PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, April 6, 2022, at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah.

We encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page at https://www.facebook.com/tooelecity. If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email cmpubliccomment@tooelecity.org anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Mayor's Youth Recognition Awards**
   Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor
4. **Second Step 6th Grade Drug and Alcohol Prevention Unit Project Winner**
   Presented by Sandy Medina, School Prevention Programs Coordinator
5. **Tooele Technical College Student of the Year**
   Presented by President Paul Hacking
6. **Public Comment Period**
7. **Resolution 2022-25** A Resolution of the Tooele City Council Consenting to Mayor Winn's Appointment of Berna Sloan and Kristalle Ford and the Reappointment of Sarah Lawrence-Brunsvik to the Library Board of Directors
   Presented by Jami Carter, Library Director
8. **Public Hearing & Motion on Ordinance 2022-10** An Ordinance of Tooele City Amending Tooele City Code Chapter 7-24 Regarding Annexation
   Presented by Roger Baker, City Attorney
9. **Public Hearing & Motion on Ordinance 2022-12** An Ordinance of the Tooele City Council Adopting a Culinary Water Facilities "Impact Fee Facilities Plan" and "Impact Fee Analysis", Amending Tooele City Code Chapter 4-15, and Enacting an Amended Culinary Water Impact Fee
   Presented by Jamie Grandpre, Public Works Director
10. **Public Hearing & Motion on Ordinance 2022-13** An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District and Removing the Sensitive Area Overlay for Approximately 38 Acres of Property Located at Approximately 900 South Main Street
    Presented by Jim Bolser, Community Development Director
11. **Public Hearing & Motion on Ordinance 2022-14** An Ordinance of Tooele City Amending Table 2 of Chapter 7-16 Regarding Setback Requirements in Nonresidential Zoning Districts
    Presented by Jim Bolser, Community Development Director
12. **Public Hearing & Motion on Ordinance 2022-15** An Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 4 of the Tooele Estates Subdivision, Phase 1
    Presented by Jim Bolser, Community Development Director

13. **Human Resource Benefit Package and Budget Update**
    Presented by Kami Perkins, Human Resources Director
14. **Public Works Project Update**
    Presented by Paul Hansen, City Engineer
15. **Resolution 2022-21** A Resolution of the Tooele City Council Approving an Amendment to the 2019 Cell Tower Lease Agreement with Eco-Site II, LLC
    Presented by Roger Baker, City Attorney
16. **Resolution 2022-22** A Resolution of the Tooele City Council Approving a Modification to the Third-Party Public Improvement Inspection Requirement for Overlake 2A Phase 2
    Presented by Roger Baker, City Attorney
17. **Resolution 2022-23** A Resolution of the Tooele City Council Authorizing the Tooele City Purchasing Agent to Dispose of Surplus Personal Property
    Presented by Michelle Pitt, City Recorder
18. **Resolution 2022-24** A Resolution of the Tooele City Council Declaring Surplus Certain Technology-Related Equipment, and Authorizing Disposal
    Presented by Michelle Pitt, City Recorder
19. **Resolution 2022-26** A Resolution of the Tooele City Council Approving an Agreement with Elite Grounds L.C. for Landscaping Maintenance at City Buildings and Parks
    Presented by Darwin Cook, Parks & Recreation Director
20. **Resolution 2022-27** A Resolution of the Tooele City Council Approving a First Amendment to the Development Agreement for Copper Canyon PUD Between Tooele City and Phoenix of Copper Canyon, LLC
    Presented by Roger Baker, City Attorney
21. **Ordinance 2022-11** An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments
    Presented by Roger Baker, City Attorney
22. **Minutes**
    ~March 9, 2022 City Council Special Budget Meeting
    ~March 16, 2022 City Council Work Meeting
    ~March 16, 2022 City Council Business Meeting
    ~March 30, 2022 City Council Special Water Meeting
23. **Invoices**
24. **Adjourn**

_____
Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2022-25

A RESOLUTION OF THE TOOELE CITY COUNCIL CONSENTING TO MAYOR WINN'S APPOINTMENT OF BERNA SLOAN AND KRISTALLE FORD AND THE REAPPOINTMENT OF SARAH LAWRENCE-BRUNSVIK TO THE LIBRARY BOARD OF DIRECTORS.

WHEREAS, the Tooele City Council created the library board of directors by Ordinance 1989-13, and thereby ordained, among other things, that board members would serve three-year terms, that members cannot serve more than two full terms in succession, that the terms are to be staggered such that two expire one year, three expire the next year, and three expire the third year; and,

WHEREAS, the City Council's consent is required to the Mayor's appointments to the Board members pursuant to Tooele City Code §2-1-4; and,

WHEREAS, the Mayor, with the support of the Library Director, wishes to appoint Berna Sloan and Kristalle Ford, and to reappoint Sarah Lawrence-Brunsvik for a second term, to the Library Board of Directors; and,

WHEREAS, they will begin their new full terms as shown in the table, below; and,

WHEREAS, the City Council finds it to be in the best interest of Tooele City to consent to the appointments:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that consent is hereby given to Mayor Debra E. Winn's appointment of Berna Sloan and Kristalle Ford and reappointment of Sarah Lawrence-Brunsvik to the Library Board of Directors to serve three-year terms, as follows:

Board Members	Original Appointment	Original Expiration	Present Appointment	Present Term Expiration
Amanda Plaizier	09-20-2017	06-30-2020	11-18-2020	06-30-2023
Donilyn Leary	09-20-2017	06-30-2020	11-18-2020	06-30-2023
Emily Lee	11-18-2020	06-30-2023	11-18-2020	06-30-2023
Sarah Lawrence-Brunsvik	09-05-2018	06-30-2021	04-06-2022	06-30-2024
Vacant				06-30-2024
Vacant				06-30-2025
Berna Sloan	04-06-2022	06-30-2025	04-06-2022	06-30-2025
Kristalle Ford	04-06-2022	06-30-2025	04-06-2022	06-30-2025
Tony Graf (City Council)	01-01-2020			

The appointee is authorized to exercise the powers specifically delegated to members of the library board by the Tooele City Council, as declared in the Tooele City Code.

This Resolution shall become effective on the date of passage.

Passed this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For) (Against)

_____ _____

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

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

TOOELE CITY CORPORATION

ORDINANCE 2022-10

AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE CHAPTER 7-24 REGARDING ANNEXATION.

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, Utah Code 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, municipal annexations are governed by Utah Code Chapter 10-2 Part 4, and by Tooele City Code Chapter 7-24; and,

WHEREAS, Chapter 7-24 was enacted in 1975 and was revised in 1984, with other amendments in 1995, 1996, and 1998, and the City Administration recommends that Chapter 7-24 be updated and harmonized with current Utah Code provisions and Tooele City practice; and,

WHEREAS, some of the key proposed amendments of this Ordinance include the following: (a) specifying the technical information required prior to Planning Commission consideration and City Council approval; (b) harmonizing City Code procedures with Utah Code requirements for annexation petitions, local entity plats, and Lt. Governor certification; (c) explaining the timing of the annexation agreement approval vis a vis annexation petition approval; and, (d) clarifying that the required two-thirds (2/3) "super-majority" vote is in fact a four-fifths (4/5) vote; and,

WHEREAS, annexation policy questions are critical to a municipality's character, services, and future; and,

WHEREAS, the Planning Commission convened a public hearing on March 23, 2022, accepted public comment, and provided its recommendation to the City Council; and,

WHEREAS, the City Council convened a public hearing on April 6, 2022, and accepted public comment:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Tooele City Code Chapter 7-24 is hereby amended, as shown in Exhibit A.

This Ordinance 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 _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

Proposed Amended Tooele City Code Chapter 7-24

(redline and clean)

CHAPTER 24. ANNEXATION~~ANNEXED AREAS~~

7-24-1. Procedure for annexation.

