aagard

Mr. Aagard stated this zoning map amendment request involves two properties. A map of the properties was shown on the screen. The properties are currently vacant land utilized exclusively for agricultural purposes. There are some existing homes located to the east on some properties that are also zoned for rural residential. The subject properties are zoned RR-1 Residential. All properties surrounding the parcels are zoned RR-1 Residential. The RR-1 zone is a rural residential zone requiring one-acre single family residential lots and permits agricultural uses such as farm animals, agricultural and horticultural business. Multi-family dwellings are not permitted in the RR-1 zone. The applicant wishes to change the zoning of the property to the MDR Medium Density residential zone. The MDR permits up to 8 dwellings per acres and permits duplexes and multifamily attached dwellings as well as single family zones. The MDR zone does not permit farm animals and other types of agricultural and horticultural uses. The applicant did submit a concept plan for the Planning Commission's reference to demonstrate the intentions with the property. However, the site plan is not up for review or approval. The City must consider if the highest and best use of the property regardless of the applicant is the MDR district and if rezoning this property to the MDR zone is a benefit to Tooele City as a whole. Mr. Aagard stated that the plan proposes single family lots on the north and east side of the property with five acres of the parcel being utilized for townhomes. That is this applicant's intentions, however they could sell the property, abandon their plans sell the property and another developer could develop the property fully as MDR.

Mr. Aagard stated that he ran some preliminary numbers for the Planning Commission and public information. After accounting for roads and public space dedication, the property could yield approximately 13 residential lots if developed with the current RR-1 residential zoning. If rezoned to MDR the property could yield approximately 104 units. It is not the applicant's intent to develop the entire property to maximize the density as the concept plan indicated the five acres, but the city must consider the maximum zoning and entitlements if the applicant were to sell or abandon the property.

Mr. Aagard stated that there are some challenges to the property. There are no utilities to the property currently. There is no sewer line nearby and water is a challenge in this location. One of the big differences between the zone is the farm animals. The RR-1 zone allows agricultural animals. Essentially a multi-family development surrounded by homes with large animals.

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

Commissioner Hammer stated that it was mentioned that it would be difficult to get water to this location, and asked Mr. Aagard to clarify the remarks. Mr. Aagard stated that he believed that the closest water line is on Coleman street. The water line would need to be brought across a property to get to the development. There are not utilities readily available.



Chairman Graf asked if the developer would be responsible for upgrading the utilities only on the property or would be responsible for other capital improvements. Mr. Aagard stated that the developer would be responsible to install utilities on the property and then install the utilities offsite to facilitate any upgrades for impacts that their development would cause to the existing utilities. Chairman Graf asked in regard to the water from Coleman Street would the developer bare the costs of the upgrades to ensure the proper amount of water is brought to the development. Mr. Aagard stated correct.

Commissioner Hammer stated she was confused about getting water to a location, she has not seen this issue before in a meeting. Mr. Aagard stated that it is not a problem, it is just a challenge. Commissioner Sloan stated that this issue has not been presented recently to the Planning Commission. Mr. Aagard stated that these areas of rural residential are unique. They are in a part of the City that is largely undeveloped and it poses challenges.

Commissioner Bevan wanted to make some comments. She stated that she lives on Utah Avenue, but is further West than this property, but she can see some problems with this development. In the past few meetings the Planning Commission has been talking about the need for more housing and the housing shortage. She stated that she thinks that it is important to maintain a rural atmosphere in the Community. This is something that Tooele is known for. Commissioner Bevan stated this particular property is surrounded by the RR-1 zoning designation. She stated that she knows other individuals who have been in RR-1 zones and subdivisions have been built right up to their properties. She stated that the developers think that this will be a lovely place to develop, there are lovely views, but then there could be farming equipment that is running all hours of the night because most of the farmers farm after their day jobs, there are lots of animal noises, chickens, and cows, manure smells. Those are things that people from subdivision areas don't realize that might be a problem until they are next door. These issues don't create a very harmonious neighborhood when there are people who are farming and subdivisions. She stated that she can see that this will be a real detriment and she thinks that some rural should be maintained in the City limits.

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

Mr. Bolser stated that for clarification, there are water lines in Utah Avenue, but there are no sewer lines in Utah Avenue. Even if there were, this property would be below grade from the lines at Utah Avenue.

Chairman Graf opened the public hearing.

