

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, January 10, 2023** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

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

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Recommendation, Continued from December 13, 2023** – Consideration of Proposed Ordinance 2023-39, amending Tooele City Code, Chapter 2-9 regarding the Landmark Site Designation Process for the Preservation of Significant Historic Properties. – *Jared Stewart, Economic Development Director presenting.*
4. **Public Hearing and Decision** – Geofortis Utah, LLC requests a Conditional Use Permit for the installation of a new 99.5 foot tall silo on the 6.88-acre processing plant site located at 1345 K Avenue in the Industrial zoning district. – *Jared Hall, City Planner presenting*
5. **Public Hearing and Decision** – Chad Griffith representing Hoot Owl, LLC requests a Conditional Use Permit to allow the installation of a new cellular monopole on property located at approximately 2400 North 200 East in the Industrial zoning district. – *Jared Hall, City Planner presenting*
6. **Public Hearing and Decision** – Chad Griffith, representing Hoot Owl, LLC requests a Conditional Use Permit to allow the installation of a new cellular monopole on property located at approximately 650 North 700 West in the General Commercial zoning district. – *Jared Hall, City Planner presenting*
7. **Review and Recommendation** – Consideration of a request by Matthew Scott, representing Richmond American Homes to amend Lots 237, 238, and 239 of the Drumore at Overlake Phase 2 plat located at 18 E. Broxburn Way, 12 E. Broxburn Way, and 1532 N. Baen Way in the R1-7 zoning district. – *Jared Hall, City Planner presenting.*
8. **Review and Decision, continued from July 26, 2023** – Consideration of a request by Leitner-Poma to utilize an alternative material for a parking surface on their project located at approximately 600 South Tooele Boulevard in the TCBP zoning district – *Jared Hall, City Planner presenting.*
9. **City Council Reports** – *Maresa Manzione, City Council presenting*

10. **Business Item** – Approve scheduled Planning Commission meetings for 2024. – *Andrew Aagard, Community Development Director presenting.*

11. **Review and Approval** – Planning Commission Minutes for the meeting held on December 13, 2023.

12. **Adjourn**

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

TOOELE CITY CORPORATION

ORDINANCE 2023-39

AN ORDINANCE OF TOOELE CITY APPROVING A LANDMARK SITE DESIGNATION PROCESS FOR THE PRESERVATION OF SIGNIFICANT HISTORIC PROPERTIES.

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah’s charter cities, including Tooele City, “the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law”; and,

WHEREAS, UCA Section 10-8-84 enables Tooele City to “pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city”; and,

WHEREAS, UCA Chapter 9-8a creates the State Historic Preservation Office and contains the State of Utah’s historic preservation policies; and,

WHEREAS, this ordinance approves a process by which the Historic Preservation Commission and the Planning Commission designate significant historic properties as landmark sites; and,

WHEREAS, the City Council recognizes that some properties and buildings within Tooele City hold particular historic value to the community which, if designated as landmark sites, would preclude demolition and establish a review process prior to significant construction; and,

WHEREAS, the City Council discussed the request in its October 18, 2023 public work meeting (see the meeting minutes attached as Exhibit B); and,

WHEREAS, the Planning Commission convened a public hearing on ~~January~~December 10~~13~~, 2024~~3~~, and voted to recommend approval of this ordinance to the City Council (see the Staff Report attached as Exhibit C and the Planning Commission minutes attached as Exhibit D); and,

WHEREAS, the City Council convened a public hearing on January ~~17~~17, 2024; and,

WHEREAS, the City Council finds that this ordinance is in the best interest of Tooele City because it will encourage preservation of culturally significant historic resources:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that Tooele City Code Title 2 Chapter 9 is hereby enacted/amended as shown in Exhibit A/as shown below.

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2024.

Exhibit A

Designation Process for Landmark Sites

DESIGNATION OF LANDMARK SITES:

1. DESIGNATIONS:

Upon application of the property owner or by recommendation from the Historic Preservation Commission with written consent of the property owner, the Planning Commission may designate certain areas or structures as landmark sites if the property satisfies the criteria in this section.

2. CRITERIA FOR DESIGNATIONS

Any building, structure, or site (hereinafter referred to as “historic resource”) may be designated as a Tooele City landmark site if it meets the criteria in subsections 2a through 2c of this Section, and at least one (1) of the other criteria set forth in subsections 2d through 2h of this Section:

- a) It is located within the boundaries of Tooele City.
- b) It is at least seventy-five (75) years old.
- c) There are no major alterations or additions that have obscured or destroyed significant historic features, such as: changes in pitch of the main roof, enlargement or enclosure of windows on the principal façades, addition of upper stories or the removal of original upper stories, covering the exterior walls with non-historic materials, moving the resource from its original location to one that is dissimilar to the original, or additions which significantly detract from or obscure the original form and its appearance when viewed from the public rights-of-way.
- d) It is currently listed in the National Register of Historic Places, or it has been officially determined eligible for listing in the National Register of Historic Places under the provisions of 36 CFR 60.6. Properties listed on or determined to be eligible for the national register must still retain their structural, architectural, and historic integrity. This process may be undertaken by consulting the State Historic Preservation Office to conduct a Reconnaissance Level Survey.
- e) It is associated with events that have made a significant contribution to the broad patterns of the history of the city, state, or nation.
- ~~f) It is associated with lives of persons significant in the history of the city, state, or nation.~~
- ~~g) It embodies the distinctive characteristics of a rare or unique type, period, or method of construction, or represents the work of an architect or builder recognized as a master in their field, or possesses high artistic values or style, or represents a significant and distinguishable entity whose components may lack individual distinction.~~
- ~~h) It has yielded or may be likely to yield information important in prehistory or history (archaeological sites, for example).~~

3. PROCESS FOR LANDMARK SITE DESIGNATION

- a) Application: Any person, group or association may nominate a prospective historic resource for formal designation. The initiation of designation proceedings must be made by submitting to the Economic Development Department an application on a form furnished by the Department. The Department shall deliver all applications to the Historic Preservation Commission. The Commission, on its own motion, may initiate proceedings for the designation of a potential historic resource. The application shall be similar in form to that used for the National Register of Historic Places.
- b) Notice to Owner: Notice that an application for designation is being considered by the Historic Preservation Commission shall be given to the owner or owners of record of the historic resource. The owner or owners shall be notified by regular U.S. mail, at the mailing address on record with the Tooele County Recorder, and at the property address, at least five (5) business days prior to Commission consideration of the application. The owner or owners shall have the right to confer with the Commission prior to final action by the Commission.
- c) Recommendation of Commission: Following any investigation deemed necessary by the Commission, but in no case more than sixty (60) days after the receipt of any application for designation, the Historic Preservation Commission shall make a formal recommendation regarding the application. If designation proceedings are initiated by the Commission, final recommendation shall be made by the Commission no more than sixty (60) days after such initiation. The Commission's recommendation shall be in writing and signed by the chairperson of the Commission, and shall state the reasons for the recommendation. The recommendation may be limited to the proposed historic resource as described in the application, or may include other historic resources.
- d) Forward Recommendations to Planning Commission: Within thirty (30) days after the final recommendation of the Historic Preservation Commission on a designation application, the Commission shall forward each application to the Planning Commission, together with the Commission's recommendations.
- e) Action by Planning Commission: After considering the Historic Preservation Commission's recommendations, the Planning Commission may, by resolution, designate historic resources. Prior to the passage of the resolution, the Planning Commission shall hold a public hearing, notice of which shall be published online at Utah Public Notice, on the Tooele City website, and mailed to the owner or owners of property proposed for designation. Notice shall be as described in this Section. Following designation by resolution, a notice of such shall be mailed to the owners of record together with a copy of the designation resolution and of this Title.
- f) Amend or Rescind: After an historic resource has been formally designated by the Planning Commission, the designation may be amended or rescinded in the same manner as the original designation was made.

4. RECORDATION OF LANDMARK SITE DESIGNATION:

Upon official designation, the City Recorder shall record the designation resolution with the County Recorder's Office. The City Recorder will also deliver copies of all designation resolutions to the Economic Development Department.

5. CERTIFICATE OF APPROPRIATENESS FOR LANDMARK SITES:

After the Planning Commission's approval of a designation resolution and prior to construction, landmark sites may be granted a certificate of appropriateness only if the following conditions are satisfied:

1. Substantial investment is made to upgrade the property and enhance its historic significance.
2. Any renovation maintains or enhances the historic, architectural and aesthetic features of the property.
3. The Planning Commission may impose such other conditions for granting a certificate of appropriateness as it deems necessary to protect the character of the landmark site.

6. CONSTRUCTION UPON A LANDMARK SITE:

Any construction upon a landmark site that materially changes the exterior appearance of, adds to, reconstructs, or alters a landmark site shall require a certificate of appropriateness from the Planning Commission. Applications for such permits shall be made to the Historic Preservation Commission who shall recommend the granting or denial of the certificate to the Planning Commission. The Planning Commission shall have final authority to grant or deny a permit to construct that is consistent with standards set forth herein. A certificate of appropriateness shall be required for alterations such as but not limited to:

- a) Any construction that requires a building permit
- b) Removal and replacement or alteration of architectural detailing, such as porch columns, railing, window moldings, cornices and siding;
- c) Relocation of a structure or object on the same site or to another site;
- d) Construction of additions or decks;
- e) Alteration or construction of accessory structures, such as garages, carports, sheds, accessory dwelling units, etc.;
- f) Alteration of windows and doors, including replacement or changes in fenestration patterns;
- g) Construction or alteration of porches;
- h) Masonry work, including, but not limited to, tuckpointing, sandblasting and chemical cleaning;
- i) Construction or alteration of site features including, but not limited to, fencing, walls, paving and grading;
- j) Installation or alteration of any exterior sign;
- k) Any demolition;
- l) Change, addition of, or removal of exterior paint; and

m) New construction.

7. DEMOLITION PROHIBITED:

No structure of building within a landmark site designation shall be demolished or removed unless the structure poses an immediate hazard to human health and safety. An owner's application for landmark site designation includes the owner's (1) acknowledgement of and agreement to construction limitations and demolition prohibitions on the site, (2) waiver of construction and demolition rights the owner might otherwise have, and (3) release of claims against Tooele City and its officers, agents, boards, and employees. The landmark site application form shall expressly state this owner acknowledgement, agreement, and waiver, with the location for the owner's signature.

8. REMEDY FOR VIOLATION:

Application for, assistance with, and use of grant funding for landmark sites shall be conditioned upon the Owner's agreement to comply with the provisions of this Chapter. Persons who violate this ordinance through unapproved demolition, construction, or modifications to landmark sites shall be required to correct or remedy improper construction and to restore the landmark site to the former, historic condition.

References:

Areas of state code with mentions to Landmark sites or historic preservation:

- <https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S534.html>
- https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S503.html?v=C10-9a-S503_2019051420190514

Cities where code was referenced:

- St George: <https://stgeorge.municipal.codes/Code/10-13E-3>
- Ogden: https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity_ut/0-0-0-24957#JD_17-2-2
- Provo: <https://provo.municipal.codes/Code/16.05.040>

- Salt Lake City: <https://www.slc.gov/boards/boards-commissions/historic-landmark-commission/>

Exhibit B

October 18, 2023, City Council
Public Work Meeting Presentation

Exhibit C

Staff Report

Exhibit D

Planning Commission Minutes

TOOELE CITY CORPORATION

ORDINANCE 2023-39

AN ORDINANCE OF TOOELE CITY APPROVING A LANDMARK SITE DESIGNATION PROCESS FOR THE PRESERVATION OF SIGNIFICANT HISTORIC PROPERTIES.

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah's charter cities, including Tooele City, "the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law"; and,

WHEREAS, UCA Section 10-8-84 enables Tooele City to "pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city"; and,

WHEREAS, UCA Chapter 9-8a creates the State Historic Preservation Office and contains the State of Utah's historic preservation policies; and,

WHEREAS, this ordinance approves a process by which the Historic Preservation Commission and the Planning Commission designate significant historic properties as landmark sites; and,

WHEREAS, the City Council recognizes that some properties and buildings within Tooele City hold particular historic value to the community which, if designated as landmark sites, would preclude demolition and establish a review process prior to significant construction; and,

WHEREAS, the City Council discussed the request in its October 18, 2023 public work meeting (see the meeting minutes attached as Exhibit B); and,

WHEREAS, the Planning Commission convened a public hearing on ~~January~~December 10~~13~~, ~~2024~~2023, and voted to recommend approval of this ordinance to the City Council (see the Staff Report attached as Exhibit C and the Planning Commission minutes attached as Exhibit D); and,

WHEREAS, the City Council convened a public hearing on January ~~17~~13, 2024; and,

WHEREAS, the City Council finds that this ordinance is in the best interest of Tooele City because it will encourage preservation of culturally significant historic resources:

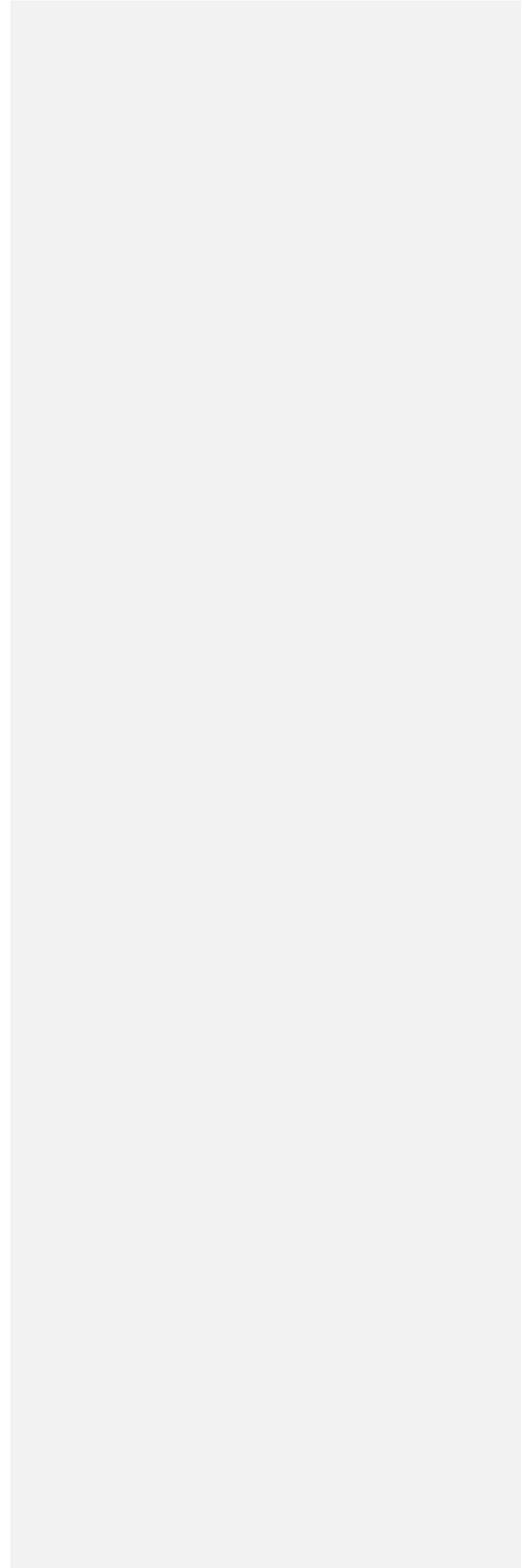
NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that Tooele City Code Title 2 Chapter 9 is hereby enacted/amended as shown in Exhibit A/as shown below.

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2024.

Exhibit A

Designation Process for Landmark Sites



DESIGNATION OF LANDMARK SITES:

1. DESIGNATIONS:

Upon application of the property owner or by recommendation from the Historic Preservation Commission with written consent of the property owner, the Planning Commission may designate certain areas or structures as landmark sites if the property satisfies the criteria in this section.

2. CRITERIA FOR DESIGNATIONS

Any building, structure, or site (hereinafter referred to as "historic resource") may be designated as a Tooele City landmark site if it meets the criteria in subsections 2a through 2c of this Section, and at least one (1) of the other criteria set forth in subsections 2d through 2h of this Section:

- a) It is located within the boundaries of Tooele City.
- b) It is at least ~~seventy-five~~^{fifty} (75~~50~~) years old.
- c) There are no major alterations or additions that have obscured or destroyed significant historic features, such as: changes in pitch of the main roof, enlargement or enclosure of windows on the principal façades, addition of upper stories or the removal of original upper stories, covering the exterior walls with non-historic materials, moving the resource from its original location to one that is dissimilar to the original, or additions which significantly detract from or obscure the original form and its appearance when viewed from the public rights-of-way.
- d) It is currently listed in the National Register of Historic Places, or it has been officially determined eligible for listing in the National Register of Historic Places under the provisions of [36 CFR 60.6](#). Properties listed on or determined to be eligible for the national register must still retain their structural, architectural, and historic integrity. This process may be undertaken by consulting the State Historic Preservation Office to conduct a Reconnaissance Level Survey.
- e) It is associated with events that have made a significant contribution to the broad patterns of the history of the city, state, or nation.
- ~~f) It is associated with lives of persons significant in the history of the city, state, or nation.~~
- ~~g) It embodies the distinctive characteristics of a rare or unique type, period, or method of construction, or represents the work of an architect or builder recognized as a master in their field, or possesses high artistic values or style, or represents a significant and distinguishable entity whose components may lack individual distinction.~~
- ~~h) It has yielded or may be likely to yield information important in prehistory or history (archaeological sites, for example).~~

3. PROCESS FOR LANDMARK SITE DESIGNATION

- a) Application: Any person, group or association may nominate a prospective historic resource for formal designation. The initiation of designation proceedings must be made by submitting to the Economic Development Department an application on a form furnished by the Department. The Department shall deliver all applications to the Historic Preservation Commission. The Commission, on its own motion, may initiate proceedings for the designation of a potential historic resource. The application shall be similar in form to that used for the National Register of Historic Places.
- b) Notice to Owner: Notice that an application for designation is being considered by the Historic Preservation Commission shall be given to the owner or owners of record of the historic resource. The owner or owners shall be notified by regular U.S. mail, at the mailing address on record with the Tooele County Recorder, and at the property address, at least five (5) business days prior to Commission consideration of the application. The owner or owners shall have the right to confer with the Commission prior to final action by the Commission.
- c) Recommendation of Commission: Following any investigation deemed necessary by the Commission, but in no case more than sixty (60) days after the receipt of any application for designation, the Historic Preservation Commission shall make a formal recommendation regarding the application. If designation proceedings are initiated by the Commission, final recommendation shall be made by the Commission no more than sixty (60) days after such initiation. The Commission's recommendation shall be in writing and signed by the chairperson of the Commission, and shall state the reasons for the recommendation. The recommendation may be limited to the proposed historic resource as described in the application, or may include other historic resources.
- d) Forward Recommendations to Planning Commission: Within thirty (30) days after the final recommendation of the Historic Preservation Commission on a designation application, the Commission shall forward each application to the Planning Commission, together with the Commission's recommendations.
- e) Action by Planning Commission: After considering the Historic Preservation Commission's recommendations, the Planning Commission may, by resolution, designate historic resources. Prior to the passage of the resolution, the Planning Commission shall hold a public hearing, notice of which shall be published online at Utah Public Notice, on the Tooele City website, and mailed to the owner or owners of property proposed for designation. Notice shall be as described in this Section. Following designation by resolution, a notice of such shall be mailed to the owners of record together with a copy of the designation resolution and of this Title.
- f) Amend or Rescind: After an historic resource has been formally designated by the Planning Commission, the designation may be amended or rescinded in the same manner as the original designation was made.

4. RECORDATION OF LANDMARK SITE DESIGNATION:

Upon official designation, the City Recorder shall record the designation resolution with the County Recorder's Office. The City Recorder will also deliver copies of all designation resolutions to the Economic Development Department.

5. CERTIFICATE OF APPROPRIATENESS FOR LANDMARK SITES:

After the Planning Commission's approval of a designation resolution and prior to construction, landmark sites may be granted a certificate of appropriateness only if the following conditions are satisfied:

1. Substantial investment is made to upgrade the property and enhance its historic significance.
2. Any renovation maintains or enhances the historic, architectural and aesthetic features of the property.
3. The Planning Commission may impose such other conditions for granting a certificate of appropriateness as it deems necessary to protect the character of the landmark site.

6. CONSTRUCTION UPON A LANDMARK SITE:

Any construction upon a landmark site that materially changes the exterior appearance of, adds to, reconstructs, or alters a landmark site shall require a certificate of appropriateness from the Planning Commission. Applications for such permits shall be made to the Historic Preservation Commission who shall recommend the granting or denial of the certificate to the Planning Commission. The Planning Commission shall have final authority to grant or deny a permit to construct that is consistent with standards set forth herein. A certificate of appropriateness shall be required for alterations such as but not limited to:

- a) Any construction that requires a building permit
- b) Removal and replacement or alteration of architectural detailing, such as porch columns, railing, window moldings, cornices and siding;
- c) Relocation of a structure or object on the same site or to another site;
- d) Construction of additions or decks;
- e) Alteration or construction of accessory structures, such as garages, carports, sheds, accessory dwelling units, etc.;
- f) Alteration of windows and doors, including replacement or changes in fenestration patterns;
- g) Construction or alteration of porches;
- h) Masonry work, including, but not limited to, tuckpointing, sandblasting and chemical cleaning;
- i) Construction or alteration of site features including, but not limited to, fencing, walls, paving and grading;
- j) Installation or alteration of any exterior sign;
- k) Any demolition;
- l) Change, addition of, or removal of exterior paint; and

m) New construction.

7. DEMOLITION PROHIBITED:

No structure of building within a landmark site designation shall be demolished or removed unless the structure poses an immediate hazard to human health and safety. An owner's application for landmark site designation includes the owner's (1) acknowledgement of and agreement to construction limitations and demolition prohibitions on the site, (2) waiver of construction and demolition rights the owner might otherwise have, and (3) release of claims against Tooele City and its officers, agents, boards, and employees. **The landmark site application form shall expressly state this owner acknowledgement, agreement, and waiver, with the location for the owner's signature.**

Formatted: Highlight

8. REMEDY FOR VIOLATION:

Application for, assistance with, and use of grant funding for landmark sites shall be conditioned upon the Owner's agreement to comply with the provisions of this Chapter. Persons who violate this ordinance through unapproved demolition, construction, or modifications to landmark sites shall be required to correct or remedy improper construction and to restore the landmark site to the former, historic condition.