(1) Whenever a majority of the real property owners and not less than one third (1/3) of the real property owners as determined by the value of all of the parcels of real property ~~tracts~~ taken together in the contiguous area proposed for annexation~~to be annexed~~, according to the last assessment rolls, desire to have Tooele City annex the property ~~the particular area~~ to Tooele City, they shall proceed as follows:

(a) Prepare a written petition signed by the above-referenced property owners, ~~said majority, and by one third (1/3) of the real property owners by value, as determined by the last assessment rolls, of the real property to be annexed,~~ which petition shall be directed to the Community Development Department, together with a completed City annexation application form and payment of the application fee. ~~Tooele City Planning and Zoning Board and the Tooele City Council, and shall petition said Board and Council for the annexation of~~ The petition shall include the legal description of the land area proposed for annexation, ~~a particular contiguous area to Tooele City, andshall set forth the legal description of the entire tractto be annexed~~and shall otherwise comply with the requirements of U.C.A. Chapter 10-2 Part 4.

(b) ~~In addition, said property owners shall~~ Submit ~~cause~~ an accurate plat of the land area proposed for annexation.~~such territory to be prepared under the supervision of the Tooele City Engineer or by a surveyor licensed by the State of Utah setting forth the metes and bounds description of the territory to be annexed and designating both limits to which it is contiguous. Said~~ The plat shall ~~also~~include areas for the signatures of ~~, in the margin, a proper certification with date, signature and seal by the Engineer or surveyor preparing the same, an Approval for Execution by~~ the Planning Commission members, ~~and Zoning Board of Tooele City~~ including the date of recommendation, ~~execution and lines for the signatures of each member approving the same, an Approval for Execution by the members of~~ the City Council members, ~~approvingtheplat,~~including the date of approval, ~~and a signature line for each member executing the same, a marginal box for execution by~~ the City Attorney approving the plat as to form, ~~a marginal box for~~ the ~~Tooele~~City Recorder for ~~'s~~ plat certification, and the County Recorder for recordation. The plat shall conform to the requirements of U.C.A. Section 17-23-20, as amended, regarding final local entity plats. ~~that the same was filed with the City Recorder's Office and indicating the day and time of said filing as well as a separate certification by the City Recorder that said plat and Ordinance Number was approved by the City Council including the date of approval and certification by the City Council. In addition, a marginal box shall be provided for the County Recorder's documentation as to the book, page, date and time of recordation as well as the signature and seal of the County Recorder. There shall be no other marginal notations upon the plat.~~

(c) After the signed petition and the plat have been submitted, ~~has been prepared as set forth in Section 1(b) hereof and the petition has been executed by each real property owner signing the same, their signatures having been acknowledged by a Notary Public, said~~ the petition and plat shall be presented to the City Attorney for ~~his or her approval~~review as to form, and to the City Recorder for certification.

(d) Following City Attorney review and City Recorder certification, the petition and plat shall be presented to the City Council, which shall approve or reject a resolution to accept the petition for further consideration.

(e) Following acceptance by resolution of the petition for further consideration, and prior to Planning Commission review and recommendation, the petitioners shall provide at their expense the following detailed studies, among others, for consideration by the City as to the impacts of the proposed annexation upon the City:

(i) culinary water system, including source, storage, transmission, distribution, treatment, and water rights;

(ii) sanitary water system, including collection and treatment;

(iii) storm water retention, detention, and drainage;

(iv) parks and recreation;

(v) police response;

(vi) fire response;

(vii) fiscal and tax;

(viii) others as determined by the City Council.

(f) Following approval of a resolution to the accept the petition for further consideration, ~~Subsequent to the approval of the City Attorney as to the form of the plat, said~~ the petition and plat, together with the above-required studies, shall be presented to the ~~Tooele City~~ Planning Commission for recommendation~~and Zoning Board at either a general or special meeting, attended by a quorum or majority of said Board for approval of said body~~.

(e) After review and recommendation ~~Uponapproval~~of a petition by the Planning Commission, ~~and Zoning Board and the execution of Approval upon the plat by signatures of a majority of the members of said Board voting therefor,~~ the plat and petition, together with the above-required studies, shall be ~~filed with the City Recorder who shall present the~~

same presented to the Tooele City Council to study at one or more work meetings and for final action at a business meeting, after public hearing.the next regular meeting thereof, for the approval by the City Council.

(f) The petition and annexation may be approved by ordinance upon the vote of four-fifths (4/5) Iftwo thirds (2/3) of all ofthe members of the City Council, which approving members shall vote at a regular meeting of said Council for the annexation as petitioned, they shall so declare said annexation by Ordinance passed by said two thirds (2/3) of all members of the Council. Those members declaring the annexation by Ordinance shall execute their approval by signature upon the plat in the place provided.

(g) Subsequent to theapproval by the City Council, the City Recorder shall cause saidplat and the Ordinance to be certified as to their authenticity indicating the day of approval by a two thirds (2/3) majority of the council and shall cause the same to be recorded in the office of the Tooele County Recorder.submit the plat and Ordinance to the Utah Lt. Governor as required by U.C.A. 10-2-25, as amended. (Ord. 84-01, 01-04-84; Ord. 75-12, 05-12-75)

7-24-2. Initial zoning classifications.

All newland areas annexed to Tooele City as provided above shall receive the zoning classification be classified as the the City Council shallordainidentifies in the Ordinance of annexation. No portion of the annexed land saidterritoryshall be granted a variance or be re-classified to another zoning designation without following the procedure provided by the Utah Code and the Tooele City Code for suchvariancesorzoning reclassifications being adhered to. (Ord. 84-01, 01-04-84; Ord. 75-12, 05-12-75)

7-24-3. Annexation Agreements

(1) Annexation approval is conditioned upon all annexation petitioners executing an Annexation Agreement with the City. The Agreement shall provide, among other things, for the transfer of water rights to the City in compliance with Chapter 26 of this Title. Approval of the annexation by ordinance shall occur only following approval of the Agreement by resolution. Execution of the Agreement by the petitioners shall occur prior to aCity Council execution of the annexation platvote on the proposed annexation. Refusal by one or more of the petitioners to execute the Agreement shall be grounds for rescinding the Council's annexation approval refusingto and for not submitting the plat and ordinance to the Lt. Governorannex the land subject to the petition.

(2) The City Recorder shall cause the Agreement to be recorded with the Tooele County Recorder. as an encumbrance upon the title to the annexed property. A copy of the executed Agreement shall be attached to the Annexation Individual Policy Declaration approved by the City Council, and shall be recorded with the Policy Declaration. (Ord. 98-31, 08-18-98); (Ord. 96-22, 11-6-96); (Ord. 95-20, 12-15-95)

CHAPTER 24. ANNEXATION

7-24-1. Procedure for annexation.

(1) Whenever a majority of the real property owners and not less than one third (1/3) of the real property owners as determined by the value of all of the parcels of real property taken together in the contiguous area proposed for annexation, according to the last assessment rolls, desire to have Tooele City annex the property to Tooele City, they shall proceed as follows:

(a) Prepare a written petition signed by the above-referenced property owners, which petition shall be directed to the Community Development Department, together with a completed City annexation application form and payment of the application fee. The petition shall include the legal description of the land area proposed for annexation, and shall otherwise comply with the requirements of U.C.A. Chapter 10-2 Part 4.

(b) Submit an accurate plat of the land area proposed for annexation. The plat shall include areas for the signatures of the Planning Commission members, including the date of recommendation, the City Council members, including the date of approval, the City Attorney approving the plat as to form, the City Recorder for plat certification, and the County Recorder for recordation. The plat shall conform to the requirements of U.C.A. Section 17-23-20, as amended, regarding final local entity plats.

(c) After the signed petition and the plat have been submitted, the petition and plat shall be presented to the City Attorney for review as to form, and to the City Recorder for certification.