Mr. Brad Lancaster with the development proposing he application stated he wanted to answer the comment from Commissioner Bevan. He stated that the developers do respect what Tooele City is. While they understand the rural feel and can respect that, they also understand that if there are going to be places for future generations to live, then somebody needs to provide them. The purpose of this development is to provide affordable housing. That is the intent and desire. At current market rates Tooele is becoming unaffordable quickly. The average mortgage in Tooele County is only for the top 80 % of income earners. If this developer does not provide housing that is affordable, no one will. The developer understands that anytime there is growth

there will be concerns, there will be challenges. Mr. Lancaster stated that the developer feels strongly that Tooele is the place that can handle those challenges. The developer understands the concerns of the residents in the area. In the concept plan there is a buffer between the current RR-1 and the proposed development. The development won't move into higher density of dwellings until the development heads further west on the property. There are not many opportunities that would give this many affordable housing opportunities.

Commissioner Sloan asked what kind of product will go in the development. Mr. Lancaster stated that the product will be similar to Richmond America Homes off of 200 West. The homes will be cottage style single family dwellings on a smaller lot of 7,000 to 8,000 square foot lot, rambler, ranch or two-story concept of 1,400 to 2,000 square feet with two car garages.

Chairman Graf asked about the farm animals, equipment, and smells, how would the developer address that? Mr. Lancaster stated that those are a concern, but how are they currently addressed with nearby residents. He further stated that there is a MDR zone just to the north of this parcel. The developer is in the process of finishing West Point Meadows and those are townhome condominiums. The townhomes are affordable and right next to the old water treatment plant. Commissioner Bevan stated yes, but those parcels have buffer fields instead of being next to the back yards of properties with agricultural zoning. The line of homes on Coleman Street, there are poultry, emus and other agricultural animals. Mr. Lancaster stated there is a plan of privacy fencing that would add a buffer to the project. The developer is not asking residents to get rid of animals. Mr. Lancaster stated that the developer believed that there can be things done with the buffer to mitigate the concerns.

Mr. Steve Wilcock stated he lives on Coleman Street. He and his wife bought their property 18 years ago because of the rural feel of the property. It's nice and homie. He stated that he hates to see a development that will have over 400 people in it beside his property. He stated he doesn't think there is enough water. The water pressure on Coleman is not very good. As far as Coleman Street, it is crowded. There will be more cars coming from the development and cause more problems, especially with the elementary school traffic. He read a definition that fits this development. "This is the process of singling out a small parcel of land for use classification totally different than the surrounding area to the benefit of the owner of such property and to the detriment of other owners." He stated that the definition he read is the definition for spot zoning and he thinks this development meets the criteria for spot zoning. He further stated that he spent 13 years on the Planning Commission for the City of Grantsville. And they didn't do spot zoning. He stated he is against the development.

Ms. Lynne Walker who lives on West Utah avenue addressed the board. She stated that her concerns are much of what Commissioner Bevan had stated because she has farm animals and equipment. She stated that this change would cause lots of problems. She stated that her main concern is the elementary school. Her kids are bussed because it is not safe to walk to school a block away. In the past four weeks, Ms. Walker claimed that her child had almost ben hit four times due to the traffic on Utah Avenue. Cars did not pay attention to the bus signals and the bus driver had to stop her child from crossing the street until a car passed, not abiding the bus stop signs. That is a major issue. She stated that there are no sidewalks from the corner to the development to Northlake Elementary School which is about a block away. The elementary

school is overcrowded and adding more families is not reasonable. Especially with the further building of MDR they all feed into the elementary school. Ms. Walker stated that the water pressure during the summer is not good. Settlement Canyon Water shuts off the water every summer limiting uses for agricultural and water animals. She stated that she really did not think the development was a positive thing. She asked what will happen to all those on septic tanks who are on Utah Avenue.

Mr. Mike Leonell stated he was born and raised on the West side of Tooele City. He referred to several streets, 1<sup>st</sup> West, 2<sup>nd</sup> West, McKellar, Coleman, and Vine Street to describe the area of Tooele City that is currently zoned as rural residential. He stated that he is struggling with this development and it impacts the community that was not notified of the hearing. He stated that the Coleman street is difficult to travel and kids walk up and down the street due to the elementary schools. Mr. Leonell made some comments related to his feelings about how developers work for money and do not consider the community. He stated that he is the largest land owner in the area near the development and that the Planning Commission had a tough job decision to make. Tooele City needs to grow and will be forced to grow, but he didn't think this is the right time. He further stated that sewer will be very difficult to put in due to the location of the sewer lines and the development. He mentioned that with the development there will be need for a four way stop or light at McKeller and Coleman Street. Mr. Leonell stated that this development will be surrounded by RR-1 properties and there will be cow manure smells and tractors running which will disturb the development residents. He further stated that he is against the development and he thinks that all residents that are in the area should have been notified of the hearing because they are affected by the development.