References:

Areas of state code with mentions to Landmark sites or historic preservation:

- <https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S534.html>
- https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S503.html?v=C10-9a-S503_2019051420190514

Cities where code was referenced:

- St George: <https://stgeorge.municipal.codes/Code/10-13E-3>
- Ogden: https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity_ut/0-0-0-24957#JD_17-2-2
- Provo: <https://provo.municipal.codes/Code/16.05.040>

- Salt Lake City: <https://www.sl.gov/boards/boards-commissions/historic-landmark-commission/>

Exhibit B

October 18, 2023, City Council
Public Work Meeting Presentation

Exhibit C

Staff Report

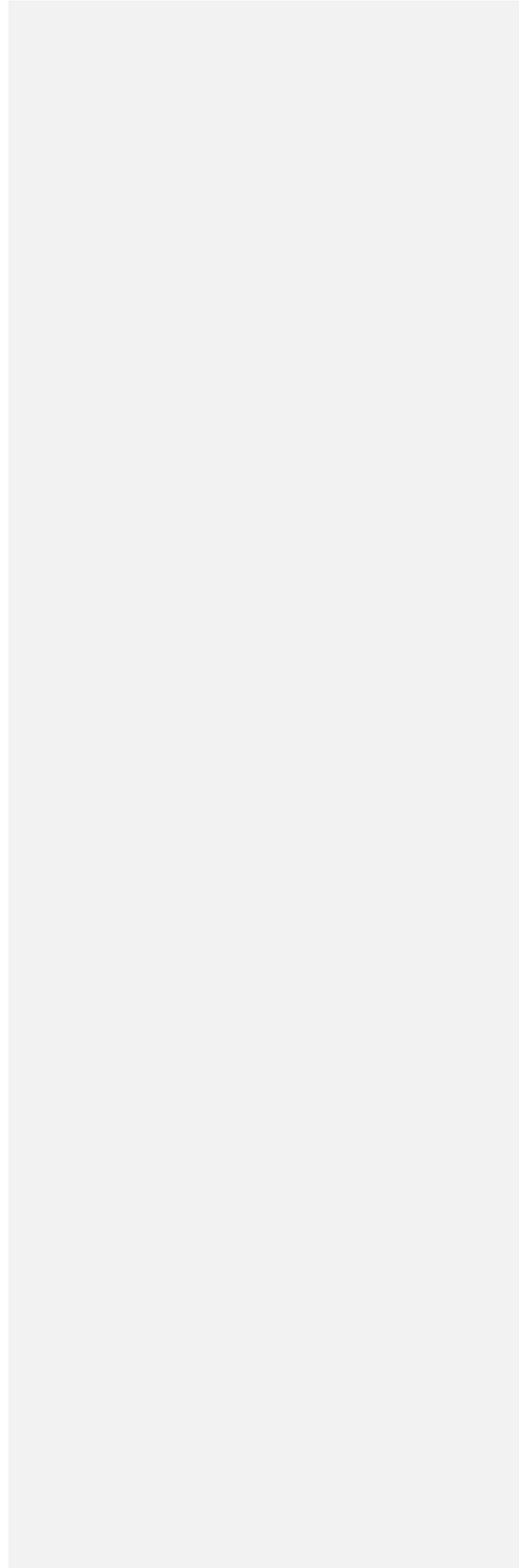
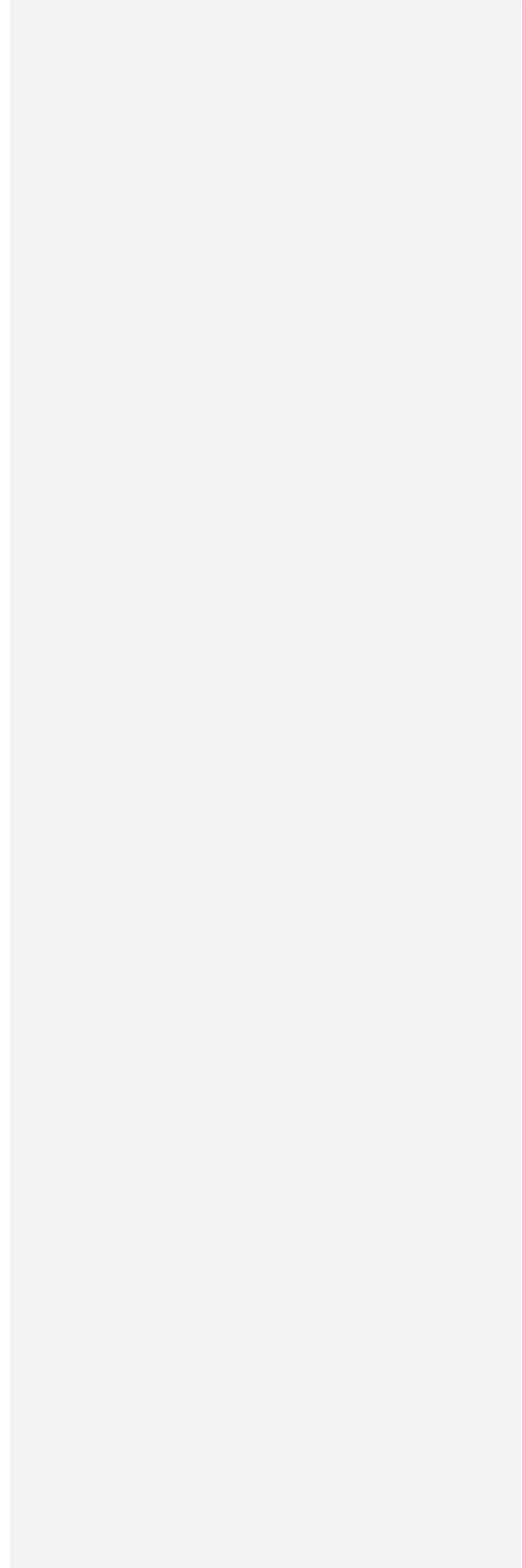


Exhibit D

Planning Commission Minutes



STAFF REPORT

January 4, 2024

To: Tooele City Planning Commission
Business Date: January 10, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Geofortis – Conditional Use Request

Application No.: P23-1479
Applicant: Geofortis Utah, LLC
Project Location: 1345 K Avenue
Zoning: I Industrial Zone
Acreage: 6.9 Acres (Approximately 299,692 ft²)
Request: Request for approval of a Conditional Use in the I Industrial zone to allow the installation of a new, 95.5 foot high silo to the existing facility.

BACKGROUND

The applicant, Geofortis Utah, processes natural volcanic mineral into an ash product used in concrete. Geofortis was given a conditional use permit (CUP) to operate a processing facility for this material at 1345 K Avenue in 2020, and the plant has been in operation since 2021.

This application is a request to amend the 2020 CUP in order to allow the installation of a new 99.5' high storage silo on the property. The proposed silo will allow additional storage of the processed ash on the site for later distribution. This increased storage capacity for finished product will allow Geofortis to operate more efficiently by giving them greater flexibility in scheduling transport for distribution and in meeting demand at peak times. This conditional use review is required because adding the new silo will modify the previously approved site, and because the proposed 99.5' height requires conditional use approval by the Planning Commission. The subject property is approximately 6.9 acres and located in the Industrial zoning district.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan places the subject property in the Industrial land use designation. The property has been assigned the I Industrial zoning classification. The purpose of the Industrial zone is to recognize existing industrial sites and uses within the city and to allow for the establishment of additional industrial uses which will add to employment opportunities and economic diversity within the city.

The property is surrounded on all sides by property zoned Industrial. Several properties in this area are vacant, but where development is occurring those land uses are industrial in nature. The requested new silo is in keeping with the current patterns of development in the area, and is in harmony with both the Industrial land use designation and the zoning. Mapping pertinent to the subject property can be found in Exhibit "A", attached to this report.

Site Plan. A site plan has been provided by the applicant for the Planning Commission's reference. The new silo is proposed to be located centrally on the site, in the center of an area currently used as a storm drainage detention pond. A second detention basin on the site will be enlarged to accommodate storm drainage and continue to meet requirements. The site also includes conveyor systems, storage buildings for raw materials, a

ball mill for grinding, and existing storage silos for finished product storage. The site plan will itself will be reviewed and approved at an administrative level if the amended conditional use permit is granted by the Planning Commission.

Height. Heights up to 100 feet can be allowed in the Industrial zone, however heights greater than 70' are allowable only for the storage of non-flammable, non-hazardous material and must be reviewed by the Planning Commission for conditional use permit. The applicant's proposed silo is 99.5' in height, and the material to be stored is non-flammable and non-hazardous. While the plans to install the new silo will be carefully reviewed by Tooele city staff, including the Fire Department for emergency access and other considerations in separate processes as well, the application does appear to meet the requirements for conditional use approval regarding the requested height.

Industrial Process and Potential Impacts. The additional storage silo will not significantly alter the operation of the facility, but the additional storage capacity for the ash product on site will allow greater flexibilities in pick up and distribution, maximizing the efficacy of operations. The applicant states that, the material to be processed and stored is not hazardous, dangerous, or toxic. The facility does not produce odors, and the lighting and noise will conform to city ordinances. The nearest residential uses are more than 1,600 feet away. The process does not require any water and does not generate any waste water, other than the water used by employees on site for drinking and restroom facilities.

The operation of the facility does involve truck traffic. Trucks bring raw material to the site where it is will be transferred, dried and ground into a finer product. The material is then stored on site until it is taken by trucks to other locations. Truck traffic was a concern in the 2020 CUP, and the Planning Commission required truck traffic to and from the site to adhere to the established truck routes; staying on Main Street and using SR 112 to Industrial Loop Road or Lodestone Way. Staff recommends that this condition should be established in the new CUP as well.

Parking. There is ample space available on the site to accommodate employee parking, company vehicle parking and truck traffic. The addition of the new silo will not impact the current parking or access configurations.

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

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

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

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

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

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

1. The application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City’s public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City’s Engineering, Public Works, Fire Department and Building Division plan reviews, permitting, and inspection processes.
2. The addition of the silo as proposed eliminates some storm water detention capacity. It is imperative that the applicant provide additional capacity in another part of the project as planned, and that all new development activities comply with the requirements of the geotechnical report.
3. The proposed use creates the potential for a number of heavy trucks travelling through Tooele City to access the site. Truck traffic to and from this proposed use should be restricted to the identified truck routes through the community in order to limit the potential impacts of such traffic on the community.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use submission recommends approval with the following proposed:

1. Truck traffic to and from the site shall adhere to all established truck routes through Tooele City’s boundaries.
2. Additional facility for storm drainage detention must be provided.

Engineering Review. The Tooele City Engineering Division has completed their review of the Conditional Use submission and recommends approval with the following conditions:

1. The applicant will provide appropriate civil engineering for the modification of the site, including updates to the geotechnical report as may be required.
2. The applicant will meet all engineering standards for storm drainage detention.

Noticing. Public notice has been issued in the manner outlined in the City and State Codes for the public hearing, including notices to neighboring property owners.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit, application number P23-1479 by Geofortis Utah, subject to the following conditions:

1. The applicant shall obtain Site Plan approval from Tooele City and adhere to the requirements of that approval.
2. All requirements of the Tooele City Engineering Division shall be satisfied throughout the modification of the site and the construction of the new silo, including permitting.
3. All requirements of the Tooele City Public Works Development shall be satisfied throughout the modification of the site and the construction of the new silo, including permitting.
4. All requirements of the Tooele City Fire Department shall be satisfied throughout the modification of the site and construction of the new silo.
5. The applicant shall obtain a Tooele City building permit for the proposed silo addition, and all requirements of the Tooele City Building Division shall be satisfied the modification of the site and construction of the new silo.
6. The applicant shall provide appropriate civil engineering to reflect the changes proposed by the addition of the new silo, and shall ensure that the site will meet all requirements for storm drainage retention.
7. The applicant shall ensure that truck traffic to and from the site adheres to established truck routes through Tooele City’s boundaries as described in the Staff Report.

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

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the request for Conditional Use Permit, application #P23-1479 by Geofortis Utah, to allow the location of a new 99.5-foot high storage silo on the property located at 1345 K Avenue in the Industrial zoning district, based on the findings of fact and subject to the conditions of approval listed in the staff report dated January 4, 2024:”

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

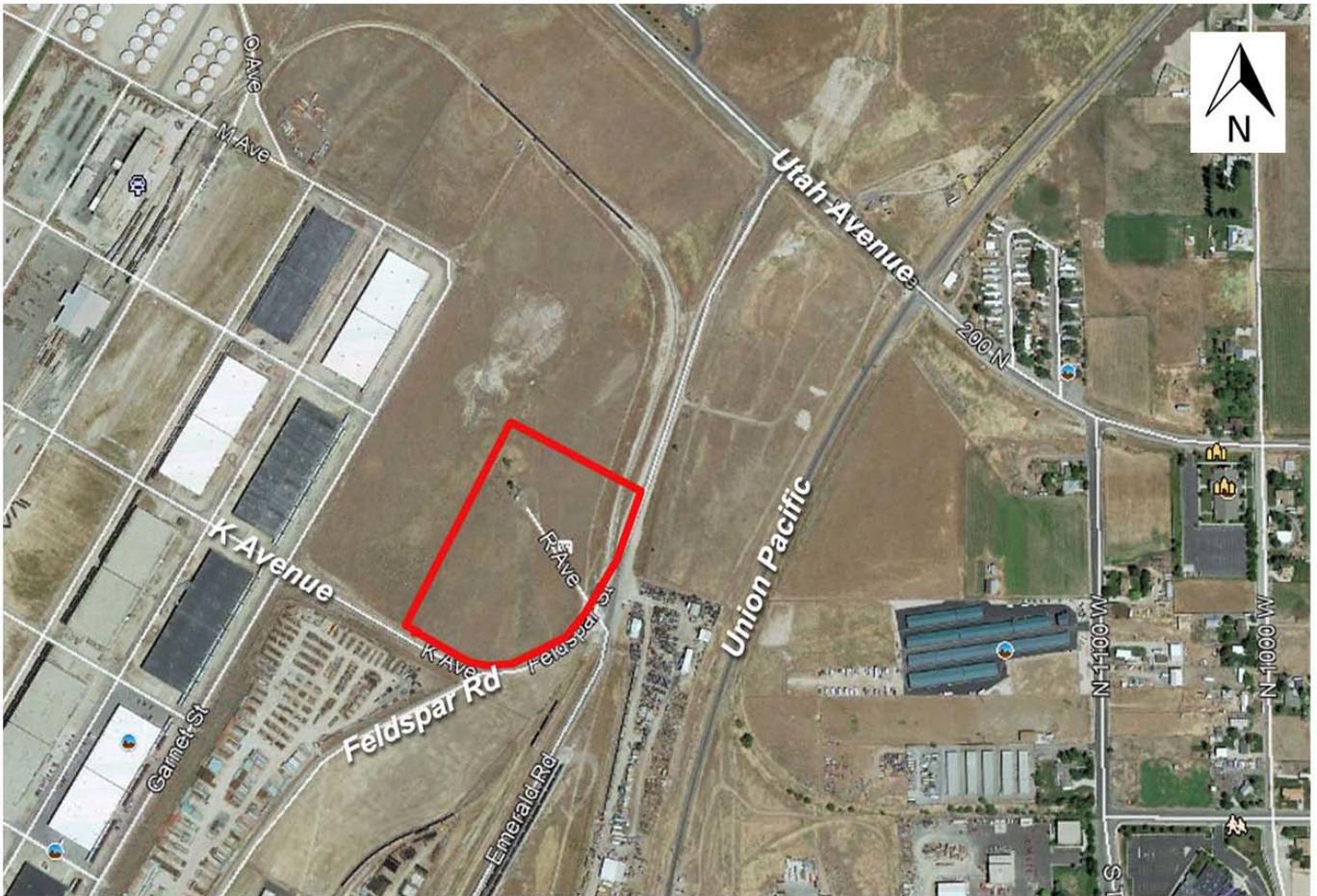
Sample Motion for Denial – “I move we deny the request for Conditional Use Permit, application #P23-1479 by Geofortis Utah, to allow the location of a new 99.5-foot high storage silo on the property located at 1345 K Avenue in the Industrial zoning district, based on the findings of fact:”

1. List findings of fact

EXHIBIT A

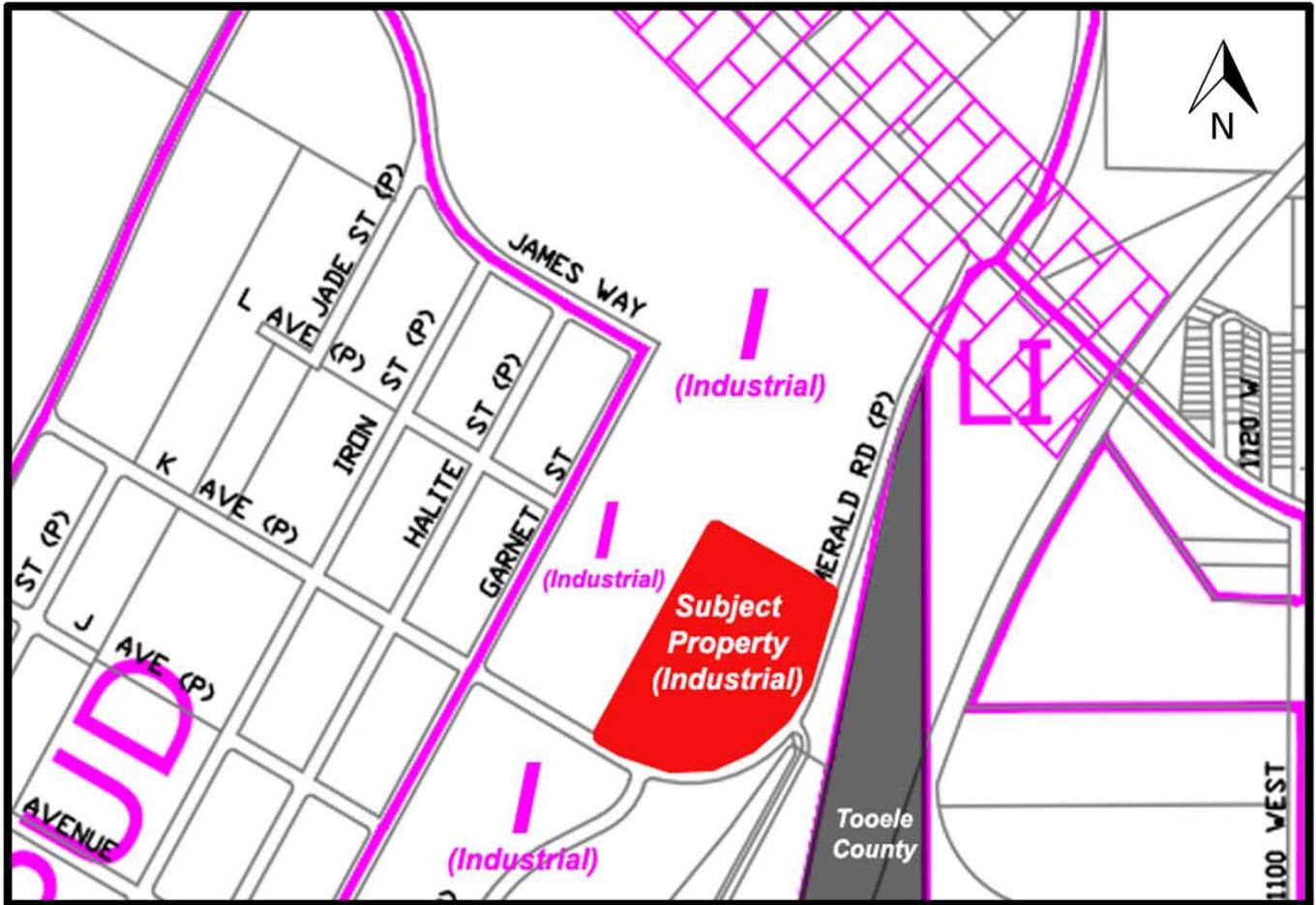
**MAPPING PERTINENT TO THE GEOFORTIS PROPOSED INTALLATION
OF A 99.5' STORAGE SILO**

Geofortis Conditional Use



Aerial View

Geofortis Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

Project Information					
Date of Submission: 12-01-2023		Current Zoning: Industrial		Parcel #(s): 21-015-0-3901	
Project Name: Geofortis Silo 2023				Acres: 6.88	
Project Address: 1345 K Ave.				Units:	
Project Description: Install new concrete silo. 82 ft diameter x 99.5 ft tall					
Current Use of Property: Industrial - pozzolan processing plant					
Property Owner(s): Geofortis Utah LLC			Applicant(s): Geofortis Utah LLC		
Address: 1345 K Ave.			Address: 1345 K Ave		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone:			Phone:		
Contact Person: Andrew McKane			Address: 1345 K Ave.		
Phone: 435-255-5519			City: Tooele	State: UT	Zip: 84074
Cellular:	Fax:	Email: amckkane@geofortis.com			
Signature of Applicant: Geofortis Utah LLC, <i>John Scott</i> Date: 12/7/23					

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

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

2231584

For Office Use Only			
Fee: \$1000.00 (213)	Received By: <i>[Signature]</i>	Date Received: 12/7/23	Receipt #: 628184



Conditional Use Permit Application Supporting Information
Geofortis Utah LLC
Pozzolan Processing Facility
December 1, 2023

Project Description

This application is an amendment to CUP P20-259 for Geofortis' processing facility at 1345 K Ave. which turns natural volcanic mineral into a product for the concrete industry. The CUP was approved in 2020 and the plant has been in production since 2021. This application is for a new 99.5 foot tall product storage silo (the "project"). The silo will be located in the center of the site, in the location of a current stormwater basin. Another adjacent basin will be expanded to maintain capacity for no runoff from the site pursuant to a future building permit.

Geofortis' natural volcanic ash replaces fly ash which is typically used in concrete. Due to the closure of coal burning power plants, there is a severe shortage of fly ash. Current operations include unloading incoming trucks into covered conveyors, storage of raw material in a covered building, drying the material and then grinding it in a ball mill. The product is conveyed to 3 storage silos and loaded out into trucks for distribution to Salt Lake area concrete producers.

The new silo will provide additional product storage and continued operations for peak production times and maintenance shutdowns. This will benefit the community in that operations, employment and services will be maintained without interruptions. The project is being designed to conform to all of the Tooele City zoning ordinance and building code requirements. Figures 1 and 2 show computer model views of the proposed silo. It will be made of concrete and is shown in grey in the model. The silo is 99.5 feet tall and 82 feet in diameter to be cost efficient in providing storage capacity in the available footprint. Adjacent structures are 70 feet tall for comparison.