(d) Following City Attorney review and City Recorder certification, the petition and plat shall be presented to the City Council, which shall approve or reject a resolution to accept the petition for further consideration.

(e) Following acceptance by resolution of the petition for further consideration, and prior to Planning Commission review and recommendation, the petitioners shall provide at their expense the following detailed studies, among others, for consideration by the City as to the impacts of the proposed annexation upon the City:

(i) culinary water system, including source, storage, transmission, distribution, treatment, and water rights;

(ii) sanitary water system, including collection and treatment;

(iii) storm water retention, detention, and drainage;

(iv) parks and recreation;

(v) police response;

(vi) fire response;

(vii) fiscal and tax;

(viii) others as determined by the City Council.

(f) Following approval of a resolution to the accept the petition for further consideration, the petition and plat, together with the above-required studies, shall be presented to the Planning Commission for recommendation.

(e) After review and recommendation of a petition by the Planning Commission, the plat and petition, together with the above-required studies, shall be presented to the City Council to study at one or more work meetings and for final action at a business meeting, after public hearing.

(f) The petition and annexation may be approved by ordinance upon the vote of four-fifths (4/5) of the members of the City Council, which approving members shall execute their approval by signature upon the plat in the place provided.

(g) Subsequent to approval by the City Council, the City Recorder shall submit the plat and Ordinance to the Utah Lt. Governor as required by U.C.A. 10-2-25, as amended.

(Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

7-24-2. Initial zoning classifications.

All land areas annexed to Tooele City shall receive the zoning classification the City Council identifies in the ordinance of annexation. No portion of the annexed land shall be re-classified to another zoning designation without following the procedure provided by the Utah Code and the Tooele City Code for zoning reclassification.

(Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

7-24-3. Annexation Agreement

(1) Annexation approval is conditioned upon all annexation petitioners executing an Annexation Agreement with the City. The Agreement shall provide, among other things, for the transfer of water rights to the City in compliance with Chapter 26 of this Title. Approval of the annexation by ordinance shall occur only following approval of the Agreement by resolution. Execution of the Agreement by the petitioners shall occur prior to City Council execution of the annexation plat. Refusal by one or more of the petitioners to execute the Agreement shall be grounds for rescinding the Council's annexation approval and for not submitting the plat and ordinance to the Lt. Governor.

(2) The City Recorder shall cause the Agreement to be recorded with the Tooele County Recorder.

(Ord. 1998-31, 08-18-1998) (Ord. 1996-22, 11-6-1996) (Ord. 1995-20, 12-15-1995)

Tooele City Planning Commission
Business Meeting Minutes

Date: Wednesday, March 23, 2022
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:
Melanie Hammer
Nathan Thomas
Chris Sloan
Matt Robinson
Tyson Hamilton
Weston Jensen
Paul Smith
Alison Dunn

Commission Members Excused:
Melodi Gochis

City Council Members Present:
Maresa Manzione

City Council Members Excused:
Ed Hansen

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

Minutes prepared by Katherin Yei

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

1.Pledge of Allegiance
The Pledge of Allegiance was led by Chairman Thomas.

2. Roll Call
Melanie Hammer, Present
Nathan Thomas, Present
Chris Sloan, Present
Matt Robinson, Present

the Zoning for Approximately 38 Acres Located at Approximately 900 South Main Street (South Side of SR-36) fromtheRR-1 Residential Zoning District with the Sensitive Area Overlay totheR1-7 Residential Zoning District and Removing the Sensitive Area Overlay from the Development Portions of the Property based on the findings and conditions in the staff report and recommendations in the subsequent in the specific reports, and the trail to be a part of the project. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Chairman Robinson, "Aye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Naye". The motion passed.

4. Public Hearing and Recommendation on a City Code Text Amendment Request by Tooele City for Ordinance 2022-10An Ordinance of the Tooele City Council Proposing Amendments to Chapter 7-24oftheTooele City Code Regarding Annexation.

Mr. Baker presented a proposed City Code text amendment for chapter 7-24 regarding annexation. The changes are mostly to remove old procedural provisions that cross reference State code that are outdated or obsolete. They have made specific updates to the procedural steps that are required by State law and the City's actual practice, as well as specifying various studies that are important to give the City Council the information they need for informed annexation decisions. They are the same studies that have been required by the City for ten years. The City is giving more predictability of what will be asked or required before petitioners come to the Commission or the Council. Staff has also worked on clarifying some procedural steps. The City Code specifies the annexation needs to be approved by 2/3 of the City Council. Mr. Baker recommended 2/3 be changed to 4/5 to reflect an actual supermajority in a five-member public body. The City Council discussed some of the pros and cons of having a super majority vote verses a simple majority vote. Mr. Baker indicated that a previous City Council appeared to believe that annexations are of such policy importance that a simple majority should not be able to approve them and permanently change the City, but that a super-majority should be required.

The Planning Commission had concerns on the change effecting the pending annexation and anything current from the legislative session being included. The discussion included a general outline of what the Council discussed in their previous work meeting. A portion of the Council believed simple majority was adequate because there are so many hurtles for annexation standpoints with each decision being important.

Mr. Baker addressed the Commission's questions and concerns. There is an annexation application pending, but the changes should not affect it. The changes will match what is happening with the current annexation. If the Council changes approval to simple majority, that would apply to the current annexation petition. To Mr. Baker's awareness, the latest legislative session should not affect the annexation amendments.

Council Member Manzione addressed the Commission. By the time it reaches the Council, the annexation application has been thoroughly vetted.

Chairman Robinson opened the public hearing. No one came forward. The public hearing was closed.

Chairman Robinson, Commissioner Hammer, and Commissioner Smith support the super majority, because it removes any ambiguity.

Commissioner Sloan and Commissioner Thomas supports the simple majority, because the application has been vetted through the many requirements before it reaches City Council.

Commissioner Sloan motion to recommend a positive for Recommendation on a City Code Text Amendment Request by Tooele City for Ordinance 2022-10An Ordinance of the Tooele City Council Proposing Amendments to Chapter 7-24 of the Tooele City Code Regarding Annexation with the exception the threshold be changed to simple majority. Commission Hamilton seconded the motion. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Naye", Commissioner Thomas, "Aye", Chairman Robinson, "Naye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Naye". The motion passed.

5. Public Hearing and Recommendation on a City Code Text Amendment Request by Tooele City to Revise the Provisions of Table 2 of Chapter 7-16 of the Tooele City Code to Amend Certain Set Back Requirements in the Various Nonresidential Zoning Districts

Mr. Bolser presented an amendment request to the Tooele City Code Chapter 7-16, table 2, amending the nonresidential zoning district setbacks. The City received a zoning text amendment regarding the Industrial Zone setback from thirty feet to fifteen feet, enabling the existing buildings in the Industrial Depot to be subdivided into units. The setbacks for Light Industrial and Research and Development was increased to fifteen feet for side yards and twenty feet for rear yards. They have received applications that have found the setbacks to be cumbersome or prohibiting. The proposed text amendment, reduces the side yard to five feet and rear yards to ten feet for maintenance and water drainage. Previously to the amendment, the setbacks are set at zero. The notes below the tables will also be clarified.

Chairman Robinson opened the public hearing. No one came forward. The public hearing was closed

Commissioner Sloan motion to forward a positive recommend a positive for a City Code Text Amendment Request by Tooele City to Revise the Provisions of Table 2 of Chapter 7-16 of the Tooele City Code to Amend Certain Set Back Requirements in the Various Nonresidential Zoning Districts based on the findings in the staff report. Commission Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Commissioner Robinson, "Aye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Aye". The motion passed.

TOOELE CITY CORPORATION

ORDINANCE 2022-12

AN ORDINANCE OF THE TOOELE CITY COUNCIL ADOPTING A CULINARY WATER FACILITIES "IMPACT FEE FACILITIES PLAN" AND "IMPACT FEE ANALYSIS," AMENDING TOOELE CITY CODE CHAPTER 4-15, AND ENACTING AN AMENDED CULINARY WATER IMPACT FEE.