Commissioner Hammer asked Mr. Leonell where his property was and if he could point it out on the map on the screen. He pointed his property out on the map. He stated he owns 25 acres, his brother 8 acres and father 11 acres.

Ms. Lainey Reigal Realtor stated many of the problems that we see as realtors are individuals who see a parcel of ground with a little bit of land and assume that it is okay to have a goat or horse. In the past there were grandfathered property rules to allow animals and there was a certificate for properties that housed animals. However, that doesn't mean the properties were in RR-1 and specifically specified for animals. The book and binder is no longer used to prove there were animals on the property. Now the neighbors can get upset if there are flies, or too many horse on a parcel of ground that isn't RR-1 and it goes away. The concern is not being against development, but Tooele City residents will not get back an RR-1 zoning if it is rezoned. Acreage in the middle of Tooele will not be rezoned back to RR-1 for animals. Ms. Reigal stated that this is the most logical place for people to have animals in Tooele City.

Mr. Zach Saling stated he lives on Coleman and moved there to have animals. He stated that things that worry him are schools and no sidewalks. The sewer worries him and it has backed up in the past in his home on Coleman. It backed up because it rained and there was too much water. He is worried about property values and how that will affect his property. Mr. Saling stated that the property to the north that was sold and developed had several different developers and the development going in currently was not what was originally proposed. It worries him that the land for this development will be sold and the whole thing will be

townhomes with the MDR zoning. He stated he doesn't support the development and he wants to have the rural feeling where he lives. He shared a story of friend who has had issues with rezoning and petitions of people who don't want to deal with the rezoning and animals. The neighbors would like to keep it RR-1. He stated that when he built his home he asked for a variance to build his home because it was zoned RR-1 and a half acre lot. He had to meet the RR-1 standards where he lived. He further stated that he hoped and prayed that this will stay rural.

Mrs. Tiffany Lancaster stated she is the real estate agent who is facilitating this property that is under contract for this development. She stated that she has been dealing with the sellers and representing the buyers. She wanted to state that she is a real estate agent in the Tooele County. She stated that there is a real problem with housing in the County. Affordable housing is an issue and she completely understands the concerns with converting the RR-1, but there is an even bigger concern of available properties. There is not a whole lot of land out there for developments such as this. She stated that a lot of the homes on the East side of the property are the sellers and she has met with them. There have been lots of meetings with them and getting input from them on how to make this work for everyone. These developers are not going to come in and make a buck they are looking to do something to be a win, win for everyone. She stated that there are is the Hometown Court and that property doesn't seem to be an issue that they are surrounded by RR-1. Basically, she wanted to say that the developers are open to feedback and working with the community. This is a need that is present and she with the developers have talked about issues with the school and possibility of the need for a stop light and need for sidewalks. There will need to be some solutions. She wanted to say that she went through the proper channels to give notice to property owners. She obtained the lists from the City and had the notices delivered. Members of the public stated that the only property owners who received notice were the Coleman residents. Mrs. Lancaster stated that that was completely unintentional. She stated that they didn't want anyone to think that they are trying to work against the community, but to feel a need in the community and make it so the kids can stay here.

Ms. Angela Hill stated that she lives just west of the subject property. She stated that she has farm animals and her parents live in Hometown Court. She stated that if this property being changed to MDR a fence between the people on Coleman Street and this property will not keep out the smells and the flies. It will bring more police reports about people complaining. She stated she feels it should stay RR-1. She also stated that she feels if it is changed it will keep moving to the west and maybe possibly to the south.

Mr. Myron Nix stated that he lives on Coleman Street. He has lived there for 81 years. He wanted to share several things he has seen over the years. His house has been completely flooded by the sewer, the traffic in the area has become unreasonable. He has watched the east end of Coleman built into housing. He stated that he has watched stupid; with the school being built on the corner of Utah Avenue and Coleman Street and no sidewalks. With the traffic to the school, Coleman Street is not wide enough for the school traffic. He has watched the old City dump. He watched the trailer court and ball park get put in. He stated that he moved to his home because he was a rancher and farmer and he is really disappointed at some of the decisions the City has made. He stated it is hard to get down Coleman now and traffic will make

it worse. He asked about a lawsuit about sewer and water services. Chairman Graf stated that he could ask the attorney about that. He stated from his perspective that there have been some stupid decisions that affect him and he doesn't want to see it again.