The plant is served by E 1000 N Street (Hwy 112), West Utah Avenue to Loadstar Way, and K Avenue. This project will not alter the trucking routes or number of vehicles already permitted under the site CUP. The transportation network will not be stressed by the project. Trucks will follow City prescribed routes and will not be permitted on Utah Avenue east of Lodestone Way.

The project is compatible with the surrounding Industrial land uses. The nearest residential structure is more than 1600 feet from the site. The project is for storage of the same material currently produced, which is not a hazardous, dangerous or toxic material. Nothing in the process generates odors. Lighting and noise will conform to the City codes. The project does not use water or generate wastewater.

Property Owners Within 200 feet

Owner	Mailing Address	APN
Jade Street Enterprises	1485 JAMES WAY Tooele, UT 84074	02-017-0-0073 & 0080
Thorsen Fred Sedin Trust	2424 Wood Hollow Way Bountiful, UT 84010	03-036-0-0040
United States of America	Tooele Army Depot Tooele, UT 84074	02-017-0-0009 & 02-009-0-102

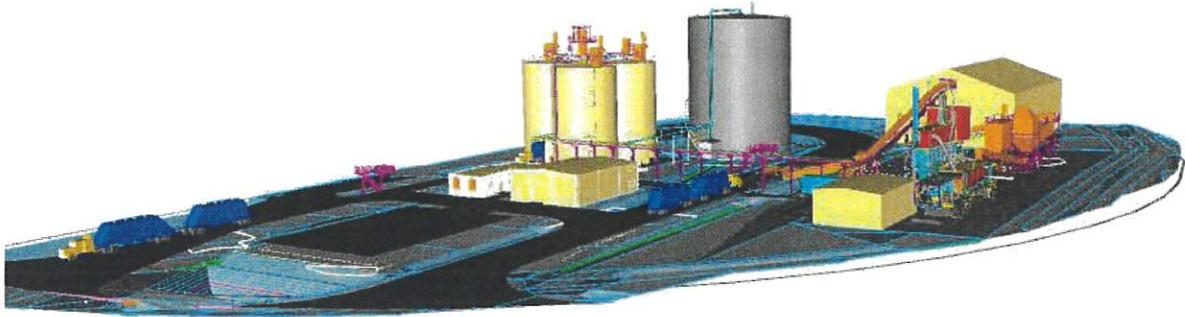


Figure 1 New Silo View Looking NW (proposed silo is grey)

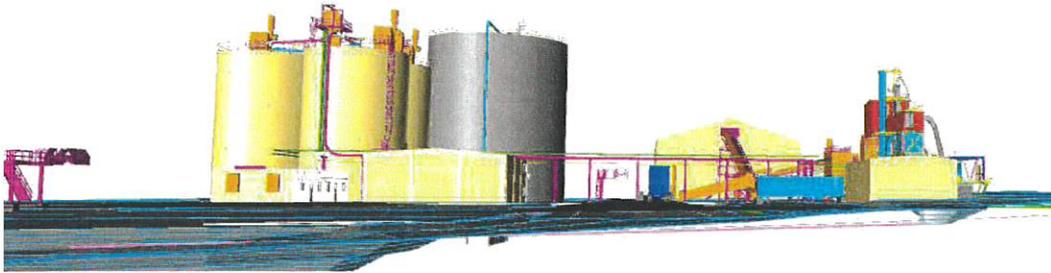
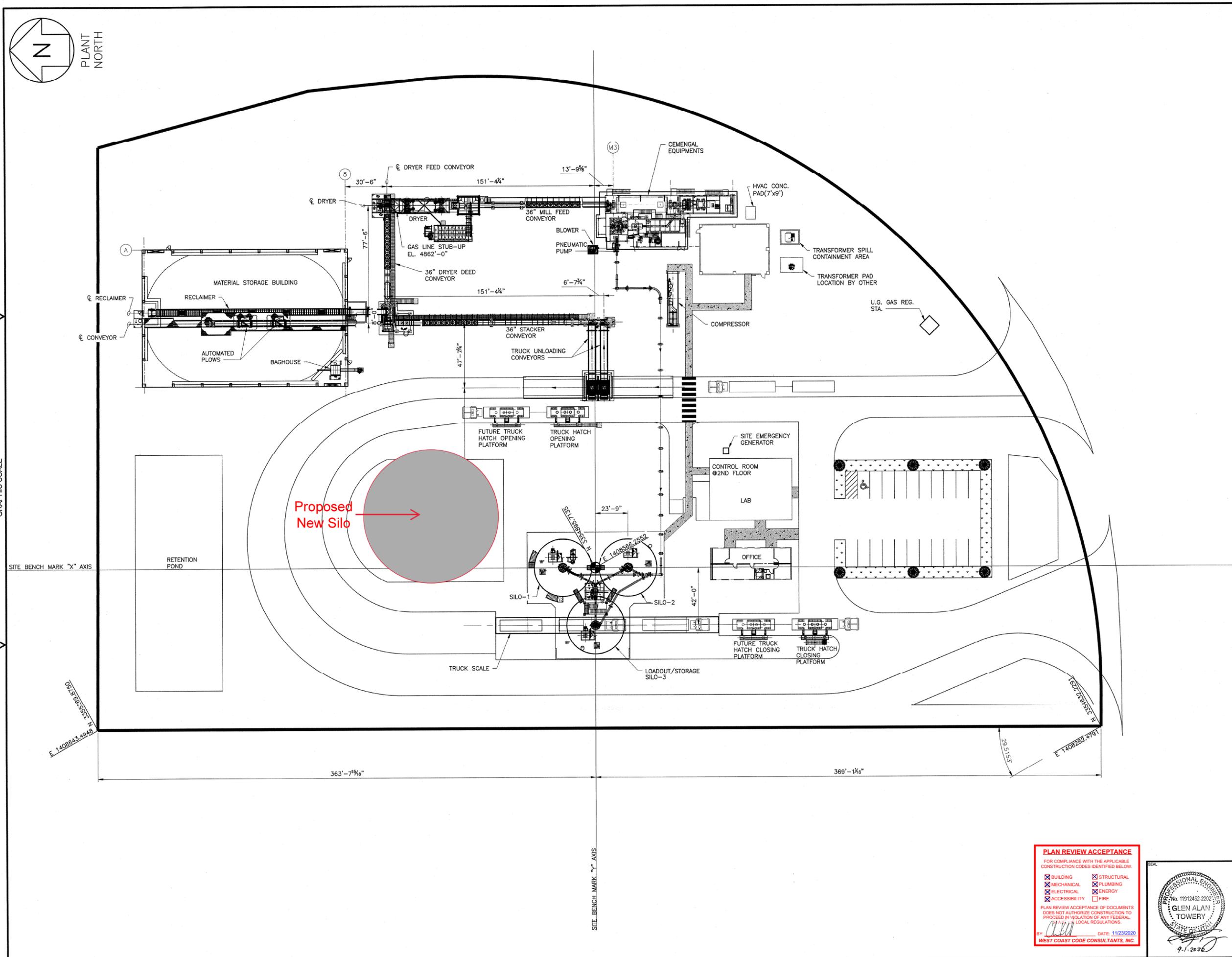


Figure 2 New Silo View from Inbound Driveway on K Ave.



REFERENCE DRAWINGS	
DRAWING NO.	TITLE

A
B
C
D
E
F
G
H



ISSUED FOR CONSTRUCTION
 BY MMV DATE 9/1/20

NO.	DATE	REVISIONS	DWN	CHK
0	9-1-20	ISSUED FOR CONSTRUCTION	SHV	MMV

DRAWN BY S. VADALIYA DATE 11/11/2019 CHECKED BY M. VEKARIYA DATE 08/29/2020
 DESIGNED BY M. VEKARIYA DATE 11/11/2019 APPROVED BY M. VEKARIYA DATE 09/01/2020
 CAD FILE NO. M026-0001-POA-C01.dwg PLOT DATE: Sep 01, 2020 - 10:35am

KBR PROJECT NO. K026-0001 KBR DRAWING NO. M026-0001-POA-001



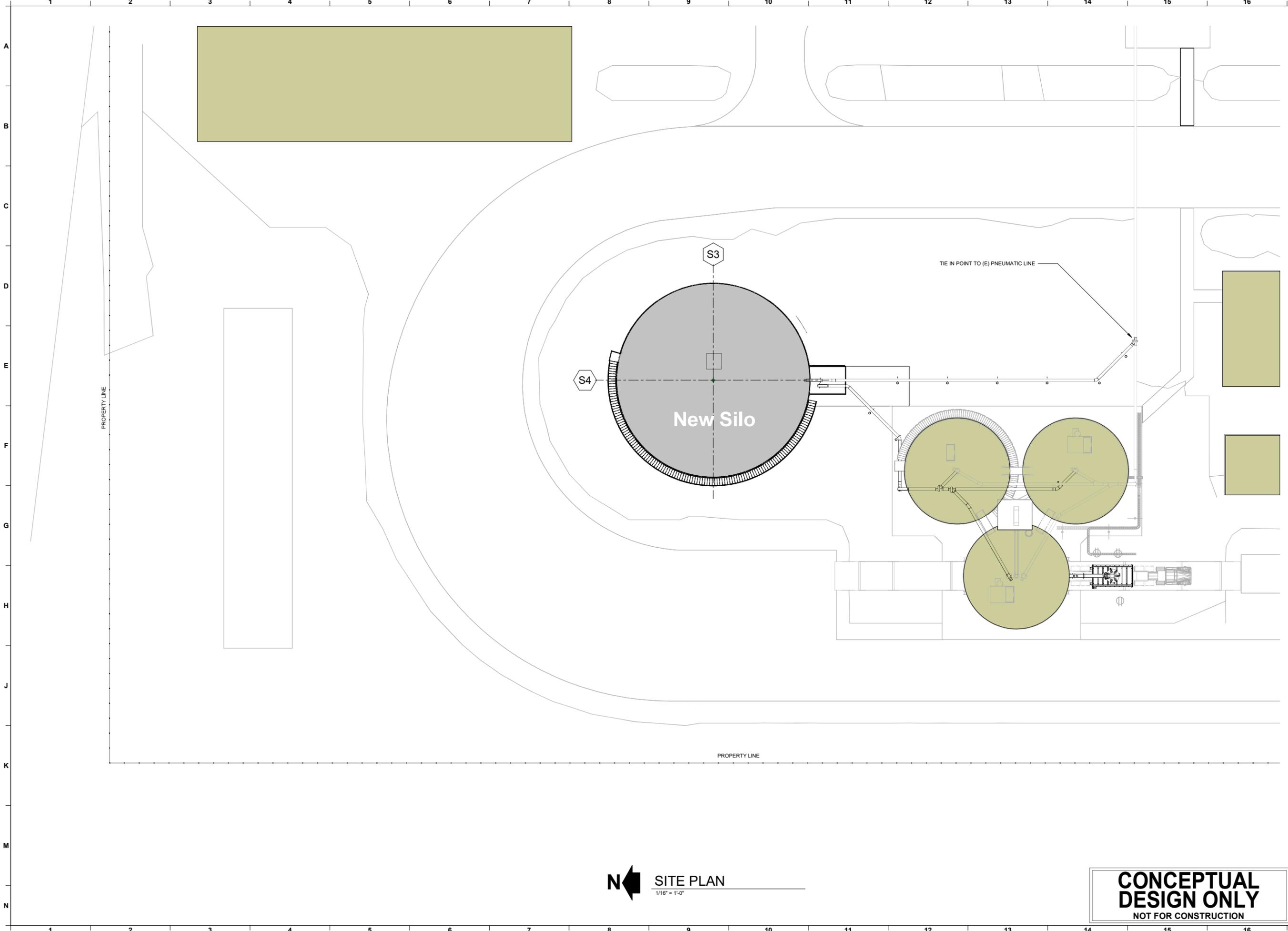
OVERALL PLOT PLAN
 UTAH PROCESSING FACILITY
 GEOFORTIS, TOOELE, UTAH

SCALE	CONTRACT NO.	DRAWING NO.	REV.
1"=30'-0"	M026-0001	M026-0001-POA-001	0

PLAN REVIEW ACCEPTANCE
 FOR COMPLIANCE WITH THE APPLICABLE CONSTRUCTION CODES IDENTIFIED BELOW.
 BUILDING STRUCTURAL
 MECHANICAL PLUMBING
 ELECTRICAL ENERGY
 ACCESSIBILITY FIRE
 PLAN REVIEW ACCEPTANCE OF DOCUMENTS DOES NOT AUTHORIZE CONSTRUCTION TO PROCEED IN VIOLATION OF ANY FEDERAL, LOCAL REGULATIONS.
 BY: [Signature] DATE: 11/23/2020
 WEST COAST CODE CONSULTANTS, INC.



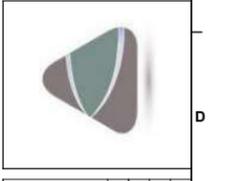
THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION BELONGING TO INDUSTRIAL ALLY. IT IS INTENDED FOR THE USE OF THE CLIENT AND THEIR AGENTS ONLY. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF INDUSTRIAL ALLY. THE CLIENT AND THEIR AGENTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. INDUSTRIAL ALLY SHALL NOT BE RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT OR THEIR AGENTS DUE TO OMISSIONS OR ERRORS IN THIS DOCUMENT. THE CLIENT AND THEIR AGENTS SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO INDUSTRIAL ALLY. INDUSTRIAL ALLY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT.



N **SITE PLAN**
 1/16" = 1'-0"

**CONCEPTUAL
DESIGN ONLY**
 NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	BY	CHK	APP
A	06/30/23	ISSUED FOR REVIEW	RPF	TJ	
B	10/25/23	ISSUED FOR REVIEW	RPF	TJ	



GEOFORTIS
 1345 K Ave, Tooele, Utah 84074
 DESIGNED: RPF DATE: 06/30/23
 DRAWN: RPF DATE: 06/30/23
 CHECKED: TED DATE: 06/30/23
 SMACC APPR: TJ DATE: 06/30/23

Industrial Ally
Full Service Engineering and Design
 1422 Elbridge Payne Rd, Suite 120
 Chesterfield, MO 63017
 INDUSTRIAL ALLY PROJECT NUMBER: 2461

**GEOFORTIS SILO STUDY
PLANT SITE
GENERAL ARRANGEMENT
SITE PLAN Op.1**

DRAWING NUMBER
2461-GA-101
 1" LONG REV. **B**
 @ FULL SIZE

STAFF REPORT

January 4, 2024

To: Tooele City Planning Commission
Business Date: January 10, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Hoot Owl, LLC – Conditional Use Request

Application No.: P23-1522
Applicant: Chad Griffith for Hoot Owl, LLC
Project Location: 650 North 700 West
Zoning: LI, Light Industrial
Acreage: 4.05 acres (approximately 176,418 ft²)
Request: Request for Conditional Use approval to allow the installation of a new, 110' cellular monopole tower on a portion of the subject property in the LI Zone.

BACKGROUND

Hoot Owl LLC proposes to construct a new 110' cellular monopole on a portion of the subject property, located in the Light Industrial (LI) Zone. LI zoning permits monopole towers, but the proposed height of 110' requires the Planning Commission's approval through a conditional use permit (CUP.)

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan places the subject property in the High Density Residential category, however the property is located in the Light Industrial zoning district. The purpose of the Light Industrial zone is to recognize existing industrial sites and uses within the city and to allow for the establishment of additional industrial uses which will add to employment opportunities and economic diversity within the city. The proposed use of a portion of this property for a monopole tower does not contradict or inhibit the purpose of the zoning.

The subject property is an unused parcel located east of the rail line and west of the intersection of 650 North and 700 West. Much of the property in the area is currently vacant, but there are existing housing developments to the south and northwest, in the MR-8 and MR-16 zones, respectively. Vacant parcels to the north are zoned R1-7, to the south MR-8 and RR-1, and to the west LI, like the subject property itself. With conditions prescribed by the zoning code, current patterns of development in the area can accommodate and benefit from the installation of a monopole tower on the subject property. Mapping pertaining to the subject property and the zoning in the area can be found in Exhibit "A", attached to this report.

Site Plan. The site plan provided by the applicant indicates that they proposed to lease approximately 1,368 ft² of the subject property, along with an access to the area running approximately 50 linear feet from 700 West. The entire lease area will be fenced. The lease site will contain the tower and associated equipment cabinets. The applicant proposes to use a portion of the subject property for the installation of the monopole. Site plans and elevations of the tower can be found in Exhibit "B" attached to this report.

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

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

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

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

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

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

1. The application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Engineering, Public Works, Fire Department and Building Division plan reviews, permitting, and inspection processes.
2. The proposed tower will have some visual impact for surrounding properties. That impact can be best mitigated by placing the tower site near the north end of the subject property, providing over 300 feet of distance from the residential neighborhoods to the north and the southeast.
3. The tower must be operated properly so that radio interference and other concerns can be mitigated. The ordinance requires the owners and operators of monopole towers to abide by Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations to assure that the signals from towers do not cause problems or harm, and Chapter 7-27 requires that the owners and operators have an maintain licenses with both the FCC and FAA.
4. Towers can present an attraction for climbing, and should be secured to ensure public safety. There are requirements in Chapter 7-27 governing towers and facilities that will be reviewed in the Staff report. Fencing the site and removing any climbing pegs below 20' are effective in securing the site and tower.

Standards of Review. As noted previously, the proposed tower is a permitted use in the Light Industrial zone, but the proposed height of 110' requires conditional use approval by the Planning Commission. In addition to the criteria for reviewing CUPs generally, the City Code contains standards specific to monopoles that should be reviewed as well. Both the considerations for monopoles generally, and those which are to be applied for situations requiring conditional uses are reviewed in the following:

Considerations for Monopoles Generally, Section 7-27-13

- Setback. Monopole towers must be set back at least 115% of the height of the pole from the nearest residential lot line. In this case that calculated setback is a minimum 126.5'. Potential locations for the pole on a lease site near the north end of the property as proposed all result in setbacks of more than 300' from any residential lot line in any direction.
- Antenna. The tower must be designed to allow colocation of future antenna, and the antenna itself should not exceed 15' in width. These conditions are easily accommodated.

Staff finds that the application meets these standards of review.

Considerations for Monopoles Requiring CUPs, Section 7-27-14.

- Compatibility. The proposed tower and facility's mass, height, and design should be compatible with the surrounding area. Because the proposed location is adjacent to a rail grade, the tower will likely always be located at some distance from adjacent development.
- Screening. The potential use of topography or other structures to screen the facility should be considered. There is no significant topography or vegetation in the area that provides natural screening other than the rail grade, which will visually reduce the height to some degree.
- Disguise. Given the somewhat isolated location and vacant parcel on which the tower will be located, no viable options to disguise the tower present themselves. The distance provides the greatest visual buffer to the potential impact.
- Parcel Size. The parcel is large enough to easily accommodate the placement of the tower and the lease area to support it. Staff suggests that the lease area be located as far to the north as possible to provide maximum buffer to the existing housing development to the southeast.
- Location on Parcel. Because the parcel is large and unutilized, Staff suggests that the lease area be located as far to the north as possible in order to provide a buffer for the existing housing development to the southeast of the subject property.
- Co-location. The applicant has designed the tower for the possibility of co-location of additional providers in the future.

Staff finds that the application satisfies or can satisfy these standards of review.

Additional Requirements for Monopoles, Section 7-27-15 through 18.

- Separation. Monopoles must be located at least one thousand feet (1000') from each other. The proposed monopole is not located within that distance of any other monopole or other tower.
- Location. Monopoles may not be located in required landscaping, buffer, or parking area. The proposed

monopole is to be located on a leased portion of the larger, unused property. The lease area will be located at least fifty feet (50') from the right-of-way at 700 West, so even if the larger parcel develops in the future it would not be located in a buffer or landscaping area.

- FCC & FAA Compliance. Tooele City code requires that monopoles, like other telecommunication facilities, comply with Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations for radio frequencies. Compliance with this section (7-27-16-1a) of the code will be a recommended condition of approval.
- Licensing & Permits. All licenses for government agencies for operation of the facility must be provided to the City. Compliance with this section (7-27-16-1b) will be a recommended condition of approval.
- Fencing. Monopoles must be fully enclosed by a minimum 6-foot tall fence or wall. The applicants have proposed an 8-foot tall fence, and staff will recommend that the inclusion of the fence be a condition of approval.
- Lighting. The Planning Commission can require security lighting for the site if it is considered desirable. The applicants have not proposed lighting specifically for security, and given the isolation and security fencing already required, Staff is not proposing to require any specific security lighting for the site.
- Parking. The City may require a parking stall for the facility. The site plan is large enough to allow a vehicle to enter the enclosed area and park. Staff is not recommending that a formal parking space be required in this case.
- Accessory Structures. Freestanding accessory buildings and equipment shelters are not allowed to exceed 450 ft². The only proposed structure is a small equipment cabinet, which meets this requirement.
- Landscaping. Staff does not recommend imposing landscaping requirements at this time. The leased area will be enclosed by a fence fifty feet from the street frontage. Landscaping will be more appropriate when the larger parcel is developed.

Staff finds that the proposed monopole tower meets or can meet these requirements. The tower and facility will be reviewed for Site Plan approval administratively if the Planning Commission finds that the application satisfies the requirements for a conditional use permit, and all these conditions will be enforced through that review process.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use submission recommends approval noting the following:

1. The applicant should provide all required information to obtain Site Plan approval for the development of the site and construction of the monopole tower.
2. The lease site should be located to maximize the distance from existing housing developments.
3. The applicant will need to provide appropriate surfacing for the proposed access to the tower site.
4. The applicant must comply with the requirements of Tooele City Code Sections 7-27-16-1a and 7-27-16-1b for licensing and operations under FCC and FAA rules.
5. The applicant should provide an 8-foot fence around the tower lease area to secure the site.
6. The applicant shall meet the requirements of Tooele City Code Chapter 27 as reviewed in the Staff Report dated January 4, 2024.

7. The applicant will need to meet all requirements of the City Engineer and Public Works Department for grading, drainage, and utility provision on the site.

Noticing. Public notice has been issued in the manner outlined in the City and State Codes for the public hearing, including notices to neighboring property owners.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit, application number P23-1522 by Hoot Owl LLC, subject to the following conditions:

1. All requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of the monopole tower, including permitting.
2. All requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of the monopole tower, including permitting.
3. All requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and construction of the monopole tower, including permitting.
4. The applicant shall work with City Staff to locate the leased area to maximize the distance from existing housing developments.
5. The applicant shall comply with the requirements of Tooele City Code Sections 7-27-16-1a and 7-27-16-1b for licensing and operations for FCC and FAA regulations.
6. The applicant shall install an 8-foot fence around the tower lease area to secure the site.
7. The applicant shall meet the requirements of Tooele City Code Chapter 27 as reviewed in the Staff Report dated January 4, 2024.