WHEREAS, Tooele City (the "City") is a charter city and a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law; and,

WHEREAS, the City has legal authority, pursuant to Utah Code Title 11, Chapter 36a, as amended ("Impact Fees Act" or "Act"), and Tooele City Code Title 4 Chapter 15 ("Development Impact Fees"), to impose development impact fees ("Impact Fees") as a condition of land use approval, which Impact Fees are used to defray the capital infrastructure costs of system improvements associated with and attributable to growth activity; and,

WHEREAS, the City has historically assessed Impact Fees as a condition of development approval in order to assign capital infrastructure costs to development in an equitable and proportionate manner; and,

WHEREAS, on May 19, 2021, the City Council approved Ordinance 2021-14, adopting the 2021 Drinking Water System Master Plan, prepared by the engineering firm of Hansen Allen & Luce; and,

WHEREAS, the City's financial adviser Lewis Young Robertson & Burningham (LYRB) has completed the following documents, which are being adopted by this Ordinance: (1) Culinary Water Facilities Impact Fee Facilities Plan (February 2022), and (2) Culinary Water Facilities Impact Fee Analysis (February 2022) (attached jointly as Exhibit A) (collectively the "Plans"); and,

WHEREAS, among other things, the Plans establish together that a change to Tooele City's culinary water impact fee from $4,609 to $7,805 is necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received, and the change needs to be reflected in an amendment to TCC Section 4-15-2; and,

WHEREAS, LYRB has provided the certifications required by U.C.A. §11-36a-306 (certification attached as part of Exhibit A); and,

WHEREAS, the Plans and this Ordinance were made available to the public and placed at the Tooele City Public Library as required by U.C.A. §11-36a-502, -504; and,

WHEREAS, a summary of the Plans was made available to the public and placed at the Tooele City Public Library as required by U.C.A. §11-36a-502; and,

WHEREAS, the City Council convened a public hearing on April 6, 2022, in accordance with the provisions of U.C.A. §§11-36a-504, 10-9a-205, and 10-9a-502:

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

1. the Culinary Water System Impact Fee Facilities Plan (February 2022) is hereby adopted (see Exhibit A); and,
2. the Culinary Water Facilities Impact Fee Analysis (February 2022) is hereby adopted (see Exhibit A); and,
3. Tooele City Code Chapter 4-15 is hereby amended to enact a culinary water impact fee of $7,805 per equivalent residential connection (ERC); and,
4. The adoption of Exhibit A, together with the increased water impact fee and the amendment to Tooele City Code Section 4-15-2, are hereby found to be in the public interest; and,
5. The adoption of Exhibit A is hereby made effective immediately, subject to U.C.A. §11-36a-401; and,
6. The amendment to Tooele City Code Section 4-15-2 is hereby made effective immediately, subject to U.C.A. §11-36a-401; and,
7. The revised water impact fee of $7,805 shall take effect on July 5, 2022.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

EXHIBIT A

Culinary Water Facilities
Impact Fee Facilities Plan and
Impact Fee Analysis
(February 2022)

and

Certifications

IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA)

PURSUANT TO 11-36A, UTAH CODE

CULINARY WATER FACILITIES

FEBRUARY 2022

TOOELE CITY, UTAH

TABLE OF CONTENTS

IMPACT FEE FACILITIES PLAN & ANALYSIS CERTIFICATION

IFFP CERTIFICATION

LYRB certifies that the attached impact fee facilities plan:

1. includes only the costs of public facilities that are:
    a. allowed under the Impact Fees Act; and
    b. actually incurred; or
    c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
    a. costs of operation and maintenance of public facilities;
    b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
    c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and,
3. complies in each and every relevant respect with the Impact Fees Act.

IFA CERTIFICATION

LYRB certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
    a. allowed under the Impact Fees Act; and
    b. actually incurred; or
    c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
    a. costs of operation and maintenance of public facilities;
    b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
    c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
3. offsets costs with grants or other alternate sources of payment; and,
4. complies in each and every relevant respect with the Impact Fees Act.

LYRB makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City Staff and elected officials.
2. If all or a portion of the IFFP or IFA are modified or amended, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

DEFINITIONS

The following acronyms or abbreviations are used in this document:

AAGR: Average Annual Growth Rate

AF: Acre Foot

ERC: Equivalent Residential Connection

GAL: Gallons

GPM: Gallons per Minute

GPD: Gallons per Day

IFA: Impact Fee Analysis

IFFP: Impact Fee Facilities Plan

LOS: Level of Service

LYRB: Lewis Young Robertson and Burningham, Inc.

MG: Million Gallons

SECTION 1: EXECUTIVE SUMMARY

The purpose of the Culinary Water Impact Fee Facilities Plan ("IFFP") and Analysis ("IFA") is to fulfill the requirements established in Utah Code Title 11 Chapter 36a, the "Impact Fees Act", and assist Tooele City (the "City") in financing and constructing necessary capital improvements for future growth. This document will address the future water infrastructure needed to serve the service area through the next ten years, as well as the appropriate impact fees the City may charge to new growth to maintain the existing level of service ("LOS"). The 2021 Tooele City Drinking Water Master Plan ("Master Plan") prepared by Hansen Allen & Luce, Inc., as well as input from the City, provide much of the information utilized in this analysis.

- Impact Fee Service Area: The service area for water impact fees includes all areas within the City.
- Demand Analysis: The demand units utilized in this analysis are based on typical usage patterns measured in acre feet ('AF"), peak day gallons per minute ("gpm"), total storage gallons, and equivalent residential connections ("ERCs") generated from land-use types. As residential and commercial growth occurs within the City, additional ERCs will be generated. The water capital improvements identified in this study are based on maintaining the existing LOS.
- Level of Service: The proposed LOS is based on the various system requirements for source, storage, and transmission. SECTION 3 of this report further explains the LOS.
- Excess Capacity: A buy-in component for source and storage is included in this analysis.
- Capital Facilities Analysis: A total of over $31 million in source and transmission related costs are included in the calculation of the impact fee. All these costs are considered system improvements necessary to maintain the proposed LOS and meet the anticipated development activity over that same period.
- Funding of Future Facilities: This analysis assumes future growth-related facilities will be funded on a pay-as-you-go basis, utilizing impact fee and utility fee revenues.

PROPOSED WATER IMPACT FEE

The IFFP must meet the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and LOS. The table below illustrates the appropriate buy-in fee, the fee associated with projects occurring in the next ten years, and other costs related to the water impact fee. The proportionate share analysis determines the proportionate cost assignable to new development based on the proposed capital projects and the estimated ERC demand served by the proposed projects.

TABLE 1.1: IMPACT FEE PER ERC

	TOTAL COST	% TO IFFP GROWTH	COST TO GROWTH	DEMAND SERVED	COST PER ERC	% OF TOTAL
Buy-In						
Source	$14,097,141	1.38%	$194,107	3,823	$51	0.65%
Storage	$7,597,747	37.12%	$2,820,048	3,823	$738	9.46%
Transmission	$27,835,155	0.00%	$0	3,823	$0	0.00%
Subtotal: Buy-In	$49,530,043		$3,014,155		$789	10.11%
Future Facilities						
Source	$37,857,147	59.55%	$22,542,362	3,823	$5,897	75.55%
Storage	$0	0.00%	$0	3,823	$0	0.00%
Transmission	$12,191,815	70.40%	$8,583,410	3,823	$2,245	28.76%
Impact Fee Interest Credit	($515,000)	100.00%	($515,000)	3,823	($135)	-1.73%
Impact Fee Fund Balance	($3,800,000)	100.00%	($3,800,000)	3,823	($994)	-12.74%
Professional Expense	11,626	100.00%	$11,626	3,823	$3	0.04%
Subtotal: Future Facilities	$45,745,588		$26,822,398		$7,016	89.89%
Total	$95,275,631		$29,836,553		$7,805	100.00%

NON-STANDARD WATER IMPACT FEES

The City reserves the right under the Impact Fees Act[1] to assess an adjusted fee that more closely matches the true impact that the land use will have upon the City's water system. The adjustment for Non-Standard Water Impact Fees could result in a different

[1] UC 11-36a-402(1)(c)

impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. A developer may submit studies and data for a particular development and request an adjustment. The impact fee for non-standard development would be determined based on the water and storage utilization and according to the LOS variables presented in this report, calculated on a case-by-case basis.