Ms. Wendy Garcia stated that she lives on Coleman Street. Her backyard is right on the edge of the proposed development. She stated that she liked going out in her backyard and looking at the view. She likes her privacy and she likes the smells. She doesn't mind one acre lots and half acre lots. She stated that when developments start stacking them housing on top of each other, there will be a lot of problems. She stated that she likes her animals and her neighbors' animals and she doesn't want that to change.

Ms. Margie Gonzalez stated she and her fiancé live across from Northlake Elementary. She stated that it is hard to get to their house during the time of drop off and pick up at the elementary school. She states the proposed property runs right behind their property. It is going to impact them a lot. She agreed that this is spot zoning like the other gentleman said. Ms. Gonzalez stated that her fiancé had recently purchased his parents' home, which they live in and there will be a large impact to them with the development. They currently do not have animals, but they like the fact they can have animals if they choose. The impact for them is we bought it from his parents. She further stated that her house did receive the public notice, but they had friends in the area that did not receive the notice and they are not happy about the development. She stated that we bought the property to have a one-acre lot and for no one to complain what they did with their land.

Mr. Leoell from the audience asked what happens now. He asked if it is voted and where it goes after this meeting. Is this common? He loves Tooele and always has. It disappoints him to see this happen. What happens now? Commissioner Bevan stated the application will go to City Council. Mr. Leonell stated it disappoints him when he sees people who are unhappy living in Tooele. He further asked about the formal process and protocols.

Mr. Baker stated that the uses of land in Tooele City are governed by policy set by the City Council. Those two main policies are the General Plan of the City including a land use plan element and the zoning ordinances of the City. Those are policy decisions made by the City Council after getting recommendations. Any property owner in the City can ask the City Council to rezone their property. That is State law and City law. That is a property right enjoyed by any property owner, but whether the property is rezoned has to deal with the City's General Plan. Anytime someone applies for a rezone, State law requires the staff to bring it to Planning Commission. Planning Commission has a public hearing and property owners, developers, neighbors, all have an equal voice. No one's voice is any more legitimate than anyone else's. Planning Commission takes that information and decide what to recommend to City Council. That decision is what Planning Commission think is in the best interest in the community for this area. The vote tonight will not be the final decision. It will not change the zoning. It will tell the City Council what Planning Commission thinks is appropriate for the area. The City Council will go through a similar exercise of going through a public hearing and considering all the public comment given tonight, the Planning Commission recommendation, and all the public comment given in a second public hearing given at the City Council meeting. Then City Council will make the final decision. In fact State law requires City Council to make a decision on the zoning



application. That is where the process will end. As far as notice, state law requires staff to give notice to the newspaper, state notice website, and to property owners within a certain distance. The distance rule does not change whether it is farm land, commercial, or HDR.

Chairman Graf asked if there was any further public comment.

Kim Turley, stated she grew up on Coleman Street. Her mom and dad had two one acre lots on Coleman, which her parents and grandparents lived in. She grew up on Coleman with animals. They had cows, horse, sheep, and poultry. Currently her parents have emus and a llama. She stated that she understands the need for housing in Tooele. She lives in a small apartment, but her daughter and son in law have moved in while trying to find a place to live in Tooele. She stated she understands the needs for places to live, but putting it right here is not the place to be. She asked if the housing will be low income. She stated that low income housing will bring in crime. This is not for this spot right there.

Mr. Lancaster stated that he wanted to clarify the sewer. He stated that there has been a negotiated potential agreement with a land owner for a potential access to sewer and other utility requirements. There would be a maximum of 103 home owners.

Chairman Graf closed the public hearing.

Mr. Bolser stated he wanted to make one item of clarification that was brought up during the public comment. There was a comment made about the notification and the comment stated that the City provided the list of neighboring property owners for notification. The applicants are required to obtain the lists from the County Recorder's Office. The County has responsibility to maintain the lists of property owners and provide the lists from the County, not the City.

Chairman Graf asked if there were further comments from the Commission members.