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. With conditions, 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 area is conducive to the use of a monopole tower as proposed by the applicant.
7. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the request for Conditional Use Permit, application #P23-1522 by Hoot Owl LLC, to allow the installation of a 110-foot high monopole tower on a portion of the property located at 650 North 700 West in the Light Industrial zoning district, based on the findings of fact and subject to the conditions of approval listed in the Staff Report dated January 4, 2024:”

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

Sample Motion for Denial – “I move we deny the request for Conditional Use Permit, application #P23-1522 by Hoot Owl LLC, to allow the location of a 110-foot high monopole tower on a portion of the property located at approximately 650 North 700 West in the Light Industrial zoning district, based on the findings of fact:”

1. List findings of fact

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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

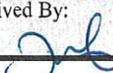


Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject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

Project Information				23-1522			
Date of Submission: 12-13-23		Current Zoning:		Parcel #(s):			
Project Name: TC Cell tower				Acres:			
Project Address: 650 N 700 W				Units:			
Project Description: New 110' cell tower							
Current Use of Property: No use, city property							
Property Owner(s): Tooele city				Applicant(s): Chad Griffith (Hootow/LLC)			
Address: 90 North Main St.				Address: 30 South Tooele blv			
City: Tooele		State: UT	Zip: 84074	City: Tooele		State: UT	Zip: 84074
Phone: 435-843-2132				Phone: 801-580-3375			
Contact Person: Chad Griffith				Address: 30 South Tooele blud.			
Phone: 801-580-3375				City: Tooele		State: UT	Zip: 84074
Cellular:		Fax:		Email: chad@cgconst.com			
Signature of Applicant: 							
Date 12-13-23							

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

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

For Office Use Only				2231627			
Fee: 600.00		Received By: 		Date Received: 12/21/23		Receipt #: 00617649	
(213)							

AFFIDAVIT

PROPERTY OWNER

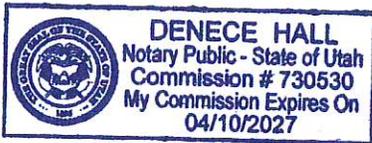
STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

I/we, Tooele City Corp, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

Debra E. Walker
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 21 day of December, 2023



Denece Hall
(Notary)
Residing in Tooele County, Utah
My commission expires: 4/10/2027

AGENT AUTHORIZATION

I/we, Tooele City, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this ___ day of _____, 20__, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

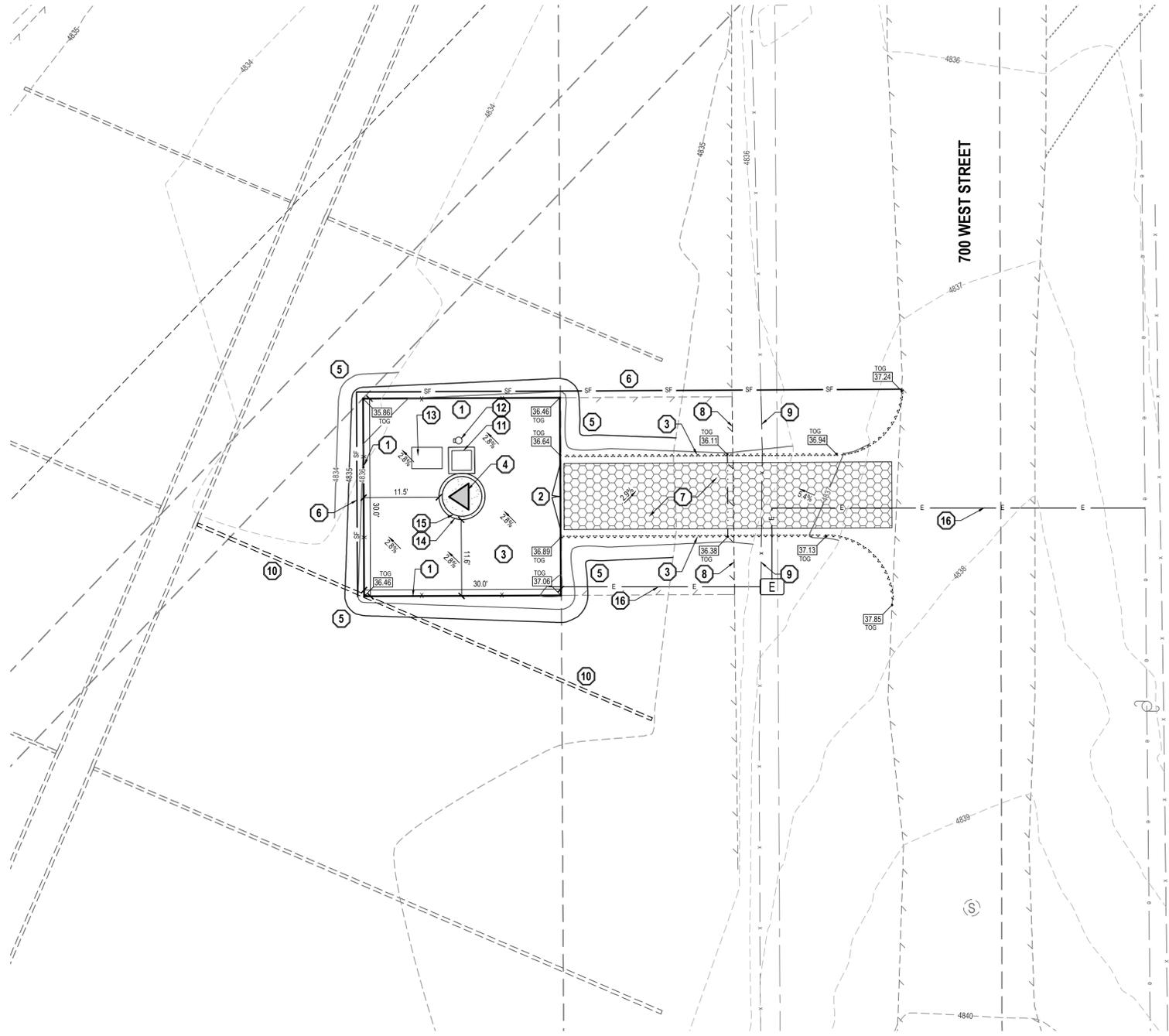
(Notary)
Residing in _____ County, Utah
My commission expires: _____

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

**TOOELE CITY DEVELOPMENT
REVIEW**

Submittal # 1 12/26/2023

BENCHMARK
EAST QUARTER CORNER OF SECTION 20,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN
ELEV = 4867.40



GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
- ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 48XX.XX ON THESE PLANS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- DETAILS SHOWN ARE TO BE EMPLOYED TO PROTECT RUNOFF AS APPROPRIATE DURING CONSTRUCTION. NOT ALL DETAILS ARE NECESSARY AT ALL PHASES OF THE PROJECT. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/OPERATOR TO USE APPROPRIATE BEST MANAGEMENT PRACTICES AT THE APPROPRIATE PHASE OF CONSTRUCTION. SEE SWPPP FOR BMP IMPLEMENTATION SCHEDULE.
- VARIOUS BEST MANAGEMENT PRACTICES HAVE BEEN SHOWN ON THE PLANS AT SUGGESTED LOCATIONS. THE CONTRACTOR MAY MOVE AND RECONFIGURE THESE BMP'S TO OTHER LOCATIONS IF PREFERRED, PROVIDED THE INTENT OF THE DESIGN IS PRESERVED.
- NOT ALL POSSIBLE BMP'S HAVE BEEN SHOWN. THE CONTRACTOR IS RESPONSIBLE TO APPLY CORRECT MEASURES TO PREVENT THE POLLUTION OF STORM WATER PER PROJECT SWPPP.

SCOPE OF WORK:

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

- CHAIN LINK FENCE PER DETAIL 1/C-200.
- CHAIN LINK GATE PER DETAIL 1/C-200.
- SITE COMPOUND SURFACE AND ACCESS ROAD PER DETAIL 3/C-200.
- PROPOSED 110.0' MONOPOLE CELL TOWER. SEE GROUNDING DETAILS ON E3.1.
- DAYLIGHT TO EXISTING GROUND WITH MAXIMUM 2:1 SLOPE.
- SILT FENCE PER DETAIL 4/C-200.
- VEHICLE WASHDOWN AND STABILIZED CONSTRUCTION ENTRANCE PER DETAIL 5/C-200.
- REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT, AS NEEDED.
- REMOVE AND PROPERLY DISPOSE OF EXISTING FENCE, AS NEEDED.
- REMOVE AND PROPERLY DISPOSE OF EXISTING WALL, AS NEEDED.
- PROPOSED CABINET. SEE GROUNDING DETAILS ON E3.1.
- PROPOSED POLE MOUNTED METER. SEE GROUNDING DETAILS ON E3.1.
- FIBER HANDHOLE.
- PROPOSED TOWER GROUND RING.
- PROPOSED TOWER FOUNDATION.
- PROPOSED ELECTRICAL SERVICE PER ROCKY MOUNTAIN POWER.



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

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
C & G CONSTRUCTION
30 SOUTH TOOELE BLVD.
TOOELE, UTAH 84074

CONTACT:
CHAD GRIFFITH
PHONE: 801-580-3375

TOOELE CITY - CELL PHONE TOWER

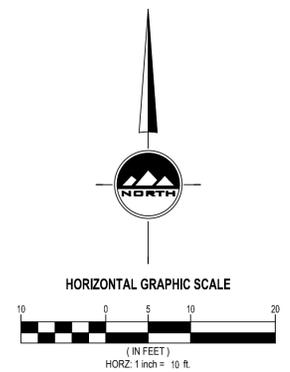
**650 NORTH AND 700 WEST
TOOELE, UTAH 84074**



SITE PLAN

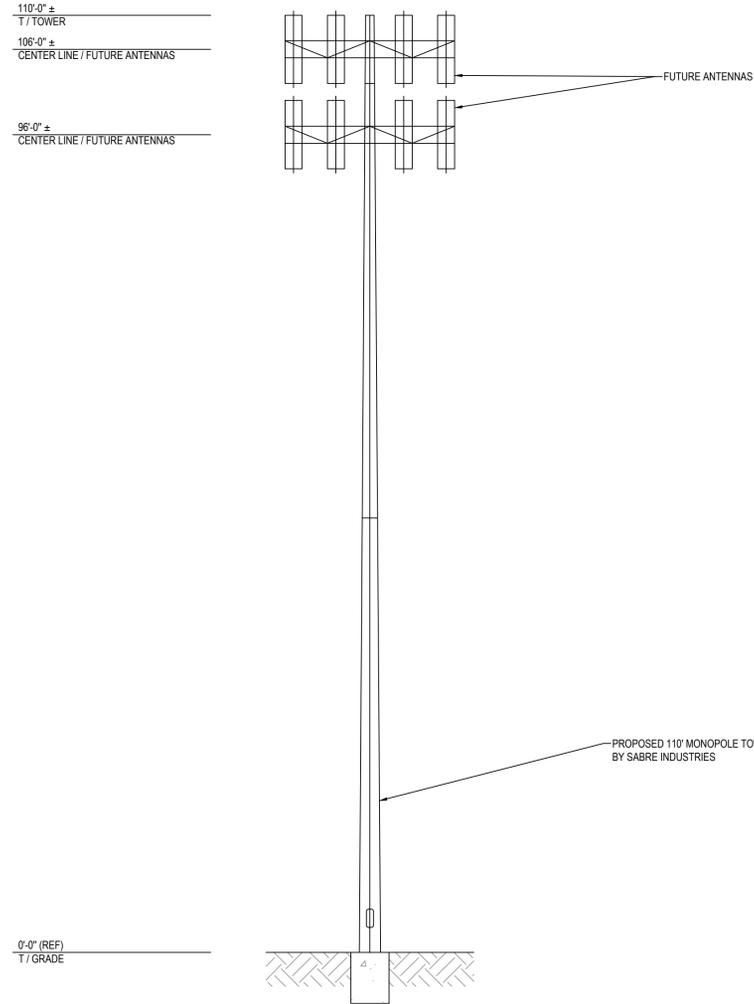
PROJECT NUMBER: C96208P
PROJECT MANAGER: J. CLEGG
PRINT DATE: 2023-11-30
DESIGNED BY: R. FISH

C-100



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

BENCHMARK
 EAST QUARTER CORNER OF SECTION 20,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE AND MERIDIAN
 ELEV = 4867.40'



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
4. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
5. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
6. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
7. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
8. VARIOUS BEST MANAGEMENT PRACTICES HAVE BEEN SHOWN ON THE PLANS AT SUGGESTED LOCATIONS. THE CONTRACTOR MAY MOVE AND RECONFIGURE THESE BMP'S TO OTHER LOCATIONS IF PREFERRED, PROVIDED THE INTENT OF THE DESIGN IS PRESERVED.
9. NOT ALL POSSIBLE BMP'S HAVE BEEN SHOWN. THE CONTRACTOR IS RESPONSIBLE TO APPLY CORRECT MEASURES TO PREVENT THE POLLUTION OF STORM WATER PER PROJECT SWPPP.
10. FOR MORE DETAILS ON TOWER PARTS, MATERIALS, AND DIMENSIONS SEE TOWER PLANS BY SABRE INDUSTRIES DATED APRIL 14TH, 2023.



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

SANDY
 Phone: 801.255.0529

LAYTON
 Phone: 801.547.1100

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 C & G CONSTRUCTION
 30 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:
 CHAD GRIFFITH
 PHONE: 801-580-3375

TOOELE CITY - CELL PHONE TOWER

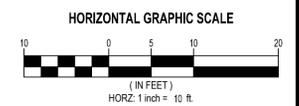
**650 NORTH AND 700 WEST
 TOOELE, UTAH 84074**



TOWER ELEVATION DETAIL

PROJECT NUMBER: C96208P
 PRINT DATE: 2023-11-30
 PROJECT MANAGER: J. CLEGG
 DESIGNED BY: R. FISH

C-200



GENERAL NOTES:

1. SEE GROUNDING DETAILS ON E3.1.

SHEET KEYNOTES:

1. NOT USED.

TOOELE
 169N. MAIN ST, UNIT 1
 TOOELE, UT. 84074
 PHONE: 435-843-3590

SANDY
 PHONE: 801.255.0529

LAYTON
 PHONE: 801.547.1100

CEDAR CITY
 PHONE: 435.865.1453

RICHFIELD
 PHONE: 435.896.2983

WWW.ENSGNENG.COM

FOR:
 C&G CONSTRUCTION
 38 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:
 PHONE: 435.862.0062

TOOELE CITY - CELL PHONE TOWER
 650 NORTH AND 700 WEST
 TOOELE, UTAH 84074



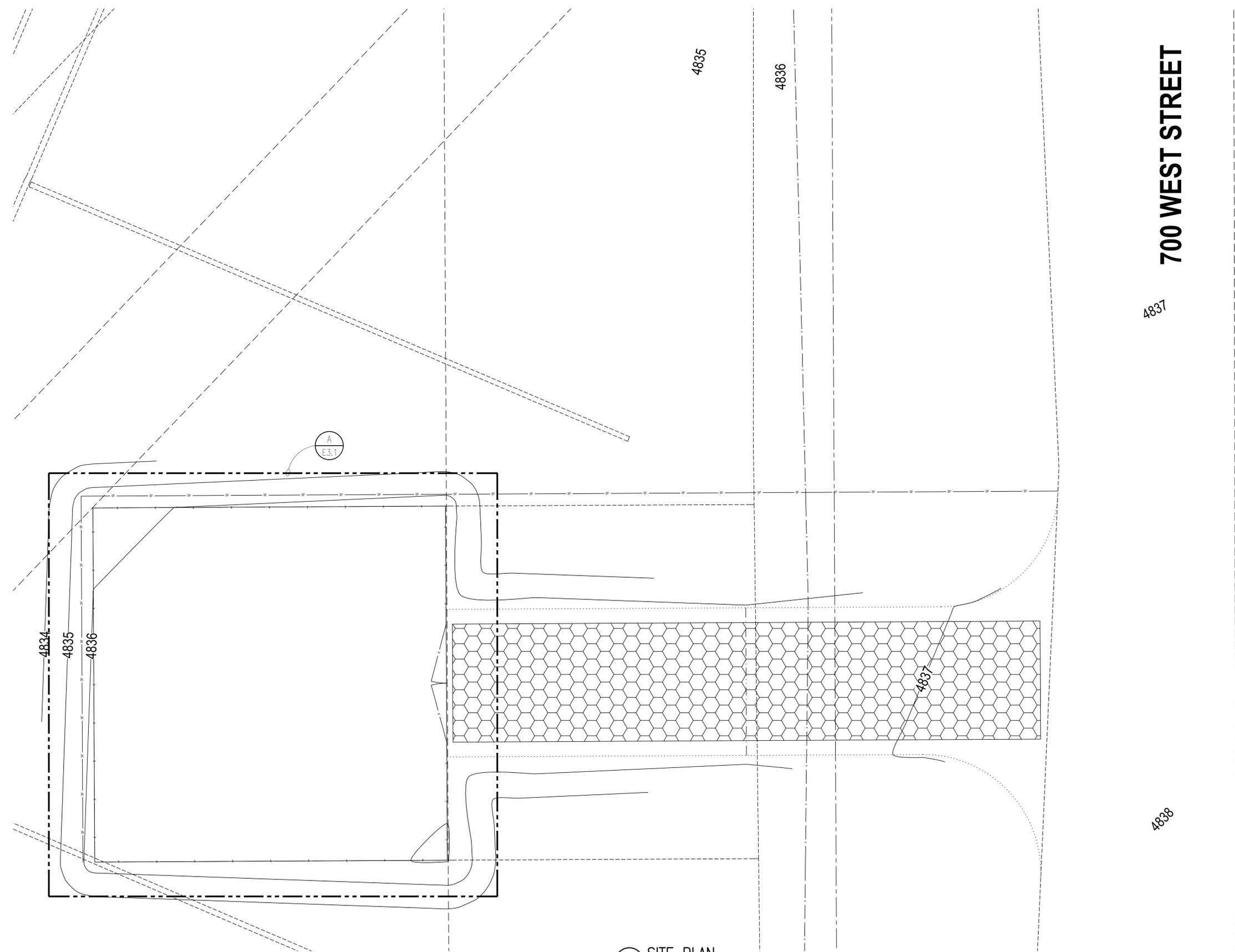
PERMIT 08-28-23

NO. DATE REVISION

SITE PLAN

PROJECT NUMBER: C96208P DATE: 8-28-23
 DRAWN BY: G. SORENSON CHECKED BY: K. HEGERHORST
 APPROVED BY: K. HEGERHORST DESIGNED BY: B. SORENSON

E2.1



1 SITE PLAN
 SCALE: 0 4' 8' 12'
 1/4" = 1'-0"

TOOELE
 169N. MAIN ST, UNIT 1
 TOOELE, UT. 84074
 PHONE: 435-843-3590

SANDY
 PHONE: 801.255.0529

LAYTON
 PHONE: 801.547.1100

CEDAR CITY
 PHONE: 435.865.1453

RICHFIELD
 PHONE: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 C&G CONSTRUCTION
 30 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:

PHONE: 435.862.0062

TOOELE CITY - CELL PHONE TOWER
 650 NORTH AND 700 WEST
 TOOELE, UTAH 84074



PERMIT 08-28-23

SITE GROUNDING PLAN

PROJECT NUMBER: C96208P DATE: 8-28-23
 DRAWN BY: G. SORENSON CHECKED BY: K. HEGERHORST
 APPROVED BY: K. HEGERHORST DESIGNED BY: B. SORENSON

E3.1

#	GROUNDING NOTES
①	COPPER CLAD GROUND ROD (TYP) 5/8"x10' LONG
②	5/8"x10' ROD W/ INSPECTION WELL (TYP)
③	#2 SOLID TINNED COPPER GROUND WIRE
④	GROUND LEAD FROM FENCE TO PROPOSED TOWER GROUND RING
⑤	BOTTOM OF TOWER GROUND BAR
⑥	#2 TINNED INSULATED LEAD TO TOWER STEEL
⑦	GROUND LEAD TO H-FRAME AND ALL EQUIPMENT ON H-FRAME (TYP)

GROUNDING NOTES:

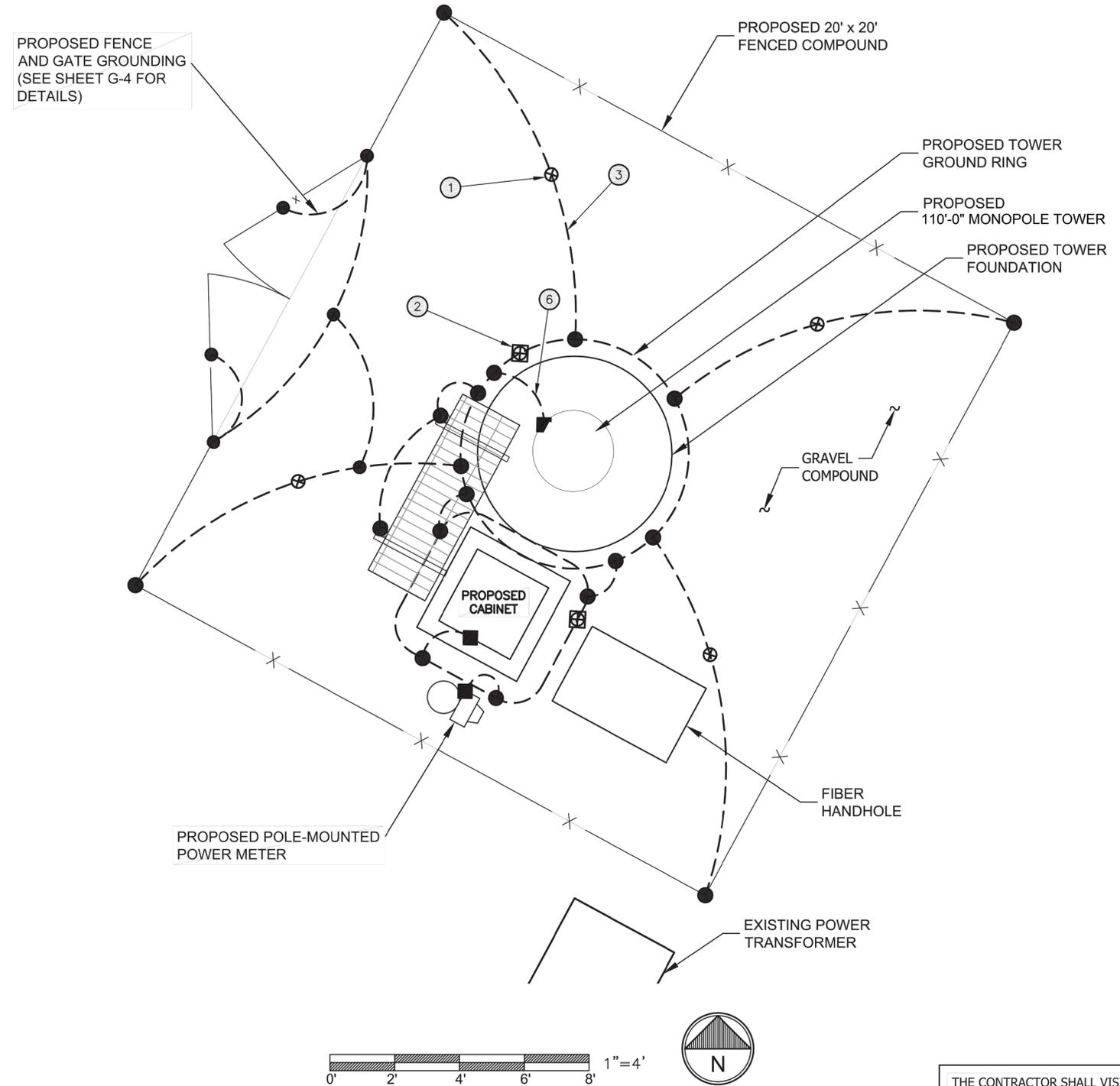
- ALL GROUNDING CONNECTIONS SHALL BE MADE WITH THOMAS AND BETTS KOPR (TM OF JET LUBE, INC.) THERE IS NO EQUIVALENT FOR THIS ANTI-OXIDATION COMPOUND. NO OTHER COMPOUND WILL BE ACCEPTED. COAT ALL WIRES BEFORE LUGGING. COAT ALL SURFACES BEFORE CONNECTING. ALL DISSIMILAR METAL CONNECTIONS SHALL INCORPORATE A "DRAGON TOOTH WASHER" BETWEEN THE LUG AND THE METAL.
- CONTRACTOR SHALL VERIFY THE ADEQUACY OF THE INSTALLED SYSTEM. CONTRACTOR SHALL CONDUCT A "SITE RESISTANCE TO EARTH GROUNDING TESTING". INSTALLED SYSTEM SHALL ACHIEVE A GROUND RESISTANCE OF 5 OHMS.
- TEST SHALL BE WITNESSED BY A CARRIER REPRESENTATIVE, IF REQUIRED.
- BARE COPPER CONDUCTORS SHALL NOT BE INSTALLED WHERE THEY MAY BE IN CONTACT WITH GALVANIZED METALS. THE CONDUCTORS SHALL BE INSULATED IN PVC CONDUIT OR PLACED ON STAND OFF SUCH THAT NO CONTACT BETWEEN DIFFERENT MATERIALS MAY OCCUR.
- CONNECTION OF COPPER TO GALVANIZED MATERIALS SHALL BE AVOIDED. BRASS OR STAINLESS STEEL LUGS SHALL BE USED FOR CONNECTION OF COPPER CONDUCTORS TO GALVANIZED MATERIALS.
- WHEN COPPER CONDUCTORS ARE CONNECTED TO ALUMINUM SURFACES OR CONDUCTORS, LUGS OR SPLIT BOLTS MARKED WITH THE DESIGNATION AL/CU SHALL BE USED.

GROUNDING LEGEND

	-5/8"x10'-0" COPPER CLAD GROUND ROD WITH INSPECTION WELL (FIELD VERIFY LOCATION WITH MANAGER)
	-5/8"x10'-0" COPPER CLAD GROUND ROD AT 16'-0" MAX CENTERS
	-MECHANICAL CONNECTION
	-EXOTHERMIC WELD (CAD WELD)
	-#2 SOLID COPPER TINNED WIRE UNLESS NOTED OTHERWISE



CALL UTAH ONE CALL
 (800) 662-4111
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!



THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED WITHIN THIS DESIGN PACKAGE. DISCREPANCIES AND OMISSIONS SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO BIDDING.

SITE GROUNDING PLAN
 SCALE: NTS

STAFF REPORT

January 5, 2024

To: Tooele City Planning Commission
Business Date: January 10, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Hoot Owl, LLC – Conditional Use Request

Application No.: P23-1520
Applicant: Chad Griffith for Hoot Owl, LLC
Project Location: 2400 North 200 East
Zoning: GC, General Commercial
Acreage: 53.59 acres
Request: Request for Conditional Use approval to allow the installation of a new, 110' cellular monopole tower on a portion of the subject property in the GC Zone.

BACKGROUND

Hoot Owl LLC proposes to construct a new 110' cellular monopole on a portion of the subject property, which is the site of the Deseret Peak High School campus. The monopole would be built in an enclosure at the northeast corner, adjacent to a storm water detention pond to the rear of the Home Depot. The property is located in the GC, General Commercial zone. GC zoning allows monopole towers as permitted uses, but the proposed height of 110' requires the Planning Commission's approval through a conditional use permit (CUP.)

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan places the subject property in the Medium Density Residential category, and the property is located in the General Commercial zoning district. The property is under development as a high school campus. The purpose of the General Commercial zone is to “reflect the diversity of the City’s commercial areas and to provide a wide range of commercial services for Tooele City and surrounding areas.” The proposed use of a portion of this property for a monopole tower does not contradict or inhibit the purpose of the zoning.

The proposed tower would be located on a small portion of the property at the northeast corner along 2400 North. The remainder of the 53+ acre property will be the high school campus. In addition to the school, the surrounding properties include commercial uses like the Home Depot, the medical center, the senior center, several housing developments, and vacant properties. Adjacent and nearby properties are zoned R1-8, MR-8, RR-5 and GC. Because of the size of the subject property, the tower itself will only be near to the new school building and the Home Depot. The closest of the housing developments is over 1,750 feet to the southwest, and the nearest property in residential zoning is over 1,100 feet away. Other vacant parcels in the area are zoned for commercial uses. With conditions prescribed by the zoning code, current patterns of development in the area can appropriately accommodate the installation of a monopole tower on the subject property. Mapping pertaining to the subject property and the zoning in the area can be found in Exhibit “A”, attached to this report.

Site Plan. The site plan provided by the applicant indicates that they proposed to lease approximately 1,368 ft² of the subject property. The entire lease area will be fenced, and can be accessed from 2400 North. The lease site will contain the tower and associated equipment cabinets. Site plans and elevations of the tower can be found in Exhibit “B” attached to this report.

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

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

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

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

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

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

1. The application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Engineering, Public Works, Fire Department and Building Division plan reviews, permitting, and inspection processes.
2. The proposed tower will have some visual impact for surrounding properties. That impact can be best mitigated by placing the tower nearer to the non-residential uses (school, commercial properties) where the mass and height of the individual buildings and the natural buffer created by parking areas can mitigate the visual impact. The proposed northeast corner is the best location.
3. Towers can present an attraction for climbing, and should be secured to ensure public safety. There are requirements in Chapter 7-27 governing towers and facilities that will be reviewed in the Staff Report. Fencing the site and removing any climbing pegs below 20' are effective in securing the site and tower itself.

4. The tower must be operated properly so that radio interference and other concerns can be mitigated. The ordinance requires the owners and operators of monopole towers to abide by Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations to assure that the signals from towers do not cause problems or harm, and Chapter 7-27 requires that the owners and operators have an maintain licenses with both the FCC and FAA.

Standards of Review. As noted previously, the proposed tower is a permitted use in the GC zone, but the proposed height of 110' requires conditional use approval by the Planning Commission. In addition to the criteria for reviewing CUPs generally, the City Code contains standards specific to monopoles that should be reviewed as well. Both the considerations for monopoles generally, and those which are to be applied for situations requiring conditional uses are reviewed in the following:

Considerations for Monopoles Generally, Section 7-27-13

- Setback. Monopole towers must be set back at least 115% of the height of the pole from the nearest residential lot line. In this case that calculated setback is a minimum of 126.5'. The proposed location for the lease site at the northeast corner of the property results in setbacks greater than 570 feet from residential property lines. Most are more than 1,000 feet.
- Antenna. The tower must be designed to allow colocation of future antenna, and the antenna itself should not exceed 15' in width. These conditions can be met by the application.

Staff finds that the application meets these standards of review.

Considerations for Monopoles Requiring CUPs, Section 7-27-14.

- Compatibility. The proposed tower and facility's mass, height, and design should be compatible with the surrounding area. The proposed location sits on a campus, which provides scale compatible with the height. The large commercial uses in the area also provide compatible scale with larger building sizes and parking lot areas.
- Screening. The potential use of topography or other structures to screen the facility should be considered. There is no significant topography or vegetation in the area that provides any natural screening, but the open areas around the tower itself mitigate the visual impact in a different way.
- Disguise. Given the location in an open area of the school campus and commercial parcels no viable options to disguise the tower present themselves. The open areas around the tower itself provide the greatest visual buffer.
- Parcel Size. The parcel is large enough to easily accommodate the placement of the tower and the lease area to support it without interference to parking or traffic circulation.
- Location on Parcel. The proposed location is the most appropriate to provide buffering to adjacent or nearby residential uses.
- Co-location. The applicant has designed the tower for the possibility of co-location of additional providers in the future.

Staff finds that the application satisfies or can satisfy these standards of review.

Additional Requirements for Monopoles, Sections 7-27-15 through 18.

- Separation. Monopoles must be located at least one thousand feet (1000') from each other. The proposed monopole is not located within that distance of any other monopole or other tower.
- Location. Monopoles may not be located in required landscaping, buffer, or parking area. The proposed monopole is to be located on a leased portion of the larger property. The lease area will be located off the 2400 North right-of-way, and will not interfere with parking or landscaping on the larger site.
- FCC & FAA Compliance. Tooele City code requires that monopoles, like other telecommunication facilities, comply with Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations for radio frequencies. Compliance with this section (7-27-16-1a) of the code will be a recommended condition of approval.
- Licensing & Permits. All licenses for government agencies for operation of the facility must be provided to the City. Compliance with this section (7-27-16-1b) will be a recommended condition of approval.
- Fencing. Monopoles must be fully enclosed by a minimum 6-foot tall fence or wall. The applicants have proposed an 8-foot tall fence, and staff will recommend that the inclusion of the 8-foot tall fence be a condition of approval to secure the site.
- Lighting. The Planning Commission can require security lighting for the site if it is considered desirable. The applicants have not proposed lighting specifically for security. The lease site will be located adjacent to lighted parking lots and to street lights on 2400 North. Staff is not proposing to require any specific security lighting for the site.
- Parking. The City may require a parking stall for the facility. The site plan is large enough to allow a vehicle to enter the enclosed area and park. Staff is not recommending that a formal parking space be required in this case.
- Accessory Structures. Freestanding accessory buildings and equipment shelters are not allowed to exceed 450 ft². The only proposed structure is a small equipment cabinet, which meets this requirement.
- Landscaping. The GC zone requires a ten-foot landscaping buffer behind the property line. The landscaping will be required between the edge of right-of-way (property line) and the lease site's fencing. The 2400 North right-of-way has not yet been extended past the property. Staff will require the landscaping and street improvements as part of the Site Plan review process and building permit.

Staff finds that the proposed monopole tower meets or can meet these requirements. The tower and facility will be reviewed for Site Plan approval administratively if the Planning Commission finds that the application satisfies the requirements for a conditional use permit, and all these conditions will be enforced through that review process and with required building permits.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use submission recommends approval noting the following:

1. The applicant should provide all required information to obtain Site Plan approval for the development of the site and construction of the monopole tower.

2. The applicant must comply with the requirements of Tooele City Code Sections 7-27-16-1a and 7-27-16-1b for licensing and operations under FCC and FAA rules.
3. The applicant will need to obtain Tooele City Building Permits for all work prior to beginning construction or work of any kind on the site.
4. The applicant should provide an 8-foot fence around the tower lease area to secure the site.
5. The applicant will need to meet the requirements of Tooele City Code Chapter 27 as reviewed in the Staff Report.
6. The applicant will need to meet all requirements of the City Engineer and Public Works Department for grading, drainage, and utility provision on the site.

Noticing. Public notice has been issued in the manner outlined in the City and State Codes for the public hearing, including notices to neighboring property owners.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit, application number P23-1520 by Hoot Owl LLC, subject to the following conditions:

1. All requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of the monopole tower, including permitting.
2. All requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of the monopole tower, including permitting.
3. All requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and construction of the monopole tower, including permitting.
4. The applicant shall comply with the requirements of Tooele City Code Sections 7-27-16-1a and 7-27-16-1b for licensing and operations for FCC and FAA regulations.
5. The applicant shall install an 8-foot fence around the tower lease area to secure the site.
6. The applicant shall meet the requirements of Tooele City Code Chapter 27 as reviewed in the Staff Report dated January 5, 2024.

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. With conditions, 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 area is conducive to the use of a monopole tower as proposed by the applicant.
7. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the request for Conditional Use Permit, application #P23-1520 by Hoot Owl LLC, to allow the installation of a 110-foot high monopole tower on a portion of the property located at 2400 North 200 East in the General Commercial zoning district, based on the findings of fact

and subject to the conditions of approval listed in the Staff Report dated January 5, 2024:”

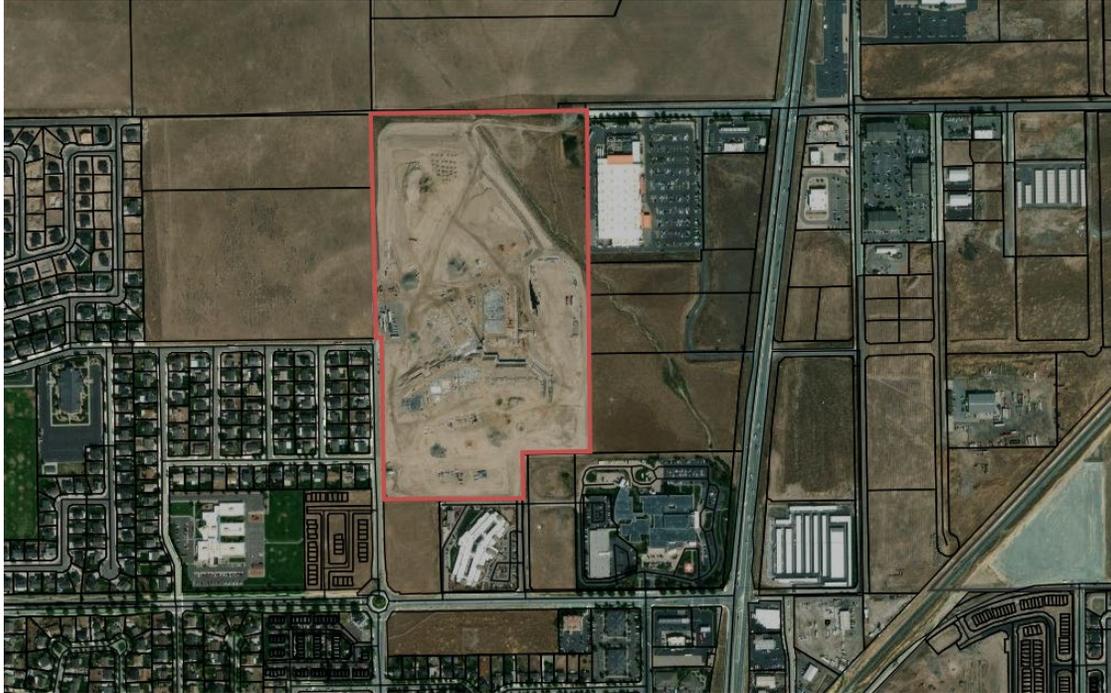
1. List any additional findings of fact and conditions

Sample Motion for Denial – “I move we deny the request for Conditional Use Permit, application #P23-1520 by Hoot Owl LLC, to allow the location of a 110-foot high monopole tower on a portion of the property located at approximately 2400 North 200 East in the General Commercial zoning district, based on the findings of fact:”

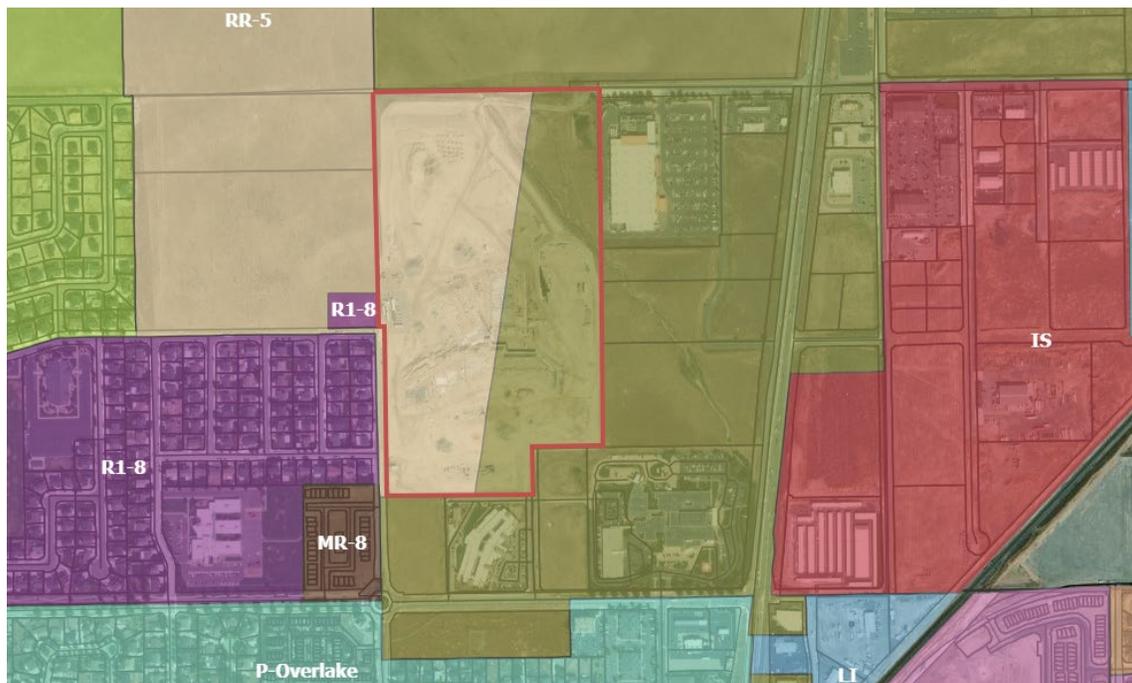
1. List findings of fact

EXHIBIT A

**MAPPING PERTINENT TO THE REQUESTED 110' MONOPOLE
AT 2400 NORTH 200 EAST**



Subject Property, Aerial



Subject Property, Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

Project Information				23-1520		
Date of Submission:		Current Zoning:		Parcel #(s): 02-143-0-0102		
Project Name: TCSO Tower				Acres:		
Project Address: 2400 N 200 E				Units:		
Project Description: New 110' cell tower						
Current Use of Property: open field						
Property Owner(s): TCSO			Applicant(s): Hoot Owl Lensing			
Address:			Address: 30 South Tooele blvd			
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074	
Phone:			Phone: 801-580-3375			
Contact Person: Chad Griffith			Address: 30 South Tooele blvd			
Phone: 801-580-3375			City: Tooele	State: UT	Zip: 84074	
Cellular:		Fax:		Email: chad@cgconst.com		
Signature of Applicant: 						Date: 12-19-23

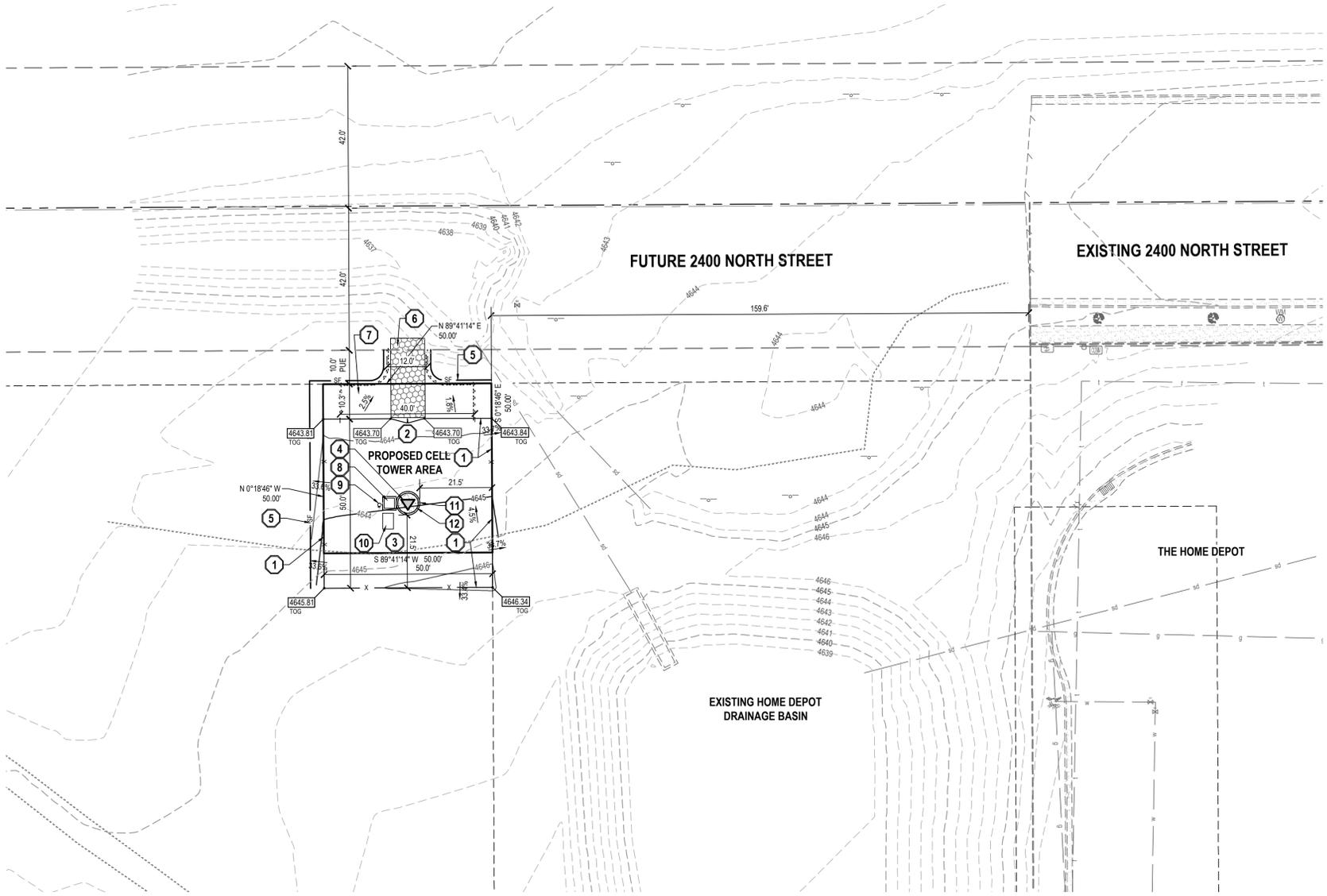
*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This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

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

For Office Use Only				2231625	
Fee: 600.00 (213)	Received By:	Date Received: 12/21/23	Receipt #:	00617649	

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

BENCHMARK
 CENTER QUARTER CORNER OF SECTION 9,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE AND MERIDIAN, (FOUND
 TOOELE COUNTY SURVEYOR'S MONUMENT
 DATED 6-24-2016)
 ELEV = 4627.19'



- GENERAL NOTES**
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 - ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
 - THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
 - EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.