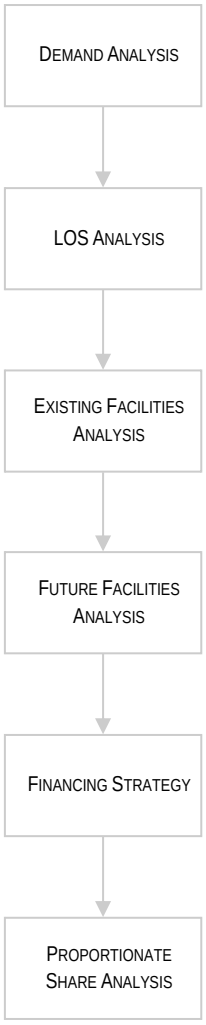
FORMULA FOR NON-STANDARD WATER IMPACT FEES:

(Total Average Yearly Demand (ac-ft) / 0.61 (ac-ft)) * Base Impact Fee/ERC ($7,805) = Total Fee

For purposes of impact fees, and as identified in the Master Plan, an ERC is assumed to have an irrigated acreage of 0.1 acres per ERC. This results in an average outdoor irrigation demand of 3.6 acre-feet of water per irrigated acre. Based on this analysis, 1 ERC is defined as the equivalent of 0.25 acre-feet annual indoor use and 0.36 acre-feet of annual outdoor use. For non-standard uses, the City may take into account changes in exterior irrigation requirements and/or variations for interior water demands.

SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFA[2]. The sections of this report identify the demands placed upon the City's existing facilities by future development and evaluate how these demands will be met by the City, as well as the future improvements required to maintain the existing LOS. The purpose is to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. The following elements are important considerations when completing an IFA.

DEMAND ANALYSIS

The demand analysis serves as the foundation for this analysis. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact system facilities.

LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing LOS. Through the inventory of existing facilities, combined with population growth assumptions, this analysis identifies the LOS which is provided to a community's existing residents and ensures that future facilities maintain these standards.

EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the IFFP provides an inventory of the City's existing system improvements. The inventory does not include project improvements. The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development. Any excess capacity identified within existing facilities can be apportioned to future new development.

FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the LOS. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

FINANCING STRATEGY

This analysis must also include a consideration of all revenue sources, including impact fees, debt issuance, alternative funding sources, and the dedication (aka donations) of system improvements, which may be used to finance system improvements.[3] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[4]

PROPORTIONATE SHARE ANALYSIS

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future (UCA 11-36a-302).

[2] UC 11-36a-301,302,303,304
[3] UC 11-36a-302(2)
[4] UC 11-36a-302(3)

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities designed and intended to provide services to service areas within the community at large.[5] Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.[6] References to facilities, amenities, projects, etc. within this analysis are referring to System Improvements unless otherwise stated.

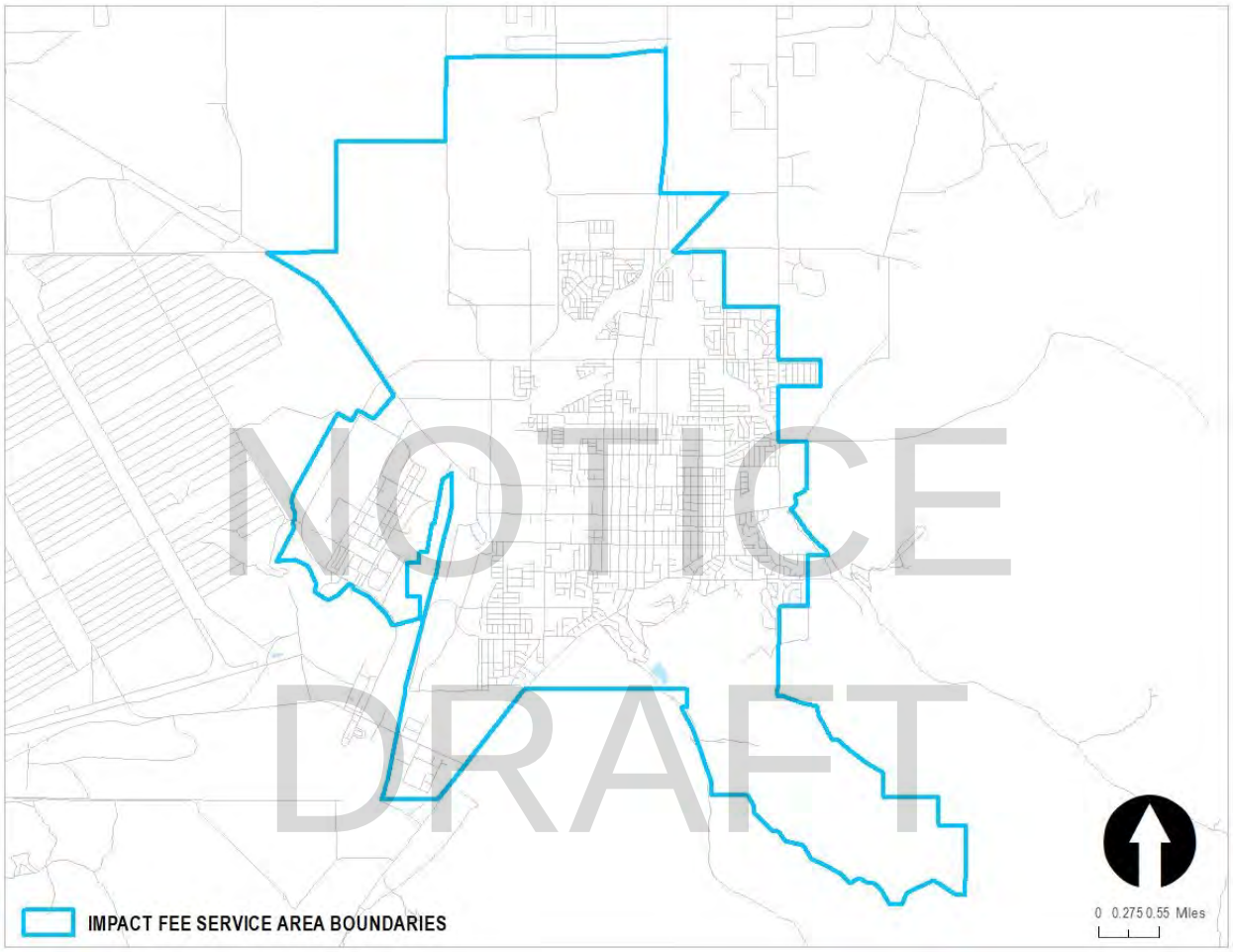
[5] UC 11-36a-102(20)
[6] UC 11-36a102(13)

SECTION 3: OVERVIEW OF SERVICE AREA, DEMAND, AND LOS

SERVICE AREAS

Utah Code requires the impact fee enactment to establish one or more service areas within which impact fees will be imposed.[7] The impact fees identified in this document will be assessed to a single, city-wide service area.