Commissioner Montano stated he appreciated the comments from Mr. Baker explaining the process. He further stated that when people talk about water and sewer, the City engineer hears all of those projects that go through. The City engineer's office does modeling and make sure there is the right amount of water, the right amount of water. The sewer lines are done correctly. He stated that people question it all the time and he thinks that the City Engineers office does a good job. He stated that he was born in Tooele and has seen growth. He as a Commissioner must make decisions to help with affordable housing. The Commission can talk about sidewalks and all of these things. Somewhere we have to make these decisions. Tooele will not stay the way it is. He stated that when he attended high school there were 700 students in Tooele High School and they never dreamed there would be other high schools, but they are here. The Commission needs to make responsible decisions.

Chairman Graf stated that he took a job in a small town in Nevada. His wife and him purchase an acre lot which was rural. They loved the lot, until the first morning he was woken up by a donkey. That was a surprise. He stated he can relate to the need for more affordable housing. He stated that as a Commission it must be considered. He stated the comments are important and there are always two sides of the story. He thanked the public for their comments.

Commissioner Sloan wanted to address a couple of things. He stated that this is not high density development. The reality is that it is legally considered a medium density. He stated that depending on where an individual comes from is how they determine their view of density. This is not stacking one on top of another. These lots are 7000 square foot lots which are pretty much the base zoning for Tooele City. Commissioner Sloan stated secondly that as these issues have come forth over the last year, he hears consistently over the podium that we know growth needs to happen, but put it somewhere else. He has yet to hear growth needs to happen and put it here. Everyone points at someone else's yard and states that it is a great place. Commissioner Sloan echoed the comments by Commissioner Montano, Tooele will not stay the same. Commissioner Sloan further stated that he wanted to take issue with something else he has heard repeatedly and he is tired of hearing what those people will do to a City. Until someone gets up at the microphone and has evidence that this sort of product is cause to higher crime rates, he doesn't want hear that this product will increase crime rates. He stated that he has six children. Of those six, five are still in Tooele. He stated that he agrees that kids and grandkids do need a place to come. He stated he loves Tooele. He stated that he is not sure if this is the right place for the development, but at some point, we as residents of Tooele City need to come up with solutions. During the legislative session it has been made very clear that affordable housing must be addressed. Commissioner Sloan stated that if you bought homes on Coleman that happened because someone subdivided. At some point those were larger lots. Let's make one thing clear, the City does not create the City, developers do. Developers want to create a community and we need to get our arms around that.

**Commissioner Bevan motioned to forward a negative recommendation to the City Council for the Murdock meadows Zoning Mapp Amendment request by Brad Lancaster, representing Sycauga Development, LLC to reassign the subject properties to the MDR Medium Density Residential zoning district, application P19-79 based on the findings that the Commission needs to preserve some of the RR-1 areas in the community to maintain the integrity of City General Plan.** Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano, "Nay," Chairman Graf, "Aye." The motion passes.

Commissioner Hamilton, Sloan, and Whitehouse stated that they voted for a negative recommendation because while it is a great product and needed, but they did not believe this is the right place for the product. Chairman Graf stated he voted for a negative recommendation because it does not conform with the zoning surrounding the property and echoes the comments that this type of housing is needed.

Mr. Bolser added for the public that the decision that was just made, is just a recommendation to the City Council. There will be a City Council public hearing to discuss this application. All are welcome to discuss the application with the City Council in the hearing. There will not be a notice mailed to property owners for that public hearing. The public that are in attendance will want to watch the City's website and local newspaper for notification. Residents can also sign up for email notification from the City's website on upcoming agendas. The date of the City Council public hearing has not been determined. An audience member asked how the notice will

appear in the newspaper. Mr. Bolser stated that it will look similar, but reference an Ordinance number. The agendas listed on the website will look very similar. The City does not have control of the form of the notice in the newspaper, only a requirement to provide the notice to them.

4. **Recommendation on a Subdivision Final Plat for the Skyline Ridge, Phase 1 application by Todd Castagno located at 1430 East Skyline Drive in the R1-14 Residential zoning district for the purposes of creating 25 single-family residential lots.**