- SCOPE OF WORK:**
 PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- CHAIN LINK FENCE PER DETAIL 1/C-200.
 - CHAIN LINK GATE PER DETAIL 1/C-200.
 - SITE COMPOUND SURFACE PER DETAIL 2/C-200.
 - PROPOSED 120.0' MONOPOLE CELL TOWER. SEE GROUNDING DETAILS ON E3.1.
 - SILT FENCE PER DETAIL 4/C-200.
 - VEHICLE WASHDOWN AND STABILIZED CONSTRUCTION ENTRANCE PER DETAIL 5/C-200.
 - GRAVEL SECTION PER DETAIL 7/C-200.
 - PROPOSED CABINET. SEE GROUNDING DETAILS ON E3.1.
 - PROPOSED POLE MOUNTED POWER METER. SEE GROUNDING DETAILS ON E3.1.
 - FIBER HANDHOLE.
 - PROPOSED TOWER GROUND RING.
 - PROPOSED TOWER FOUNDATION.

ENSIGN
 THE STANDARD IN ENGINEERING

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

SANDY
 Phone: 801.255.0529

LAYTON
 Phone: 801.547.1100

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

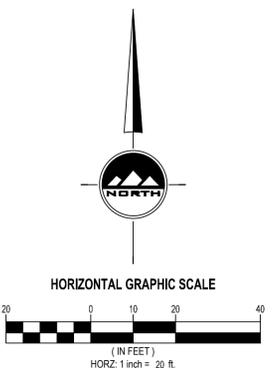
FOR:
 C & G CONSTRUCTION
 30 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:
 CHAD GRIFFITH
 PHONE: 801-580-3375

TCSD - CELL PHONE TOWER

2400 NORTH STREET

TOOELE, UTAH 84074



SITE PLAN

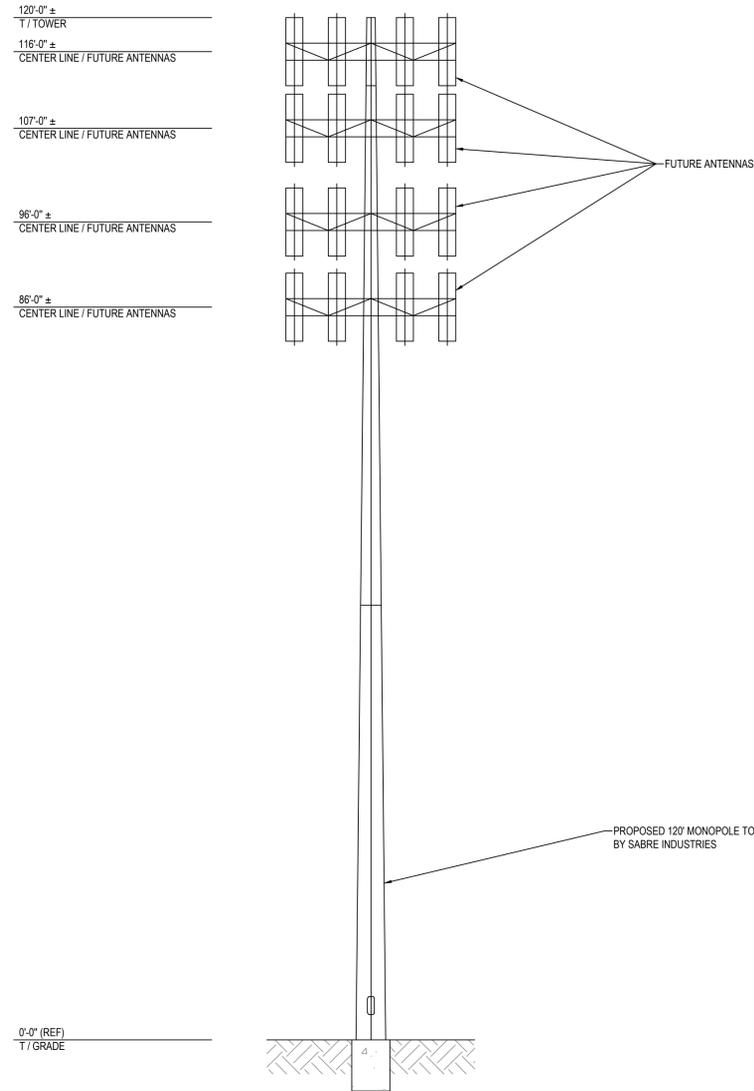
PROJECT NUMBER: C98157X
 PRINT DATE: 2023-11-30

PROJECT MANAGER: J. CLEGG
 DESIGNED BY: R. FISH

C-100

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

BENCHMARK
CENTER QUARTER CORNER OF SECTION 9,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN, (FOUND
TOOELE COUNTY SURVEYOR'S MONUMENT
DATED 6-24-2016)
ELEV = 4627.19'



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOO, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
4. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
5. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
6. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
7. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
8. VARIOUS BEST MANAGEMENT PRACTICES HAVE BEEN SHOWN ON THE PLANS AT SUGGESTED LOCATIONS. THE CONTRACTOR MAY MOVE AND RECONFIGURE THESE BMP'S TO OTHER LOCATIONS IF PREFERRED, PROVIDED THE INTENT OF THE DESIGN IS PRESERVED.
9. NOT ALL POSSIBLE BMP'S HAVE BEEN SHOWN. THE CONTRACTOR IS RESPONSIBLE TO APPLY CORRECT MEASURES TO PREVENT THE POLLUTION OF STORM WATER PER PROJECT SWPPP.
10. FOR MORE DETAILS ON TOWER PARTS, MATERIALS, AND DIMENSIONS SEE TOWER PLANS BY SABRE INDUSTRIES DATED JANUARY 9TH, 2023.



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

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
C & G CONSTRUCTION
30 SOUTH TOOELE BLVD.
TOOELE, UTAH 84074

CONTACT:
CHAD GRIFFITH
PHONE: 801-580-3375

TCSD - CELL PHONE TOWER

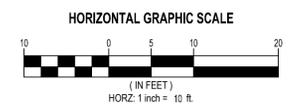
**2400 NORTH STREET
TOOELE, UTAH 84074**

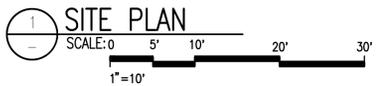
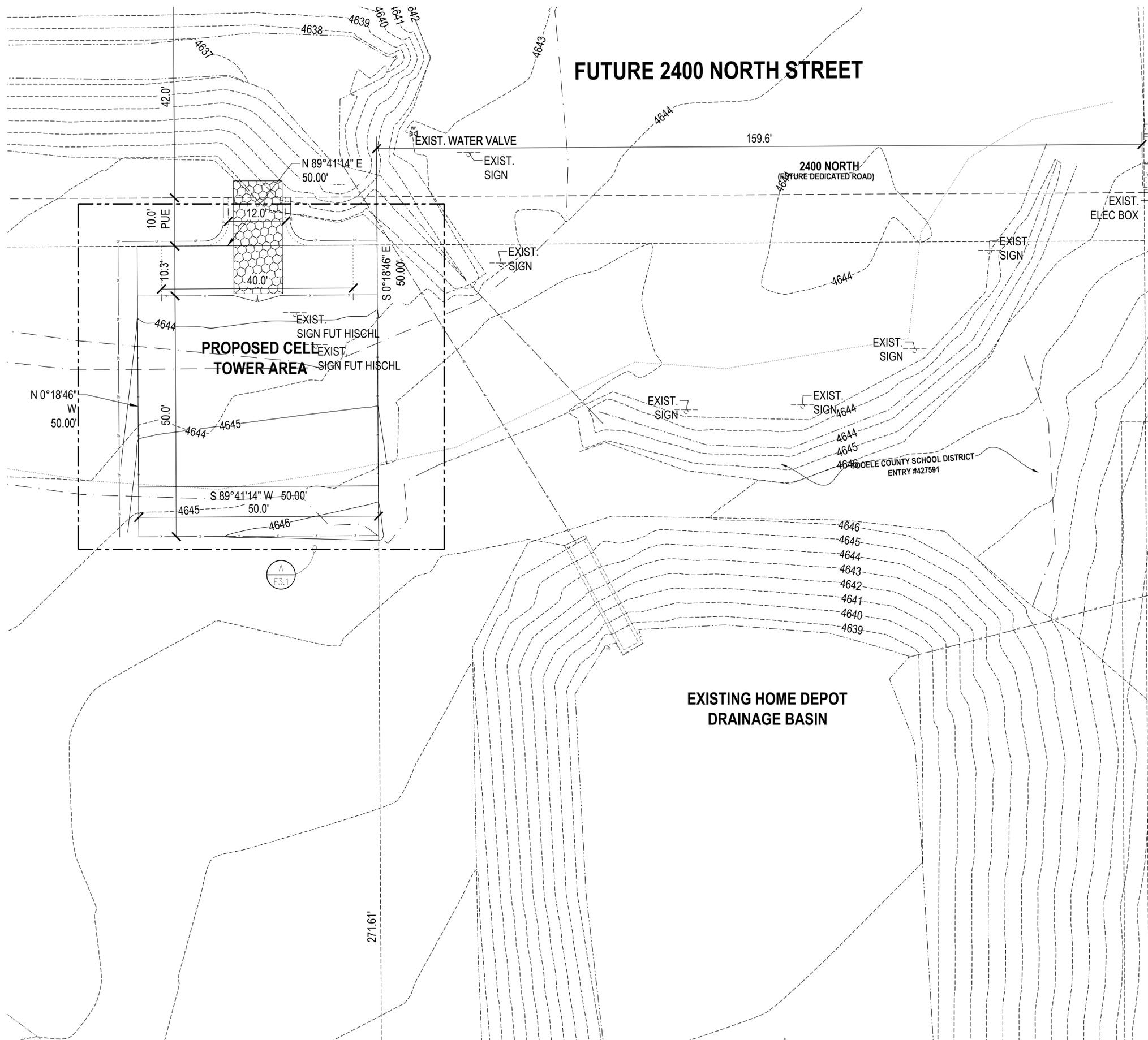


TOWER ELEVATION DETAIL

PROJECT NUMBER: C98157X
PRINT DATE: 2023-11-30
PROJECT MANAGER: J. CLEGG
DESIGNED BY: R. FISH

C-200





H.P.E., INC. ELECTRICAL ENGINEERS
 POWER SYSTEMS, CONTROL & INSTRUMENTATION SYSTEMS
 HEGERHORST POWER ENGINEERING INCORPORATED (801) 642-2051
 708 EAST 50 SOUTH AMERICAN FORK, UT 84003 FAX (801) 642-2154
 HPE PROJECT: 23.055 ©2023
 FOR INFORMATION ABOUT THIS JOB, PLEASE CONTACT: BEN SORENSON

GENERAL NOTES:

1. SEE GROUNDING DETAILS ON E3.1.

SHEET KEYNOTES:

1. NOT USED.



TOOELE
 169N. MAIN ST, UNIT 1
 TOOELE, UT. 84074
 PHONE: 435-843-3590

SANDY
 PHONE: 801.255.0529

LAYTON
 PHONE: 801.547.1100

CEDAR CITY
 PHONE: 435.865.1453

RICHFIELD
 PHONE: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 C&G CONSTRUCTION
 30 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:
 PHONE: 435.862.0062

TCSD - CELL PHONE TOWER
2400 NORTH STREET
TOOELE, UTAH 84074



PERMIT 08-28-23

NO. DATE REVISION

SITE PLAN

PROJECT NUMBER: C98157X DATE: 8-28-23
 DRAWN BY: G. SORENSON CHECKED BY: K. HEGERHORST
 APPROVED BY: K. HEGERHORST DESIGNED BY: B. SORENSON

E2.1

TOOELE
 169N. MAIN ST, UNIT 1
 TOOELE, UT. 84074
 PHONE: 435-843-3590

SANDY
 PHONE: 801.255.0529

LAYTON
 PHONE: 801.547.1100

CEDAR CITY
 PHONE: 435.865.1453

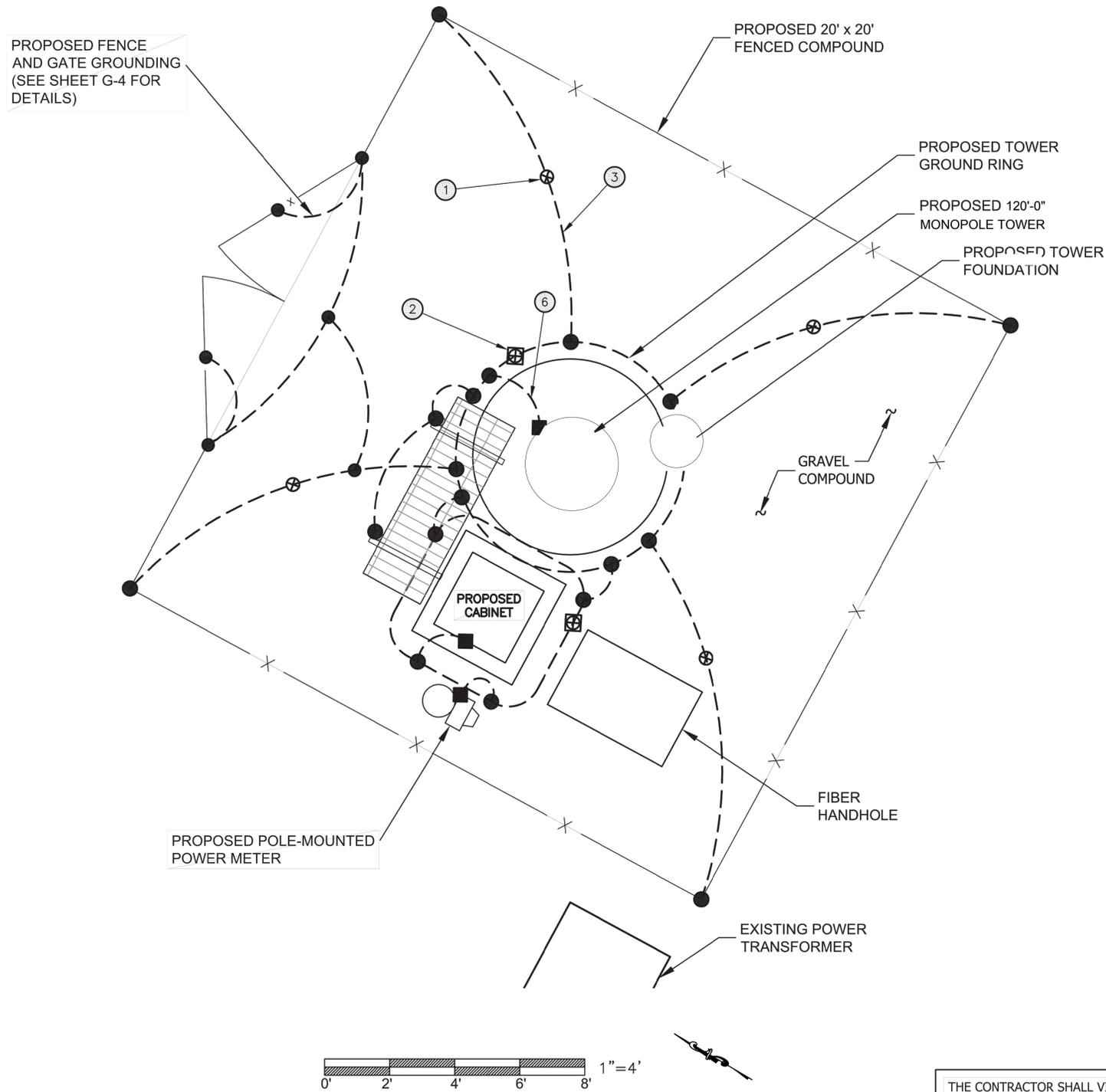
RICHFIELD
 PHONE: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 C&G CONSTRUCTION
 30 SOUTH TOOELE BLVD.
 TOOELE, UTAH 84074

CONTACT:

PHONE: 435.862.0062



#	GROUNDING NOTES
①	COPPER CLAD GROUND ROD (TYP) 5/8"x10' LONG
②	5/8"x10' ROD W/ INSPECTION WELL (TYP)
③	#2 SOLID TINNED COPPER GROUND WIRE
④	GROUND LEAD FROM FENCE TO PROPOSED TOWER GROUND RING
⑤	BOTTOM OF TOWER GROUND BAR
⑥	#2 TINNED INSULATED LEAD TO TOWER STEEL
⑦	GROUND LEAD TO H-FRAME AND ALL EQUIPMENT ON H-FRAME (TYP)

GROUNDING NOTES:

- ALL GROUNDING CONNECTIONS SHALL BE MADE WITH THOMAS AND BETTS KOPR (TM OF JET LUBE, INC.) THERE IS NO EQUIVALENT FOR THIS ANTI-OXIDATION COMPOUND. NO OTHER COMPOUND WILL BE ACCEPTED. COAT ALL WIRES BEFORE LUGGING. COAT ALL SURFACES BEFORE CONNECTING. ALL DISSIMILAR METAL CONNECTIONS SHALL INCORPORATE A "DRAGON TOOTH WASHER" BETWEEN THE LUG AND THE METAL.
- CONTRACTOR SHALL VERIFY THE ADEQUACY OF THE INSTALLED SYSTEM. CONTRACTOR SHALL CONDUCT A "SITE RESISTANCE TO EARTH GROUNDING TESTING". INSTALLED SYSTEM SHALL ACHIEVE A GROUND RESISTANCE OF 5 OHMS.
- TEST SHALL BE WITNESSED BY A CARRIER REPRESENTATIVE, IF REQUIRED.
- BARE COPPER CONDUCTORS SHALL NOT BE INSTALLED WHERE THEY MAY BE IN CONTACT WITH GALVANIZED METALS. THE CONDUCTORS SHALL BE INSULATED IN PVC CONDUIT OR PLACED ON STAND OFF SUCH THAT NO CONTACT BETWEEN DIFFERENT MATERIALS MAY OCCUR.
- CONNECTION OF COPPER TO GALVANIZED MATERIALS SHALL BE AVOIDED. BRASS OR STAINLESS STEEL LUGS SHALL BE USED FOR CONNECTION OF COPPER CONDUCTORS TO GALVANIZED MATERIALS.
- WHEN COPPER CONDUCTORS ARE CONNECTED TO ALUMINUM SURFACES OR CONDUCTORS, LUGS OR SPLIT BOLTS MARKED WITH THE DESIGNATION AL/CU SHALL BE USED.

GROUNDING LEGEND

- ⊠ - 5/8"x10'-0" COPPER CLAD GROUND ROD WITH INSPECTION WELL (FIELD VERIFY LOCATION WITH MANAGER)
- ⊗ - 5/8"x10'-0" COPPER CLAD GROUND ROD AT 16'-0" MAX CENTERS
- - MECHANICAL CONNECTION
- - EXOTHERMIC WELD (CAD WELD)
- #2 SOLID COPPER TINNED WIRE UNLESS NOTED OTHERWISE

THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED WITHIN THIS DESIGN PACKAGE. DISCREPANCIES AND OMISSIONS SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO BIDDING.



CALL UTAH ONE CALL
 (800) 662-4111
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!



TCSD - CELL PHONE TOWER

**2400 NORTH STREET
 TOOELE, UTAH 84074**



PERMIT 08-28-23

NO. DATE REVISION

SITE GROUNDING

PROJECT NUMBER: C98157X DATE: 8-28-23
 DRAWN BY: G. SORENSON CHECKED BY: K. HEGERHORST
 APPROVED BY: K. HEGERHORST DESIGNED BY: B. SORENSON

E3.1

STAFF REPORT

January 5, 2024

To: Tooele City Planning Commission
Business Date: January 10, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Drumore at Overlake, Phase 2 Plat Amendment

Application No.: P23-786
Applicants: Matthew Scott, Richmond American Homes
Project Location: 18 E. Broxburn Way, 12 E. Broxburn Way, and 1532 N. Baen Way
Zoning: R1-7, Single-Family Residential
Acreage: Lots 237, 238, and 239 - .57 acres total (24,983 ft²)
Request: Amend Drumore at Overlake, Phase 2 Plat

BACKGROUND

This application is a request for approval to amend the Drumore at Overlake, Phase 2 plat. Specifically, to slightly adjust the sizes of Lots 237, 238, and 239 with respect to each other.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan designates the property involved in the subdivision as Medium Density Residential, and the properties are located in the R1-7 zoning district. The proposed amendment to adjust the relative sizes of the lots does not impact the zoning or land use designations.

Subdivision Layout. The proposed amendment will slightly adjust lot lines to effectively transfer 523 ft² from the largest (Lot 237) to Lots 238 and 239. No real change in configuration results from the amendment. Please see the table below.

	Lot 237	Lot 238	Lot 239
Existing	10,642	7,180	7,162
Proposed Amended	10,119	7,207	7,657

Development Considerations & Plans. The amendment has been requested to make the final lots more buildable. No complications for easements or utility provision arise from the proposed amendment. The proposed amended plat is attached for your review.

Criteria for Approval. The procedure for approval or denial of a request to amend a plat, 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.