FIGURE 3.1: WATER SERVICE AREA



It is anticipated that the growth projected over the next ten years, and through buildout, will impact the City's existing services. Culinary water infrastructure will need to be expanded in order to maintain the existing level of service ("LOS"). Impact fees are a logical and sound mechanism for funding growth-related infrastructure. The IFFP and this analysis are designed to accurately assess the true impact of a particular user upon the City's infrastructure and prevent existing users from subsidizing new growth. This analysis also ensures that new growth is not paying for existing system deficiencies. Impact fees should be used to fund the costs of growth-related capital infrastructure based upon the historic funding of the existing infrastructure and the intent of the City to equitably allocate the costs of growth-related infrastructure in accordance with the true impact that a user will place on the system.

[7] UC 11-36a-402(a)

DEMAND UNITS

As shown in TABLE 3.1, the growth in ERCs is expected to reach 17,783 units by 2030. This represents an increase of 3,823 ERCs.

TABLE 3.1: CITY-WIDE ERC PROJECTIONS

YEAR	PROJECTED ERCS
2020	13,960
2030	17,783
2060	23,759
IFFP Increase	3,823

Source: Tooele City Water Master Plan 2021, Table 2-4

LEVEL OF SERVICE STANDARDS

Impact fees cannot be used to finance an increase in the LOS to current or future users of system improvements. Therefore, it is important to identify the water LOS currently provided within the City to ensure that the new capacities of projects financed through impact fees do not exceed the established standard.

The source LOS is defined based on Peak Day Demand expressed in gpm. The LOS for storage is based on equalization storage, fire suppression and emergency storage. The transmission is defined based on peak instantaneous demand expressed in gpm.

Table 1-1 of the Master Plan identifies the existing and proposed LOS. The Master Plan is supported by a technical memorandum dated October 1, 2021 prepared the Hansen Allen & Luce, Inc. This memorandum provides an explanation of the two separate levels of service shown in the Master Plan. As stated in the memorandum:

> The 2021 Master Plan presents a Level of Service (LOS) for existing demand and a separate LOS for future demand. The two LOS are intended to illustrate the difference between existing residents having access to secondary (irrigation) water supplied by an entity other than Tooele City for outdoor watering, as compared to future residents, which are not expected to have access to secondary water for outdoor watering. The future LOS does not represent an increased demand for future development over the amount of water used by existing development but reflects that future residents will rely on the Tooele City water system for secondary water. (See Appendix A)

The total system capacity will be considered for each component, compared to the requirements needed to maintain the identified performance standard for existing development. If the existing system capacity is less than the performance standard, it represents a deficiency. If it is greater than the performance standard, it may indicate excess capacity.

TABLE 3.2: MASTER PLAN LOS VARIABLES

CRITERIA:	LEVEL OF SERVICE - EXISTING DEMAND		LEVEL OF SERVICE - FUTURE DEMAND	
Average Yearly Demand	0.58	ac-ft/ERC	0.61	ac-ft/ERC
	187,975	gal/ERC	197,930	gal/ERC
Peak Day Demand	1,195	gpd/ERC	1,280	gpd/ERC
	0.83	gpm/ERC	0.89	gpm/ERC
Peak Instantaneous Demand	1.75	Peaking Factor	1.75	Peaking Factor
	1.45	gpm/ERC	1.56	gpm/ERC
Equalization Storage	515	gal/ERC	542	gal/ERC

Source: Tooele Water Master Plan 2021, Table 1-1: System Level of Service

SECTION 4: EXISTING FACILITIES & EXCESS CAPACITY

EXISTING FACILITIES

The City's existing system is defined by the capacity variables found in Table 4.1.

TABLE 4.1: SUMMARY OF EXISTING FACILITIES

COMPONENT	CAPACITY	UNIT	EXISTING VALUE*	SOURCE
Source	11,730	gpm	$14,097,141	*Tooele City Water Master Plan 2021, Table 3-1*
Storage	14.2	MG	$7,597,747	*Tooele Water Master Plan, Table 4-1*
Transmission	The existing water system contains approximately 190 miles of pipe with diameters of 2 inches to 24 inches.		$27,835,155	*Tooele Water Master Plan, p. 5-2*

*Based on Original Value Found in City's Depreciation Schedule

EXCESS CAPACITY

The intent of the equity buy-in component is to recover the costs of the unused capacity in existing infrastructure from new development. This section addresses any excess capacity within the water system.

SOURCE

The City's current source capacity is 11,730 gpm. Existing development requires 11,587 gpm, leaving 143 gpm of excess capacity (or 1.38 percent of the total system). The excess capacity can serve another 161 ERCs, which is not sufficient to meet the demands of new development activity. Therefore, new source improvements will be required.

The source buy-in component is calculated using the original cost of existing assets as presented in the City's financial records. The original value of existing culinary storage facilities is estimated at $14,097,141, with $194,107 allocated to buy-in.

TABLE 4.2: CALCULATION OF EXCESS SOURCE CAPACITY

Reliable Capacity (gpm)	11,730
Total Peak Day Demand (gpm)	11,587
Excess/(Deficiency) (gpm)	143
Excess/(Deficiency) as % of Total Reliable Capacity	1.38%
ERC Served by Excess Capacity	161
ERCs in IFFP Window	3,823
Remaining ERCs to Serve	3,662
Original Value of Source System	$14,097,141
Value to New Development	$194,107

STORAGE

The City's current storage capacity is 14.2 MG. Existing development requires 7.19 MG, with 1.74 MG of fire suppression storage, leaving 5.27 MG of excess capacity (or 37.12 percent of the total system). The excess capacity can serve another 9,724 ERCs, which exceeds the total projected ERCs in the planning horizon.

The storage buy-in component is calculated using the original cost of existing assets as presented in the City's financial records. The original value of existing culinary storage facilities is estimated at $7,597,747, with $2,820,048 allocated to buy-in.

TABLE 4.3: CALCULATION OF EXCESS STORAGE CAPACITY

Existing Capacity (MG)	14.20
Less Fire Suppression & Emergency	1.74
Remaining (MG)	12.46
Existing Demand (MG)	7.19
Excess/(Deficiency) (MG)	5.27
Excess/(Deficiency) as % of Total Capacity	37.12%
ERCs Served by Excess Capacity	9,724
ERCs in IFFP Window	3,823
Remaining ERCs to Serve	-
Original Value of Storage System	$7,597,747
Value to New Development	$2,820,048

TRANSMISSION

The Master Plan does not identify any excess capacity related to the transmission system. Therefore, no buy-in is included in this analysis for transmission facilities.

MANNER OF FINANCING EXISTING PUBLIC FACILITIES

The City has funded its existing capital infrastructure through a combination of different revenue sources, including impact fees, user fees, dedications, the issuance of debt, and grant monies. This analysis has removed all funding that has come from federal grants and donations to ensure that none of those infrastructure items are included in the LOS.

SECTION 5: CAPITAL FACILITY ANALYSIS

The estimated costs attributed to new growth were analyzed based on existing development versus future development patterns, as well as through an analysis of flow data. From this analysis, a portion of future infrastructure costs were attributed to new growth and included in this impact fee analysis as shown in TABLE 5.1. The costs of capital projects related to curing existing deficiencies cannot be funded through impact fees and were not included in the calculation of the impact fees. Further details related to these projects can be found in Appendix B and the Master Plan. A four percent annual construction inflation adjustment is applied to projects completed after 2020 (the base year cost estimate).

TABLE 5.1: ILLUSTRATION OF CULINARY WATER CAPITAL IMPROVEMENTS

DESCRIPTION	MASTER PLAN ROUNDED COSTS	CONSTRUCTION YEAR COST	% TO GROWTH	INFLATED COST TO GROWTH
Source	$31,083,000	$37,857,147	60%	$22,542,362
Transmission	$10,368,000	$12,191,815	70%	$8,583,410

Construction year cost calculated based on estimated construction year, assuming four percent inflation from 2020.

The IFFP has determined the projects included in this analysis using capital project and engineering data, planning analysis and other information. The accuracy and correctness of this plan is contingent upon the accuracy of the data and assumptions. Any deviations or changes in the assumptions due to changes in the economy or other relevant information used by the City for this study may cause this plan to be inaccurate and may require modifications.