Presented by Andrew Aagard

Mr. Aagard stated the approximate 12-acre parcel is located at the eastern end of Skyline Drive and west of the Middle Canyon Access Road. A map of the property was shown on screen. The property is currently zoned R1-14 residential. The zone requires 14,000 or larger square footage lots. Properties to the west are zoned R1-12 and properties to the north are R1-7. Property located to the South is located outside of Tooele City boundaries and is in unincorporated Tooele County. Phase 1 of Skyline Ridge proposes 25 new single-family lots. The subdivision will connect to Skyline drive at the southwest and 270 south at the northwest. A stub will be provided for future connection for property to the north. Two additional stubs will remain to the east for future phase connection. Each lots within the development meets or exceeds the minimum lot requirements for lot size, width, and frontages for the R1-14 zone. There is a storm water retention basin located in the northwest corner and identified as parcel A. That will be desilicated to Tooele City. The basin will be landscaped and include trees, ground cover, and an inground irrigation system. Tooele City Planning, Engineering, and Public Works divisions have reviewed the final plat and confirmed that the proposed plat meets the standards and ordinances for development and are recommending approval with the conditions listed in the Staff Report.

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

Commissioner Sloan asked about a discussion that happened months ago about traffic and access off the property, possibly the extension of Drougbay Road from Skyline Drive to Vine Street. Has any further action been taken on that? Mr. Paul Hansen stated that the Tooele City Council did have a discussion about the extension of Drougbay Road. Drougbay Road is currently part of the City's transportation element of the City's master plan. The concern has been how to get off the bluff and down to Vine Street due to the elevation difference of over 60 feet. The City Council paid a traffic engineering firm to look at the traffic demand and model. The report came back that the connection would not be warranted until the City annexed additional properties or increased the density of currently zoned areas. Per Mr. Hansen staff will bring to the Planning Commission a proposal to modify the Transportation Element.

Commissioner Hammer asked if Commissioner Sloan was asking about Drougbay extending to Vine.

Commissioner Sloan stated that he lives off Skyline and he was surprised by the numbers of trips recorded for the street.

**Commissioner Whitehouse moved to forward a positive recommendation to the City Council for the Skyline Ridge Phase 1 Final Plat Subdivision Request by Todd Castagno, representing Wise management, LLC for purpose of creating 25 single family residential lots, application number P18-762, based on the findings and subject to the conditions listed in the Staff Report dated March 6, 2019.** Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, “Aye,” Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Whitehouse, “Aye,” Commissioner Montano, “Aye,” Chairman Graf, “Aye.” The motion passed.

**5. Decision on a Site Plan Design Review for the Tooele City Police Station proposed by Tooele City, located at 70 North Garden Street on approximately 2.3 acres.**

Presented by Andrew Aagard

Mr. Aagard stated the police station will be located just east of City Hall. The property is zoned general commercial as are the properties to the north, south, and west. The properties to the east are R1-7 Residential. Title 7-11-6 of Tooele City Code grants the Planning Commission authority to determine if proposed architecture and site planning development plans are consistent with the general policies and objectives of Title 7 of Tooele City Code. The site plan occupies all of the property between 100 East and Garden Street. Providing the facility with double frontages and plenty of access. The site has essentially four accesses, one at each corner of the property. The northwest access, accesses the parking lot and dumpster enclosures. The southwest accesses from Garden Street and is the main public access to the parking lot and building entrance. The southeast access provides access to the secured nonpublic parking area. The northeast access provides access to three parking stalls. In total there are 106 parking spaces, with 57 public spaces and 49 secured parking spaces. Parking requirements for public uses such as this are determined by the Development Director based on similar uses in the area. Parking for this new police station greatly exceeds the parking at the current police station. There will be a six-foot solid masonry fence that will create a secured parking area for police vehicles and equipment. This secure area will be accessible through a mechanical gate. Contained within this area is a storage building. The storage building has a zero setback and is permitted when adjacent to commercial zones. 18.3 percent of the site is landscaping and that is more than the 10% required for commercial zones. Total landscaped area is 18,043 square feet. All landscaped areas are proposed to be drought tolerant, waterwise landscaping with cobble mulch and numerous trees. Cobble mulch will have decorative boulders. There are 29 trees proposed on the site with the densest trees at the northeast site. An inground drip irrigation system will provide water to the landscaping. The building is a single-story building with the exterior consisting of red brick and smooth honed block product of a grey tone. An elevation of the building was shown on screen. The building exterior proposes various elevations of red brick of similar color and style of City Hall and areas of larger grey honed block masonry and glass. These areas provide variation to height and are capped by the roof line. These elevations are accurate, but there are some site changes that are not updated. There will be some stairs to the main entrance and the mechanical door. Tooele City’s commercial zones do not have architectural requirements for new development. The staff is comfortable as it is

proposed as it does meet or exceeds architecture on adjacent buildings. The site plan as proposed does meet all site plan requirements for parking, site setbacks, landscaping, and so forth. Staff is recommending approval with basic housekeeping conditions listed in the Staff Report.