The proposed amendment meets these criteria, and has therefore been brought for preliminary and final plat approval as an amended plat.

REVIEWS

Planning Division. The Planning Division has completed their review of the proposed plat amendment and have found it to comply with zoning and subdivision requirements. Planning Division recommends approval.

Engineering Division. The City Engineer has completed their review of the proposed Minor Subdivision and have found it to comply. The City Engineer recommends approval.

Fire Department. The Fire Department has completed their review of the proposed plat amendment and recommends approval.

Public Works Department. The Public Works Department has completed their review of the proposed plat amendment and recommends approval.

STAFF RECOMMENDATION

Staff recommends APPROVAL of application number P23-786, the request by Richmond American Homes to amend the plat of Phase 2 of the Drumore at Overlake Subdivision, subject to the following conditions:

1. The amended plat shall meet all requirements of the Tooele City Subdivision regulations prior to recordation.
2. The plat shall provide appropriate public utility easements and meet all other requirements of the Tooele City Engineering Division.

This recommendation is based on the following findings:

1. The proposed plat amendment meets the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed plat amendment meets the requirements and provisions of the Tooele City Code and the R1-7 Zone.
3. The proposed plat amendment will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a recommendation of APPROVAL to the City Council for application number 23-786, the request by Richmond American Homes to amend the plat of Phase 2 of the Drumore at Overlake Subdivision, based on the findings and subject to the conditions listed in the Staff Report dated January 5, 2024:”

1. List any additional findings and conditions

Sample Motion for a Negative Recommendation – “I move we forward a recommendation of DENIAL to the City Council for application number 23-786, the request by Richmond American Homes to amend the plat of Phase 2 of the Drumore at Overlake Subdivision, based on the findings:

1. List any findings

EXHIBIT A

**MAPPING PERTINENT TO THE PROPOSED PLAT AMENDMENT,
DRUMORE AT OVERLAKE PHASE 2**



Lots 237, 238, and 239 - Aerial

EXHIBIT B

PROPOSED PLAT AMENDMENT, APPLICANT SUBMITTED MATERIALS

Subdivision – Plat Amendment Application

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



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

Project Information						23706
Date of Submission:		Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4		Zone:	Acres:	Parcel #(s):
Project Name: DRUMORE AT OVERLAKE PHASE 2 SUBDIVISION						
Project Address: 18 EAST BROXBURN WAY						
Project Description: RESIDENTIAL SUBDIVISION PLAT				Phases: 2	Lots: 237,238,239	
Property Owner(s): RICHMOND AMERICAN HOMES OF UTAH, INC.			Applicant(s): MATTHEW SCOTT			
Address: 10150 S. CENTENNIAL BLVD. STE. 110			Address: 10150 S. CENTENNIAL BLVD STE. 110			
City: SANDY	State: UT	Zip: 84070	City: SANDY	State: UT	Zip: 84070	
Phone: 801-743-7455		Email: MATTHEW.SCOTT@MDCH.COM		Phone: 801-743-7455		Email: MATTHEW.SCOTT@MDCH.COM
Contact Person: MATTHEW SCOTT			Address: 10150 S. CENTENNIAL BLVD. STE. 110			
Phone: 801-743-7455			City: SANDY		State: UT	Zip: 84070
Cellular: 801-404-2115		Fax:		Email: MATTHEW.SCOTT@MDCH.COM		
Engineer & Company: MCNEIL ENGINEERING			Surveyor & Company: DAVID DRAPER MCNEIL ENGINEERING			
Address: 8610 S. SANDY PKWY STE. 200			Address: 8610 S. SANDY PKWY STE. 200			
City: SANDY	State: UT	Zip: 84070	City: SANDY	State: UT	Zip: 84070	
Phone: 801-255-7100		Email: DAVE.D@MCNEILENG.COM		Phone: 801-255-7100 EXT. 145		Email: DAVE.D@MCNEILENG.COM

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

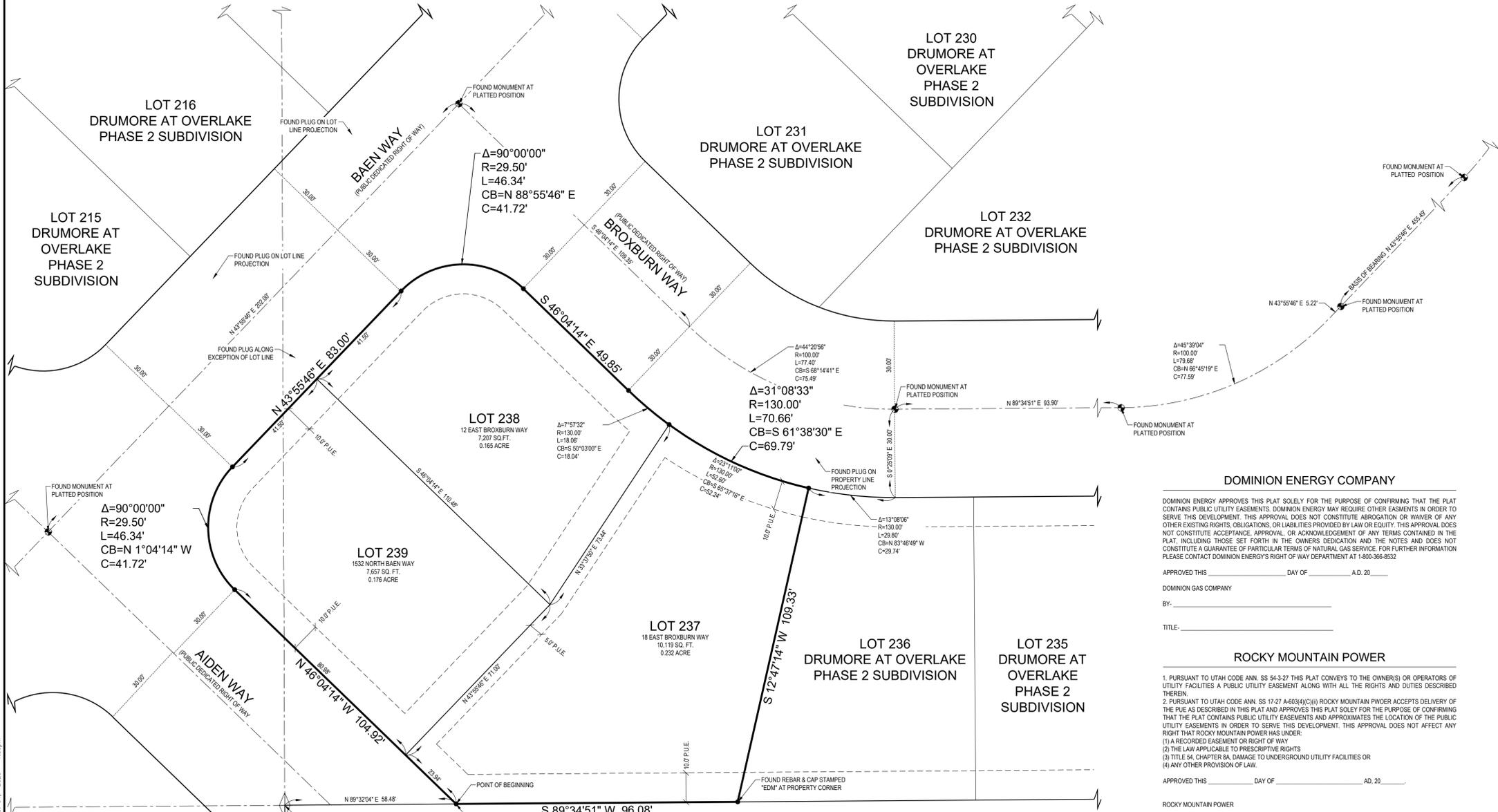
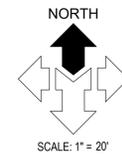
For Office Use Only						2230966
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:	
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:	
Fire Flow Test						
Location:		Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):		
Performed By:		Date Performed:	Corrections Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Comments Returned: Date: <input type="checkbox"/> Yes <input type="checkbox"/> No		

DRUMORE AT OVERLAKE PHASE 2 AMENDED

VACATING AND AMENDING LOTS 237, 238 & 239

LOCATED IN THE NORTHWEST AND NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY,
STATE OF UTAH
JULY 19, 2023

APPROVED
P Hansen
City Engineer
10/16/2023



LEGEND

- RIGHT OF WAY LINE
- LOT LINE
- PROPERTY LINE
- - - MONUMENT LINE
- - - ADJOINING LOT LINE
- SUBDIVISION BOUNDARY CORNER, COPPER PLUG OR REBAR & CAP OR NAIL & WASHER STAMPED "MCNEIL ENGR"
- P.U.E. PUBLIC UTILITY EASEMENT

TOOELE CITY COMMUNITY DEVELOPMENT

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

TOOELE CITY COMMUNITY DEVELOPMENT _____ DATE _____

SHEET

1	OF				
1		DATE	REVISIONS	BY	

SURVEYOR'S CERTIFICATE

I, DAVID B. DRAPER DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6861599, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT. 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:

DRUMORE AT OVERLAKE PHASE 2 AMENDED
VACATING AND AMENDING LOTS 237, 238 & 239

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

ALL OF LOTS 237, 238, AND 239 DRUMORE OVERLAKE PHASE 2 SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE TOOELE COUNTY RECORDER, SAID COMBINED LOTS BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 237, SAID POINT BEING NORTH 89°32'04" EAST FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE PERIMETER OF SAID LOTS THE FOLLOWING EIGHT COURSES: 1) NORTH 40°04'14" WEST 104.92 FEET TO A POINT OF CURVATURE; 2) NORTHWESTERLY ALONG THE ARC OF A 29.50 FOOT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE 46.34 FEET, CHORD BEARS NORTH 01°04'14" WEST 41.72 FEET; 3) NORTH 43°55'46" EAST 83.00 FEET TO A POINT OF CURVATURE; 4) NORTHEASTERLY ALONG THE ARC OF A 29.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 46.34 FEET, CHORD BEARS NORTH 88°55'46" EAST 41.72 FEET; 5) SOUTH 46°04'14" EAST 49.85 FEET TO A POINT OF CURVATURE; 6) SOUTHEASTERLY ALONG THE ARC OF A 130.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 31°08'33" A DISTANCE OF 70.66 FEET, CHORD BEARS SOUTH 61°38'30" EAST 69.79 FEET; 7) SOUTH 12°47'14" WEST 109.33 FEET; 8) SOUTH 89°34'51" WEST 96.08 FEET TO THE POINT OF BEGINNING.

CONTAINS: 24,984 SQUARE FEET OR 0.574 ACRES (3 LOTS)



OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____ THE _____ UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY, CAUSE SAME TO BE SUBDIVIDED INTO LOTS, AND EASEMENTS TO BE HEREAFTER KNOWN AS THE:

DRUMORE AT OVERLAKE PHASE 2 AMENDED
VACATING AND AMENDING LOTS 237, 238 & 239

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

RICHMOND AMERICAN HOMES OF UTAH, INC.

NAME: _____
TITLE: _____

DOMINION ENERGY COMPANY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGEMENT 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 AT 1-800-366-8532

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

DOMINION GAS COMPANY

BY: _____

TITLE: _____

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. SS 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. SS 17-27 A-603(4)(C)(i) ROCKY MOUNTAIN PWOER ACCEPTS DELIVERY OF THE P.U.E. 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 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 _____ A.D. 20____

ROCKY MOUNTAIN POWER

BY: _____

TITLE: _____

CORPORATE ACKNOWLEDGMENT

ON THE _____ DAY OF _____ A.D. 20____, _____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE VICE PRESIDENT OF _____ AND THAT HE/SHE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ COMMISSION NUMBER _____ SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES _____

TOOELE COUNTY TREASURER

APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER _____ DATE _____

NORTH TOOELE SPECIAL SERVICE DISTRICT

APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE NORTH TOOELE CITY SERVICE DISTRICT.

CHAIR, NORTH TOOELE CITY SPECIAL SERVICE DISTRICT _____

TOOELE COUNTY SURVEYOR

REVIEWED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY SURVEYOR'S OFFICE. RECORD OF SURVEY NUMBER _____

TOOELE CITY ENGINEER _____ DATE _____

HEALTH DEPARTMENT

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

TOOELE COUNTY HEALTH DEPARTMENT _____

TOOELE CITY COUNCIL

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

CHAIRPERSON TOOELE CITY COUNCIL _____

PLANNING COMMISSION

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

PLANNING COMMISSION CHAIRPERSON _____

DEVELOPER

RICHMOND AMERICAN HOMES OF UTAH, INC.
849 W LEVROY DRIVE
TAYLORSVILLE, UTAH
801-545-5169

TOOELE CITY ENGINEER

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

TOOELE CITY ENGINEER _____ DATE _____

PREPARED BY:

McNEIL ENGINEERING™
Economic and Sustainable Designs, Professionals You Know and Trust
8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

TOOELE CITY ATTORNEY

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

TOOELE CITY ATTORNEY _____ DATE _____

DRUMORE AT OVERLAKE PHASE 2 AMENDED

VACATING AND AMENDING LOTS 237, 238 & 239
LOCATED IN THE NORTHWEST AND NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY,
STATE OF UTAH

TOOELE COUNTY RECORDER

RECORD NO. _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE \$ _____ TOOELE COUNTY RECORDER _____

STAFF REPORT

July 14, 2023

To: Tooele City Planning Commission
Business Date: July 26, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Leitner-Poma / Skytrac – Design Review Request

Application No.: P23-511
Applicant: Steve Peterson, representing Reeve & Associates
Project Location: Approximately 600 South Tooele Boulevard
Zoning: TCBP Tooele City Business Park Zone
Acreage: 24.95 Acres (Approximately 10,846,440 ft²)
Request: Request for approval of a Design Review in the TCBP Tooele City Business Park zone regarding authorizing the use of crushed / recycled asphalt for designated parking areas.

BACKGROUND

This application is a request for approval of a Design Review for approximately 24.95 acres located at approximately 600 South Tooele Boulevard. The property is currently zoned TCBP Tooele City Business Park. The applicant is requesting that a Design Review be approved to allow for the use of materials other than bituminous asphalt or Portland cement or other approved surface for a large portion of their designated parking areas.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned the TCBP Tooele City Business Park zoning classification. The TCBP Tooele City Business Park zoning designation is identified by the General Plan as a preferred zoning classification for the Light Industrial land use designation. Properties the south and west are also zoned TCBP. Properties to the west are also zoned IS Industrial Service. Properties to the north are zoned LI Light Industrial and properties to the east are zoned RD Research and Development. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Staff would like to emphasize that this is not a site plan review. Industrial site plans are generally approved administratively by staff, however, the ordinance authorizes the Planning Commission to review and approve specific design elements referred to as “design review.” When reviewing this report try to maintain focus on the question at hand and not on the site plan in general as this is not a request for site plan approval.

The issue at hand is that on the south side and west side of the building the applicant is proposing designated parking area to be finished with “asphalt millings gravel.” This is essentially recycled asphalt being used as finished surface material.

Tooele City Code 7-4-9 Parking Lots, Section 1 states: *(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.

As the code states, any material other than bituminous asphalt or concrete requires Planning Commission approval. Yes, the chosen material by the applicant is, in its origins, asphalt, however, at this point it is recycled which makes the material a type of gravel not pavement.

One of the main reasons behind the City's requirement to have the parking areas paved is to prevent the percolation of hazardous materials into the soil and ultimately into the ground water aquifers. Asphalt and concrete tend to prevent percolation of oils, coolants and other chemicals into the ground as they create a solid barrier. Gravel areas are not as efficient at preventing percolation, especially when rain or snowmelt occurs. Asphalt and concrete are able to be graded in a manner that directs polluted water to designated storm water basins where polluted water is intended to be managed. Gravel lets the water percolate into the ground. It should also be noted that there is a city well immediately west of these proposed parking areas so this parking area is located in a well source protection area. As such, special care needs to be taken to ensure proper precautions are taken, especially in parking areas, to prevent excessive percolation of pollutants into the ground and ultimately the groundwater below it.

Site Plan Layout. Again, this is not a site plan review. This is a design review where the Commission is only considering just the parking lot issue. The site plan being provided is for the Commission's reference only and demonstrates where the parking areas in question are located.

Criteria For Approval. The criteria for review and potential approval of a Design Review request is found in Sections 7-11-9 of the Tooele City Code. This section depicts the standard of review for such requests as:

Section 7-11-9. Considerations. The Planning Commission, or the City Engineer, when authorized, shall decide all applications for design review. Design approval may include such conditions consistent with the considerations of [Chapter 7-11 TCC] as the Planning Commission or City Engineer deem reasonably necessary under the circumstances to carry out the intent of [Chapter 7-11 TCC].

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Design Review submission and has issued the following comments:

1. Asphalt paving and concrete prevent a solid barrier that prevents percolation of oils, coolants and other vehicular wastes into the soil and ultimately the ground water.
2. Asphalt paving and concrete enable proper drainage of automobile polluted water to designated locations on the site where the water is properly managed. Gravel enables greater percolation and less management.
3. There is an existing City culinary water well located to the west of the proposed building.

Engineering and Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Design Review submission and have issued the following comments:

1. Measures must be in place to prevent percolation of automotive fluids commonly found in parking lots from percolating into the soil and potentially contaminating the ground water.

2. Would like to know what those measures of protection will be.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Design Review submission and has issued the following comment:

1. An area of concern for the Fire Department is any area that will be considered a fire lane or fire access will need to be a hard surface concrete or asphalt, this would include fire access at a minimum of two sides of the structure, for a building this size access is going to be difficult.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Design Review by Steve Peterson, representing Reeve & Associates, application number P23-511, subject to the following conditions:

1. The applicant shall provide to the Tooele City Engineer standards for managing spills and to prevent spills from percolating through the gravel parking areas into the soils below as part of their site plan review.

This recommendation is based on the following findings:

1. Spills and leaks from automobiles in gravel parking areas can be mitigated if proper steps and measures are taken.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Design Review Request by Steve Peterson, representing Reeve & Associates to authorize the use of asphalt millings gravel in parking areas as designated on the site plan, application number P23-511, based on the findings and subject to the conditions listed in the Staff Report dated July 14,2023:”

1. List findings and conditions...

Sample Motion for Denial – “I move we deny the Design Review Request by Steve Peterson, representing Reeve & Associates to authorize the use of asphalt millings gravel in parking areas as designated on the site plan, application number P23-511, based on the following findings:”