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities that are intended to provide services to service areas within the community at large.[8] Project improvements are improvements and facilities that are planned and designed to provide service for a specific development and considered necessary for the use and convenience of the occupants or users of that specific development.[9] This analysis only includes the costs of system improvements related to new growth within the proportionate share analysis.

FUNDING OF FUTURE FACILITIES

The IFFP must also include a consideration of all revenue sources, including impact fees and the dedication (donations) of system improvements, which may be used to finance system improvements.[10] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[11]

In considering the funding of future facilities, the City has determined the portion of future projects that will be funded by impact fees as growth-related, system improvements. Impact fees are an appropriate funding and repayment mechanism of the growth-related improvements. Where applicable, impact fees will offset the cost of future facilities. However, impact fees cannot be used to fund non-qualified expenses (i.e. the costs to cure existing deficiencies, to raise the LOS, to recoup more than the actual cost of system improvements, or the cost to fund overhead). Other revenues such as utility rate revenue, property taxes, grants, or loans can be used to fund these types of expenditures, as described below.

UTILITY RATE REVENUES

Utility rate revenues serve as the primary funding mechanism within enterprise funds. Rates are established to ensure appropriate coverage of all operations and maintenance expenses, as well as all non-growth related debt service and capital project needs.

PROPERTY TAX REVENUES

Property tax revenues are not specifically identified in this analysis as a funding source for growth-related capital projects, but inter-fund loans may be made from the general fund which will ultimately include some property tax revenues. Interfund loans will be repaid once sufficient impact fee revenues have been collected. The City follows Utah Code 10-6-132 which requires interest to be accrued on interfund loans. Property tax revenue are generally not used to support enterprise funds.

[8] UC 11-36a-102(20)
[9] UC 11-36a102(13)
[10] UC 11-36a-302(2)
[11] UC 11-36a-302(3)

GRANTS AND DONATIONS

Grants and donations are not currently contemplated in this IFFP. However, the impact fees will be adjusted if grants become available to reflect the grant monies received. A donor and the City may enter into a Development Agreement which may entitle the donor to a reimbursement for the value of the system improvements, up to the LOS, funded through impact fees if donations are made by new development.

IMPACT FEE REVENUES

Impact fees are charged to ensure that new growth pays its proportionate share of the costs for the development of public infrastructure. Impact fee revenues can also be attributed to the future expansion of public infrastructure if the revenues are used to maintain an existing LOS. Increases to an existing LOS cannot be funded with impact fee revenues. Impact fee revenues are generally considered non-operating revenues and help offset future capital costs.

DEBT FINANCING

In the event the City has not accumulated sufficient impact fees to pay for the construction of time-sensitive or urgent capital projects needed to accommodate new growth, the City must look to revenue sources other than impact fees for funding. The Impact Fees Act allows for the costs related to the financing of future capital projects to be legally included in the impact fee. This allows the City to finance and quickly construct infrastructure for new development and reimburse itself later from impact fee revenues for the costs of principal, interest, and costs of issuance.

This analysis assumes future growth-related facilities will be funded on a pay-as-you-go basis, utilizing impact fee and utility fee revenues.

EQUITY OF IMPACT FEES

Impact fees are intended to recover the costs of capital infrastructure that relate to future growth. The impact fee calculations are structured for impact fees to fund 100 percent of the growth-related facilities identified in the proportionate share analysis as presented in the impact fee analysis. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, growth-related projects may be delayed, or other revenues such as general fund revenues or other fund's revenues and/or fund balance reserves may be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through subsequent impact fees.

NECESSITY OF IMPACT FEES

An entity may only impose impact fees on development activity if the entity's plan for financing system improvements establishes that impact fees are necessary to achieve parity between existing and new development. This analysis has identified the improvements to public facilities and the funding mechanisms to complete the suggested improvements. Impact fees are identified as a necessary funding mechanism to help offset the costs of capital improvements related to new growth. In addition, alternative funding mechanisms are identified to help offset the cost of future capital improvements.

SECTION 6: WATER IMPACT FEE CALCULATION

The City currently provides culinary water to its residents and businesses. As a result of new growth, the culinary water system will need to be expanded to perpetuate the LOS that the City has historically maintained. The 2021 Master Plan prepared by Hansen Allen & Luce, Inc., as well as input from the City, provide much of the information utilized in this analysis.

PROPOSED WATER IMPACT FEE

The IFFP must properly complete the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of appropriate impact fees. The improvements identified in this IFFP are necessary for new development to maintain the existing LOS. The total system costs are divided by the total demand units the projects are designed to serve.

COMBINED WATER IMPACT FEE CALCULATION

The water impact fees proposed in this analysis will be assessed within all areas of the City. TABLE 6.1 below illustrates the appropriate buy-in component, the fee associated with projects occurring in the next ten years and the applicable planning and interest costs. The proportionate share analysis determines the proportionate cost assignable to new development based on the proposed capital projects and the estimated ERC demand served by the proposed projects, in this case, the ERCs over the next ten years, which are illustrated in TABLE 3.1.

TABLE 6.1: CALCULATION OF PROPORTIONATE IMPACT FEE

	TOTAL COST	% TO IFFP GROWTH	COST TO GROWTH	DEMAND SERVED	COST PER ERC	% OF TOTAL
Buy-In						
Source	$14,097,141	1.38%	$194,107	3,823	$51	0.65%
Storage	$7,597,747	37.12%	$2,820,048	3,823	$738	9.46%
Transmission	$27,835,155	0.00%	$0	3,823	$0	0.00%
Subtotal: Buy-In	$49,530,043		$3,014,155		$789	10.11%
Future Facilities						
Source	$37,857,147	59.55%	$22,542,362	3,823	$5,897	75.55%
Storage	$0	0.00%	$0	3,823	$0	0.00%
Transmission	$12,191,815	70.40%	$8,583,410	3,823	$2,245	28.76%
Impact Fee Interest Credit	($515,000)	100.00%	($515,000)	3,823	($135)	-1.73%
Impact Fee Fund Balance	($3,800,000)	100.00%	($3,800,000)	3,823	($994)	-12.74%
Professional Expense	11,626	100.00%	$11,626	3,823	$3	0.04%
Subtotal: Future Facilities	$45,745,588		$26,822,398		$7,016	89.89%
Total	$95,275,631		$29,836,553		$7,805	100.00%

NON-STANDARD WATER IMPACT FEES

The City reserves the right under the Impact Fees Act[12] to assess an adjusted fee that more closely matches the true impact that the land use will have upon the City's water system. The adjustment for Non-Standard Water Impact Fees is explained in Section 6 and could result in a different impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. A developer may submit studies and data for a particular development and request an adjustment. The impact fee for non-standard development would be determined based on the water and storage utilization and according to the LOS variables presented in this report, calculated on a case-by-case basis.

FORMULA FOR NON-STANDARD WATER IMPACT FEES:

(Total Average Yearly Demand (ac-ft) / 0.61 (ac-ft)) * Base Impact Fee/ERC ($7,805) = Total Fee

For purposes of impact fees, and as identified in the Master Plan, an ERC is assumed to have an irrigated acreage of 0.1 acres per ERC. This results in an average outdoor irrigation demand of 3.6 acre-feet of water per irrigated acre. Based on this analysis, 1 ERC is defined as the equivalent of 0.25 acre-feet annual indoor use and 0.36 acre-feet of annual outdoor use. For non-standard uses, the City may take into account changes in exterior irrigation requirements and/or variations for interior water demands.

[12] UC 11-36a-402(1)(c)

CONSIDERATION OF ALL REVENUE SOURCES

The Impact Fees Act requires the proportionate share analysis to demonstrate that impact fees paid by new development are the most equitable method of funding growth-related infrastructure. See SECTION 5 for further discussion regarding the consideration of revenue sources.