Chairman Graf asked about the masonry type A, is that a cinder block. Mr. Aagard stated that it is a smooth honed block.

Mr. Hansen wanted to clarify that the site plan shows two garbage dumpsters within a large enclosure. That garbage enclosure is currently shown as double bin structure, but may be reduced to a smaller size.

Mr. Bolser added that there are three parking stalls on the northeast corner of the site plan. That is not an area where parking stalls were just added. This is a functional area. This is the sally port entrance to the building, so the officers who have a detainee in their vehicle can proceed behind a closed door for securing the detainee. The door on the right hand side of the building is the access for the general public to pick up evidence. There is an intricate system so there is no public access to the secure part of the building. It has two very important functions to the site.

Chairman Graf asked if the glass door is where evidence is picked up. Mr. Bolser stated the brown door is the evidenced door and the other door is the sally port door.

Commissioner Bevan asked about lighting and if the light will affect the residential homes near the building. Mr. Bolser stated that the site is designed to not be intrusive to property owners. The lights are on the site are located and designed so the light will stay on the site and not go past its boundaries.

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

**Commissioner Bevan moved to approve the Site Plan Design Review Request by Paul Hansen, representing Tooele City for the Tooele City Police Station, application number P19-133, based on the findings and subject to the conditions listed in the Staff Report dated March 7, 2019.**

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

**6. Public Hearing and Recommendation regarding a text amendment by Tooele City to various chapters of Title 7 of the Tooele City Code regarding multi-family residential zoning districts, their allowable land uses, applicable design standards, and supplemental regulations.**

Presented by Jim Bolser

Mr. Bolser stated that this Ordinance was discussed two weeks ago. Mr. Bolser gave a brief reiteration of the purpose of the Ordinance. Currently the City has two multi-family residential

zones. The intent of this effort started with a discussion on whether the City is providing a variety of options with various densities to accommodate all of the potential housing need in the community. The Council had the same discussion that the Planning Commission had in the Council meeting a week ago with very similar discussion points. The item to vote on this evening is to follow up with any additional discussion and to forward a recommendation to the City Council for further voting. The second part of the discussion during the meeting is to apply the code amended zoning districts to the map as the Planning Commission sees fit.

Commissioner Hammer asked about Title 7-11a-17, there is a section that has been taken out about creating an association, so who will maintain the landscaping and fencing? Mr. Bolser stated that it was taken out of this section because it is redundant. It is placed elsewhere in the code so it's not needed here.

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

Commissioner Bevan stated that it was a lot of work.

Mr. Bolser stated that in the original discussion with Planning Commission and the City Council there were six chapters that had edits. In the Ordinance presented this evening there are three additional chapters that had references that needed to be corrected to match the changes in the primary chapters of the proposal.

Mr. Bolser stated that the Commission has an opportunity to look at the map and make some decisions about the map prior to the public hearing. He stated that he had three points related to the map. First anything that is currently MDR, will automatically shift to MR-8, anything zoned HDR will automatically shift to the MR-16, the consideration this evening is if there are any areas in the community that the Commission thinks are appropriate for MR-25 that recommendation can be made to Council and the staff has determined there are three areas, they would like to discuss with the Commission. Mr. Bolser showed the map of zoning on the screen. There are three areas for possible identification of multi-family zoning;

- The first one is two properties that are on 100 East. There are existing apartments in this area that have been zoned general commercial for a long time and legally non-conforming because of that. The other property is HDR and there is an apartment complex that is currently under construction. That project very intentionally left an area of the property blank in anticipation of changes in the zoning sizes that would potentially get them an additional building. These two pieces of property would be suggested for consideration of the MR-25.
- The second property is just to the north off of 1000 North. It is a piece of property that is zoned RR-5. There is light industrial to the west, existing general commercial zone which is under application for a care facility to the south and R1-8 to the east and north. This is an area that is undeveloped and stuck between more intense land uses and could be potential for multi-family as a buffer.
- Not too long ago the Council and Planning Commission considered an area that is zoned HDR and is a pending project that is under consideration currently. The north side is an existing use, Henwood trailer park and the south is an existing apartment complex that



is zoned R1-7 and makes it legal non-conforming. To the north the trailer court is also zoned R1-7. With the rezoning to HDR, it might be worthwhile to extend the zoning to all areas that would be more representative of the actual land use.