1. List findings...

EXHIBIT A

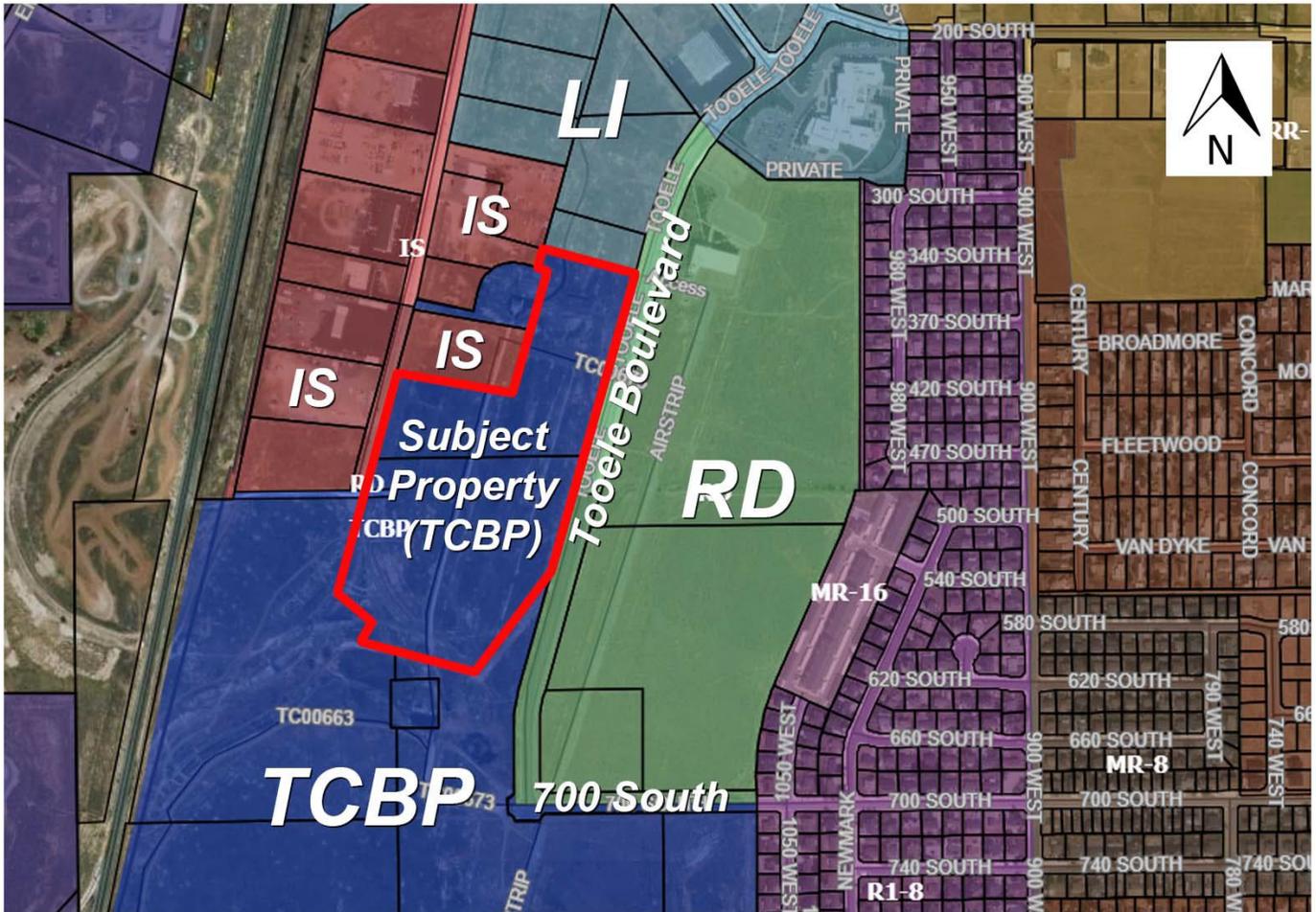
MAPPING PERTINENT TO THE LEITNER-POMA / SKYTRAC DESIGN REVIEW

Leitner-Poma / Skytrac Design Review



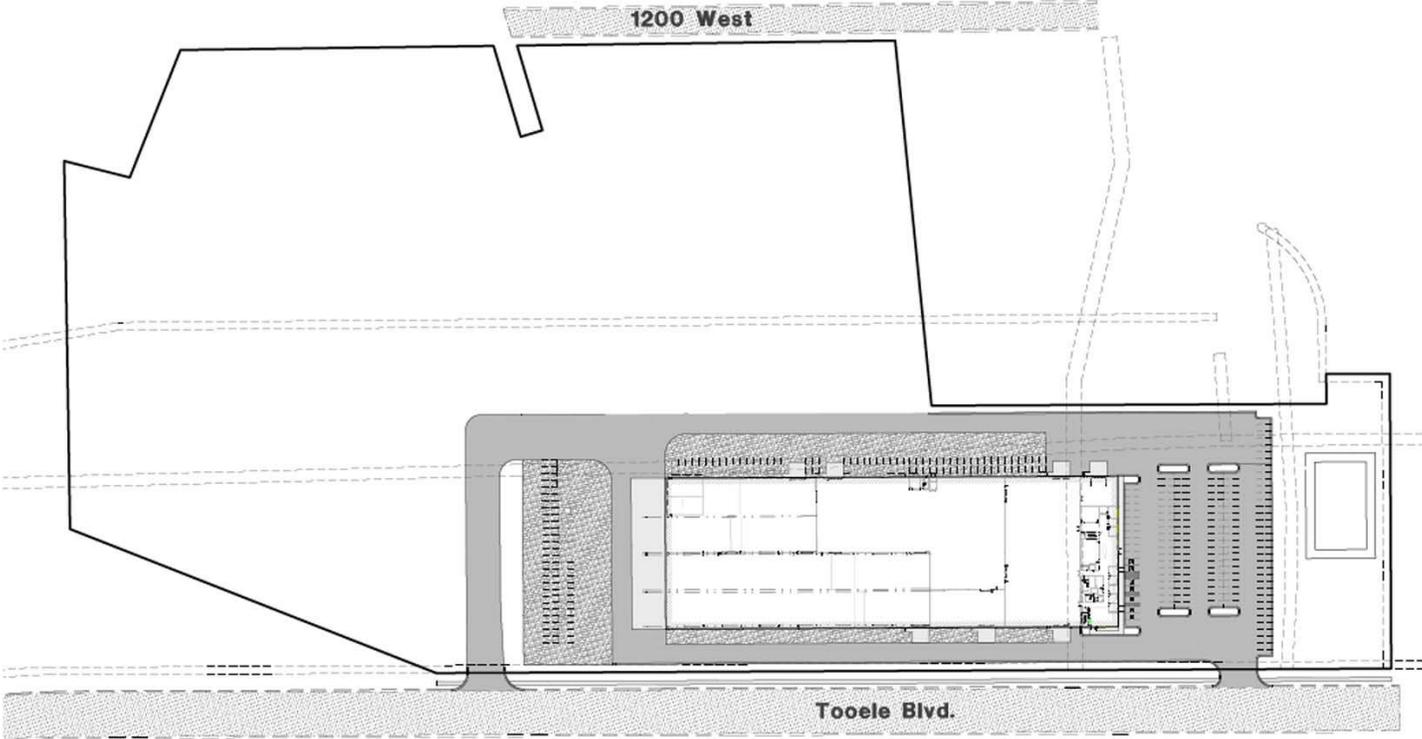
Aerial View

Leitner-Poma / Skytrac Design Review



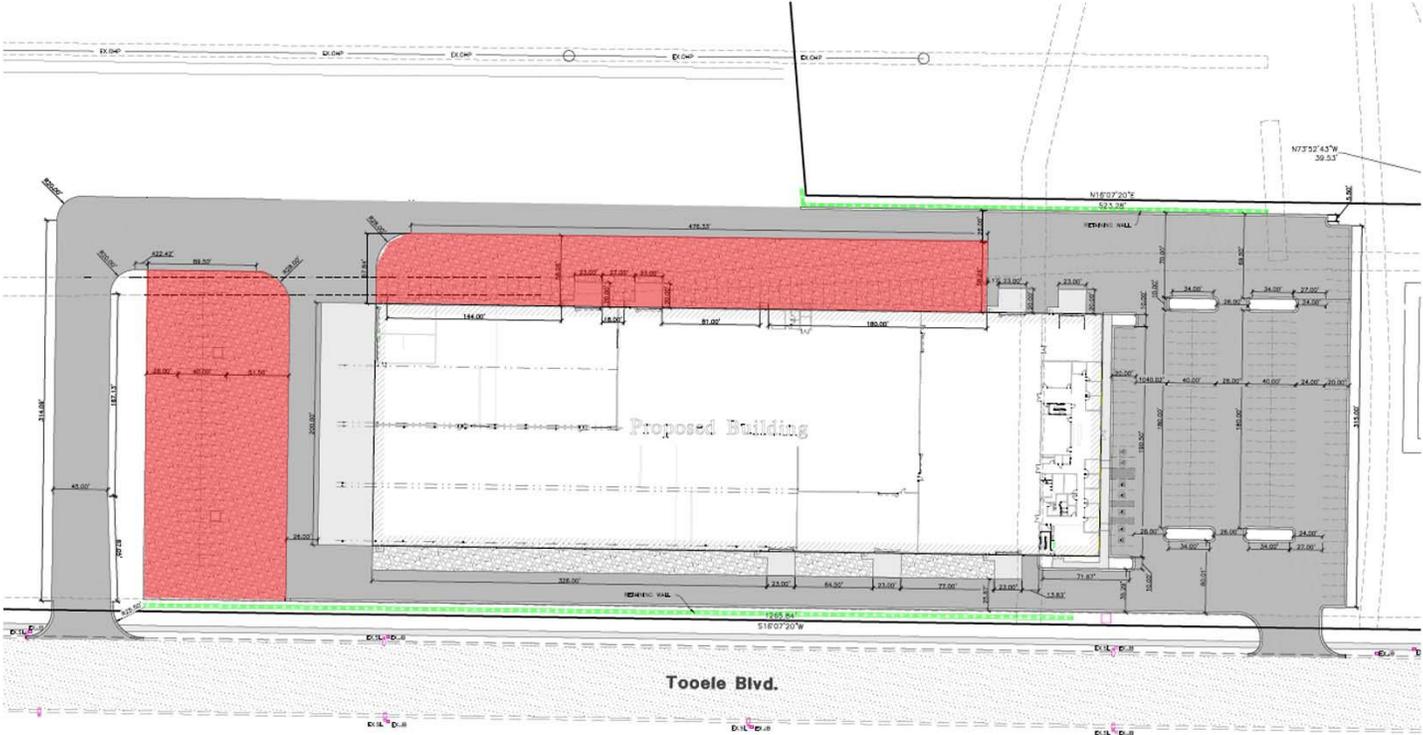
Current Zoning

Leitner-Poma / Skytrac Design Review



Overall Site Plan

Leitner-Poma / Skytrac Design Review



Gravel Parking Areas

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS
APPLICANT SUBMITTED INFORMATION**

MEMORANDUM

To: Tooele City Planning Commission
From: Andrew Aagard, AICP, Director
Date: December 22, 2023
Re: Planning Commission Meeting Times and Dates for Calendar Year 2024

Subject:

Pursuant to Utah State Law, Tooele City Code and Charter, and the adopted bylaws of the Tooele City Planning Commission, the Commission is required to establish a calendar of meetings for each calendar year. The Planning Commission Bylaws identifies the second and fourth Wednesdays of each month as the days the Planning Commission should hold their regular meetings, although special meetings may be called as set forth therein. Following this format, the following list of dates is being proposed for adoption by the Commission to establish their meetings for calendar year 2024, with meetings being held at 7:00 p.m. in the Tooele City Council Chambers of City Hall:

January 10th and 24th
February 14th and 28th
March 13th and 27nd
April 10th and 24th
May 8th and 22nd
June 12th and 26th
July 10th
August 14th and 28th
September 11th and 25th
October 9th and 23rd
November 13th
December 11th

As has been standard practice for a number of years, the Planning Commission has not held the second regular meeting for the months of November and December as those two meetings come in close proximity to the holidays observed in those months. That practice is also reflected in the above list of dates. This year July only has one meeting as the State observed 24th of July falls on a Wednesday. The attached calendar, although a staff tool and not a calendar pursuant to this approval, shows the above proposed meeting dates as well as City-observed holidays to demonstrate their proximity for your information.

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

2024 Planning Commission Meeting Schedule

Blue - Meetings

Green - Packet Date

Red - Packet Deadline

Orange - Holidays

Meeting Deadlines			
Meeting Date	Packet Distribution Date*	Deadline for Inclusion in the Packet*	Latest Suggested Application
10-Jan	5-Jan	3-Jan	27-Dec
24-Jan	19-Jan	17-Jan	10-Jan
14-Feb	9-Feb	7-Feb	31-Jan
28-Feb	23-Feb	21-Feb	14-Feb
13-Mar	8-Mar	6-Mar	27-Feb
27-Mar	22-Mar	20-Mar	13-Mar
10-Apr	5-Apr	3-Apr	27-Mar
24-Apr	19-Apr	17-Apr	10-Apr
8-May	3-May	1-May	24-Apr
22-May	17-May	15-May	8-May
12-Jun	7-Jun	5-Jun	29-May
26-Jun	21-Jun	19-Jun	12-Jun
10-Jul	5-Jul	3-Jul	26-Jun
14-Aug	9-Aug	7-Aug	31-Jul
28-Aug	23-Aug	21-Aug	14-Aug
11-Sep	6-Sep	4-Sep	28-Aug
25-Sep	20-Sep	18-Sep	11-Sep
9-Oct	4-Oct	2-Oct	25-Sep
23-Oct	18-Oct	16-Oct	9-Oct
13-Nov	8-Nov	6-Nov	30-Oct
11-Dec	6-Dec	4-Dec	27-Nov

* Deadlines may be changed to an earlier date without notice to accommodate holidays or other staff circumstances.

^ Complete applications need to be submitted at least one week prior to the deadline for potential inclusion in the packet to allow for adequate review time by staff. No meeting or packet inclusion will be guaranteed based on application date. Applications will not be scheduled for any meeting nor included in any meeting packet until it has been adequately reviewed and determined by staff to be ready for inclusion. The need for corrections to plans or application materials will extend the review time needed and will delay packet inclusion.

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JULY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER						
S	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, December 13, 2023

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Melanie Hammer
Chris Sloan
Weston Jensen
Melodi Gochis
Alison Dunn
Matt Robinson
Jon Proctor
Kelley Anderson

City Council Members Present:

Maresa Manzione

City Council Members Excused:

Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Paul Hansen, City Engineer
Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Melanie Hammer, Present
Tyson Hamilton, Present
Weston Jensen, Present
Chris Sloan, Present
Jon Proctor, Present
Melodi Gochis, Present

Matt Robinson, Present
Alison Dunn, Present
Kelley Anderson, Present

3. Public Hearing and Recommendation – Consideration of a request by the Markosian Auto Group to amend the Land Use Map designation of the property located at 1232 West Utah Avenue from Regional Commercial to Industrial.

Presented by Jared Hall, City Planner

Mr. Hall presented a Land Use Map change for the property located at 1232 West Utah Avenue. It currently has the designation of Regional Commercial. It is zoned LI, Light Industrial. The applicant is requesting to change the Land Use Map to Industrial in order to expand the business.

The Planning Commission asked the following questions:

Where any public comments received from neighboring properties?

What are the changes the company is planning to make?

How many employees will come with the expansion?

What is the maximum number of vehicles they can have on the lot?

What business can come if they change this to industrial?

Can they put a condition for solid surface parking area?

Would the Industrial Service Zone for the business park be more appropriate for this business?

What type of prevention measures will be put in place to contain the hazardous material and contaminates?

Mr. Hall addressed the Commission's questions. They did receive one public comment that was concerned about industrial areas expanding toward the residential properties. There would be more significant number of vehicles with enclosed fencing. There is not a maximum number of vehicles they can have. Part of the business's future plan is to have an autobody shop. That does require Industrial zoning. Engineering would have to look at additional items including the hazardous material.

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

Mr. Borrow addressed the Commission. There are 35 jobs at the Tooele location. The company is looking to expand and incorporate more into the business. They are looking to be good partners within the community. It is an estimated 50 plus employees with the addition. They have road base in the particular area that will be used for damaged cars. They are taking the oils and putting it back into the building. They do have a process to get rid of hazardous materials.

Mr. Aagard addressed the Commission. The industrial service zone would not be a better option for what the applicant wants to do.

Commissioner Sloan motioned to forward a negative Recommendation for the consideration of a request by the Markosian Auto Group to amend the Land Use Map designation of the property located at 1232 West Utah Avenue from Regional Commercial

to Industrial based on the findings of future use and hazardous uses. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Gochis, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

4. Public Hearing and Recommendation – Consideration of Proposed Ordinance 2023-39, amending Tooele City Code, Chapter 2-9 regarding the Landmark Site Designation Process for the Preservation of Significant Historic Properties.

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented an amendment to Tooele City code, chapter 2-9 regarding the landmarks site designation. A historic district was created. It enables more grants and recognizing historical sites within Tooele. It does not prevent any changes to the historic sites. Any person or property can nominate a property to be considered. It is reviewed by staff and the Preservation Commission. Then it is forwarded to the Commission to be approved or denied. If approved, it will be recorded with the County. Demolition would be prohibited, unless there is a safety issue. If a property was changed and they did not go through application, they would have to return it to former or historical status.

The Planning Commission shared the following concerns:

The application process is narrowly focused geographically. The person that is allowed to start the application process should be narrowed down to the property owner. They should not infringe of the property rights. 50 years old does not seem old enough for a historic status. They would like to see 75 years old. The property or home owner should be a part of the process. The Commission would like to see the criteria be more specific.

Mr. Stewart addressed the Planning Commission’s questions. 50 years is used by the state and many other communities. Commercial lots have been surveyed more than residential lots. Part of the application could require the survey from the state Preservation Commission.

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

Commissioner Jensen motioned for a positive recommendation of the Proposed Ordinance 2023-39, amending Tooele City Code, Chapter 2-9 regarding the Landmark Site Designation Process for the Preservation of Significant Historic Properties based on the findings and subject to the conditions listed in the staff report with the Property owners need to be part of the process and extend the time line to 75 years old, and receiving a RLS during the application. Commissioner Proctor seconded the motion.

Commissioner Jensen withdrew the motion.

Commissioner Robinson motioned to table the item to give Mr. Stewart time to address the Commission’s concerns. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”

Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

5. Public Hearing and Recommendation – Consideration of Proposed Ordinance 2023-43, amending Tooele City Code, Chapter 7-19 - Subdivision Regulations

Presented by Jared Hall, City Planner

Mr. Hall presented an amendment to Tooele City Code, Chapter 7-19, subdivision regulations. The changes do go beyond some of the legislator requirements. The bill requires the City to overhaul its subdivision application, approval, and appeal processes. City Councils are no longer involved in the subdivision approval process, recognizing that legislative bodies have a role in establishing subdivision rules, but not in administering subdivision applications under those rules. The preliminary subdivision will be approved by the Planning Commission. Preliminary subdivision appeals will be decided by a panel of three members with qualifications in a planning, development, or related fields. The final subdivision will be approved by a committee of the Public Works Director, Community Development Director, and City Engineer, with the signature of two of them required for approval. Final subdivision appeals are dictated by state law and will be heard by a committee of three engineers, one selected by the City, one selected by the sub-divider, and a third selected by the first two. A minor subdivision be treated like a final subdivision for approvals and appeals; the preliminary and final processes are merged into a final subdivision approval process.

The Planning Commission asked the following questions:

Who pays for the third engineer?
Was the fire department involved?

Mr. Hall addressed the Commission’s questions. The fire department was very involved in the process. The property owners normally come forward when they want to subdivide. It comes up organically. The third engineer is chosen by the City and the applicant.

Mr. Aagard addressed the Commission. This ordinance would take February 2024.

The public hearing was opened.

Kelly White asked if this would this lead to an issue or a rush to the recorder’s office to have flag ownership.

The public hearing was closed.

Commissioner Proctor motioned to forward a positive recommendation on the Proposed Ordinance 2023-43, amending Tooele City Code, Chapter 7-19 - Subdivision Regulations based on the findings and subject to the conditions listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”,

Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

6. Public Hearing and Recommendation – Consideration of proposed amendments to the Multi-Family Residential Design Guidelines as found in Tooele City Codes 7-11a-18, 7-11a-12, and 7-11a-25.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented an amendment to the multi-family residential design standards, building materials, landscaping, and deviations found in the city codes. This is a legislative item and will be approved by the City Council. The City currently requires 50% of exterior to be brick or stone, with 60% of it being on the front façade. Staff is proposing to reduce stone and brick on front and street façade to 40% with three additional materials chosen from the approved list. This is to have architecture variety and unit definition. The tree and shrub changes would simplify the tree requirements; Allowing the code to be easier to read and interpret. Staff is proposing to strike the deviation from the code all together.

The Planning Commission:

Are the tree and shrubs from a list that is provided?

Is this a considerable reduction?

Is it necessary?

If they were to reduce it down to 20%, does it make it more affordable?

Mr. Aagard addressed the Commission’s questions. There is a recommended list of trees and shrubs a developer can select from. With the reduction, the City would like to keep the architectural integrity. They are working to find a comfortable spot that can help developers.

Council Member Manzione addressed the Commission. When Mr. Aagard suggested 20% and 3 additional materials, the Council felt the change was not a significant cost. They want to be able to expand the pallet with a variety of materials.

The public hearing was opened.

Ivan Carrol shared his appreciation for the changes.

The public hearing was closed.

The Planning Commission suggested having the deviation included.

Mr. Aagard addressed the Commission. They would have to rework it and would take some time, but it could be added back if needed.

Commissioner Proctor motioned to forward a positive recommendation Consideration of proposed amendments to the Multi-Family Residential Design Guidelines as found in Tooele City Codes 7-11a-18, 7-11a-12, and 7-11a-25 based on the findings and subject to

the conditions listed in the staff report. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Gochis, “Nay”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

7. Public Hearing and Recommendation – Consideration of proposed amendments to the Tooele City Annexation Policy Plan, an element of the Tooele City General Plan

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented an amendment to the Tooele City Annexation Policy. The policy plan is an element of the general plan to identify areas adjacent to the City’s boundaries that can be considered for annexation. If a property is not included, the property cannot be annexed until the plan has identified it. The map was approved in 2009, and updated in 2020. Since the plan has been approved, Erda has incorporated, Grantsville has expended, and water is hard to find. Staff is proposing to update the map taking out properties that will not be annexed in to Tooele City due to lack of utilities, undevelopable, or incorporated into another city, town, or government entity. This does not limit the ability to add property, but keeps the plan current. The general plan will have to be amended as well.

The Planning Commission shared thoughts of not understanding the change or believing that it was not needed because there is a policy in place that seems to be working.

Mr. Aagard addressed the Commission’s concerns. Annexation can always be amended if a property comes up. The big issue with the plan as is, is that developers think property will be automatically annexed if it is on the map.

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

Commissioner Robinson motioned to forward a negative recommendation. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Proctor, “Nay”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

8. Review and Recommendation – Consideration of a request by Melissa Jensen representing Harris Community Village LLC for Preliminary Approval of the proposed Harris Community Village Condominium Subdivision, located at 251 North 1st Street in the MR-8 zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a condominium subdivision for the proposed Harris Community Village. It is zoned MR-8. They have requested the plat to create unique ownership of the buildings. It is necessary for Tooele Housing Authority to fund the project. Staff is recommending approval. Tooele Housing Authority will maintain ownership.

Commissioner Sloan motioned to forward a positive of a request by Melissa Jensen representing Harris Community Village LLC for Preliminary Approval of the proposed Harris Community Village Condominium Subdivision, located at 251 North 1st Street in the MR-8 zoning district. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

9. Review and Recommendation – Consideration of a request by Jared Payne representing Mountain Partner Investments for Preliminary Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 Multi-Family Residential Zone.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary approval of the Millennial Park Subdivision located at 300 West 400 North. It is zoned MR-16. This is for phase 2 of Millennial Park. The preliminary plan proposed shows lots are width of townhomes, facilitate private ownership of townhomes, does comply with city ordinance, Parcel B is open area, and parcel d is private street, maintained by HOA, staff is recommending approval with conditions listed in staff report.

Commissioner Proctor motioned to forward a positive recommendation of a request by Jared Payne representing Mountain Partner Investments for Preliminary Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 Multi-Family Residential Zone. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

10. Review and Recommendation – Consideration of a request by Kelly White and Landon Sandberg to amend the plat of the Kelly White Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone.

Presented by Jared Hall, City Planner

Mr. Hall presented a minor subdivision approval located at 738 West McKellar Street. They are accommodating the six nonconforming units. It is zoned MR-8. The application will bring the property to a conforming status. Staff is recommending approval.

Commissioner Jensen motioned to approve the request by Kelly White and Landon Sandberg to amend the plat of the Kelly White Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone. Commissioner Robinson seconded the motion.

Commissioner Jensen with drew his motion.

Commissioner Jensen motioned to forward a positive recommendation Consideration of a request by Kelly White and Landon Sandberg to amend the plat of the Kelly White

Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

11. Review and Decision – Consideration of a request by Jared Payne representing Mountain Partner Investments for Site Plan and Design Review Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 zoning district.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a site plan and design review for the property located at 300 west 400 north. It is zoned MR-8. The townhomes are rear-loaded with each unit having two-car garage and a driveway. Area B will be a landscape and a play area. The road will be private and maintained by the HOA. Staff is confident it meets or exceeds the requirements and recommends approval.

Commissioner Hammer motioned to approve the request by Jared Payne representing Mountain Partner Investments for Site Plan and Design Review Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 zoning district.

Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

12. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: They discussed sewer lift stations, increasing garbage can fees, and approved Melanie Hammer, John Proctor, Matt Robinson, and the new appointment of Kelly Anderson to the Planning Commission.

13. Business Item – Vote for 2024 chair and vice chair positions

Mr. Aagard presented a recap of the Planning Commission’s year. As well as the bylaws for electing a new chair and vice chair.

Commissioner Hammer nominated Tyson Hamilton as chairman. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

Commissioner Jensen nominated Chris Sloan as vice-chairman. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

14. Review and Approval of Planning Commission Minutes for the meeting held on November 8, 2023.

There are no changes to the minutes.

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

15. Adjourn

Chairman Hamilton adjourned the meeting at 9:18 p.m.

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

Approved this ____ day of January, 2024

Tyson Hamilton, Tooele City Planning Commission Chair