Commissioner Hammer asked about the area where the third area for consideration was mentioned, around the area is R1-7, why would a multi-family zone fit there. Mr. Bolser stated that there are already apartments in that location. He further explained that the property listed third and the property on 100 East were put into consideration because there are currently legally non-conforming apartments which would fit into the multi-family zoning.

Commissioner Bevan asked about what the RR-5 zone stands for. Mr. Bolser stated that it stands for rural residential on five acres lots. Commissioner Hammer asked what the planned community was to the south of the property off 1000 North. Mr. Bolser stated that it is the 55 and older active community that was approved recently. This is an opportunity for the Planning Commission to make a decision on what they would like to see in on the map instead of waiting for applicants to apply for zoning on these pieces of property or the Planning Commission could leave it as it is.

Commissioner Sloan asked about the thoughts on the property on 1000 North and what are the thoughts from staff about zoning for the property. Mr. Bolser stated that his personal thoughts were either MR-16 or MR-8, for a couple of reasons. The land use to the east is more intense than the RR-5 and secondly that property is below grade. Utilities for the property are in 1000 North and there would be some construction restraints.

Commissioner Graf asked if there were any final comments from the Council.

Mr. Baker stated that he didn't believe the Commissioner need to make an absolute recommendation for only on district for the entire parcel off of 1000 North. The parcel could be split between densities. Mr. Bolser made some drawings on screen to discuss the location of the flood channel and identifying areas of the property that could be split to higher densities.

Chairman Graf opened the public hearing.

Mr. Derald Anderson stated that he wanted to comment on the piece of property off of 1000 North. He stated that he knows a little bit about it. The creek bed makes it hard to develop. If the zoning is R1-7 it would be difficult to develop and a higher density would be needed to develop the property. Commissioner Bevan asked why a higher density was needed? Mr. Anderson stated that the main reason is cost and dealing with the flood zone and then also getting sewer out of the property with it being below grade. Another thing he wanted to mention was that he loved the rewrites of the Ordinance. He stated that in looking at the properties consider where the zones are placed to not break up zones.

Chairman Graf closed the public hearing.

Mr. Bolser stated that the staff is recommending a portion of the property off of 100 East be zoned to the MR-25 zoning.

Commissioner Hammer asked a question relating to what the legislature has been suggesting in relation to affordable housing and how does the general use plan meet the possible requirements into law. Mr. Bolser stated from what he has seen based on the land use bills that are in front of the legislature currently the City of Tooele is set up well. The primary one that the question probably address is the affordable housing legislation proposed. In the month of December, the City adopted a new affordable housing plan. That plan demonstrated two things that the City is on par and the bill that is before the legislature specified that the State would withhold certain funding sources if the City did not comply with three strategies on a list of 20 plus strategies.

Commissioner Sloan stated that with his knowledge the City is pretty set up. The bill has died during the legislation for the current legislation session.

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

**Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Multi-Family Uses and Zoning Districts City Code Text Amendment Request by Tooele City Corporation, application number P18-450, based on the following findings and conditions;**

- **Changing the zoning for property located in the RR-5 section on 1000 North to MR-8 for all property to the eastern boundary east of the general commercial property zone. Property on the west side of the general commercial boundary line be zoned as MR-25.**
- **The property on 100 East be changed to MR-25**
- **Property off of 500 North be continued to the MR-16**

**That should put the map into conformity with general plan issues and the philosophy of the City going forward and maintain and enhance the character of the surrounding areas.**

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

**7. Review and Approval of Planning Commission minutes for meeting held February 27, 2019.**

Commissioner Hammer asked a clarification question on a question that was asked in the prior meeting minutes about parking lots on page 7 and if that need to be addressed, since Mr. Bolser did answer the question in person. Mr. Bolser stated that the question did not need to be addressed in the minutes, but the answer to the question is that provision is an existing provision but it is related to properties developed as a parking lot, not parking lots associated with building.

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

**Commissioner Hammer moved to approve minutes from the meeting held on February 27, 2019.** Chairman Hamilton seconded the motion. The vote as follows: Commissioner Hamilton,

“Aye,” Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Montano “aye,” Chairman Graf, “Aye.” The motion passed.

8. **Adjourn**

Commissioner Hamilton move to adjourn the meeting. The meeting adjourned at 9:16 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 27th day of March, 2019

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Tony Graf, Chairman, Tooele City Planning Commission

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