EXPENDITURE OF IMPACT FEES

Legislation requires that impact fees should be spent or encumbered with six years after each impact fee is paid. Impact fees collected should be spent only on those projects outlined in the IFFP as growth related costs to maintain the LOS.

PROPOSED CREDITS OWED TO DEVELOPMENT

Credits may be applied to developers who have constructed and donated system facilities to the City that are included in the IFFP in-lieu of impact fees. Credits for system improvements may be available to developers up to, but not exceeding, the amount commensurate with the LOS identified within this IFA. Credits will not be given for the amount by which system improvements exceed the LOS identified within this IFA. This situation does not apply to developer exactions or improvements required to offset density or as a condition of development. Any project that a developer funds must be included in the IFFP if a credit is to be issued.

In the situation that a developer chooses to construct system facilities found in the IFFP in-lieu of impact fees, the decision must be made through negotiation with the developer and the City on a case-by-case basis.

GROWTH-DRIVEN EXTRAORDINARY COSTS

The City does not anticipate any extraordinary costs necessary to provide services to future development.

SUMMARY OF TIME PRICE DIFFERENTIAL

The Impact Fees Act allows for the inclusion of a time price differential to ensure that the future value of costs incurred at a later date are accurately calculated to include the costs of construction inflation. A two percent annual construction inflation adjustment is applied to projects completed after 2020 (the base year cost estimate).

APPENDIX A: LOS TECHNICAL MEMORANDUM

APPENDIX B: DETAILED LIST OF IFFP PROJECTS

TABLE B.1: IFFP FUTURE TRANSMISSION SYSTEM IMPROVEMENTS

MAP ID	TYPE	DESCRIPTION	YEAR	ADDED CAPACITY	NEW ERCS SERVED	ERC EXCESS/ (DEFICIENCY)	REMAINING NEW GROWTH	% TO GROWTH	ROUNDED	INFLATED COST	INFLATED COST TO GROWTH
Future Transmission											
1	Pipe	Fire project - Benchmark Village	2021	NA	-	-	-	0%	$65,000	$67,600	$0
2	Pipe	Fire - 200 West	2021	NA	-	-	-	0%	$155,000	$161,200	$0
3	Pipe	Fire - Millennial Park	2021	NA	-	-	-	0%	$67,000	$69,680	$0
4	PRV	Fire - connection added with Millennial Park	2021	NA	-	-	-	0%	$132,000	$137,280	$0
5	Pipe	Fire - 370 West	2021	NA	-	-	-	0%	$90,000	$93,600	$0
6	Pipe	Fire - Oak Street connection to Coleman	2021	NA	-	-	-	0%	$34,000	$35,360	$0
8	Pipe	Tank 5 Outlet - connect from N to East	2021	NA	-	-	-	0%	$60,000	$62,400	$0
9	Pipe	Zone 3 to Middle Canyon Road Backup	2021	NA	-	-	-	0%	$135,000	$140,400	$0
10	Pipe	700 South Booster to Tank 3 replacement	2025	NA	-	-	-	0%	$2,335,000	$2,840,885	$0
		Working in UDOT ROW		NA	-	-	-	0%	$384,000	$0	$0
12	Pipe	Bevan and Country View Villas	2024	NA	3,823	-	3,823	100%	$146,000	$170,799	$170,799
13	Pipe	400 East	2025	NA	3,823	-	3,823	100%	$28,000	$34,066	$34,066
14	Pipe	Broadway Avenue	2029	NA	3,823	-	3,823	100%	$63,000	$89,669	$89,669
15	Pipe	1000 West	2029	NA	3,823	-	3,823	100%	$305,000	$434,110	$434,110
16	Pipe	Main Street	2029	NA	3,823	-	3,823	100%	$192,000	$273,276	$273,276
		Working in UDOT ROW		NA	3,823	-	3,823	100%	$32,000	$0	$0
17	PRV	Zone boundary PRV	2029	NA	3,823	-	3,823	100%	$33,000	$46,969	$46,969
18	PRV	Zone boundary PRV	2029	NA	3,823	-	3,823	100%	$33,000	$46,969	$46,969
19	Pipe	400 West	2029	NA	3,823	-	3,823	100%	$247,000	$351,558	$351,558
20	PRV	Zone boundary PRV	2029	NA	3,823	-	3,823	100%	$33,000	$46,969	$46,969
21	Pipe	Rogers Street	2029	NA	3,823	-	3,823	100%	$140,000	$199,264	$199,264
24	Pipe	Tank 4 fill line	2022	NA	3,823	-	3,823	100%	$52,000	$56,243	$56,243
25	Valve	Control valves for feed into Tank 4	2022	NA	3,823	-	3,823	100%	$132,000	$142,771	$142,771
26	Pipe	Tank 4 to Skyline Drive transmission	2022	NA	3,823	-	3,823	100%	$290,000	$313,664	$313,664
27	Pipe	7th Street transmission	2022	NA	3,823	-	3,823	100%	$702,000	$759,283	$759,283
28	Pipe	7th Street transmission	2022	NA	3,823	-	3,823	100%	$34,000	$36,774	$36,774
29	Pipe	Droubay Road transmission	2027	NA	3,823	-	3,823	100%	$814,000	$1,071,168	$1,071,168
30	Pipe	Droubay Road transmission	2027	NA	3,823	-	3,823	100%	$278,000	$365,829	$365,829
31	Pipe	Coleman Street to Zone 9 transmission	2028	NA	3,823	-	3,823	100%	$564,000	$771,873	$771,873
32	Pipe	Coleman Street to Zone 9 transmission	2028	NA	3,823	-	3,823	100%	$157,000	$214,865	$214,865
33	Pipe	Coleman Street to Zone 9 transmission	2028	NA	3,823	-	3,823	100%	$1,683,000	$2,303,302	$2,303,302
		Cross Union Pacific Railroad		NA	3,823	-	3,823	100%	$329,000	$0	$0
34	Pipe	Coleman Street to Zone 9 transmission	2028	NA	3,823	-	3,823	100%	$624,000	$853,987	$853,987
Subtotal: Transmission									$10,368,000	$12,191,815	$8,583,410

TABLE B.1: FUTURE SOURCE, INCLUDING TRANSMISSION AND STORAGE DIRECTLY ASSOCIATED WITH SOURCE PROJECTS

MAP ID	TYPE	DESCRIPTION	YEAR	ADDED CAPACITY	NEW ERCS SERVED	ERC EXCESS/ (DEFICIENCY)	REMAINING NEW GROWTH	% TO GROWTH	ROUNDED	INFLATED COST	INFLATED COST TO GROWTH
Park Well											
44	Well	Park Well House	2021						$987,000	$1,026,480	
45	Pipe	Park Well Transmission to Zone 7	2021						$1,171,000	$1,217,840	
Subtotal				1,500					$2,158,000	$2,244,320	
Berra Well											
46	Well	Berra Well House	2021						$987,000	$1,026,480	
47	Tank	Equalization Tank for Berra well	2021						$1,362,000	$1,416,480	
48	Pump	Booster out of Berra tank	2021						$400,000	$416,000	
49	Pipe	Berra well transmission to Z9	2021								
50	Pipe	Berra well transmission to Z8 East	2021						$212,000	$220,480	
51	Pipe	Z8-Z9 at Berra Boulevard	2021						$190,000	$197,600	
52	PRV	Zone boundary PRV	2021						$132,000	$137,280	
Subtotal				1,000					$3,283,000	$3,414,320	
East A Well											
53	Well	Exploratory borehole	2023						$116,000	$130,484	
	Well	Production well	2023						$1,645,000	$1,850,401	
	Well	Well House	2023						$987,000	$1,110,241	
	Well	Easements	2023						$54,000	$60,743	
54	WTP	East A Arsenic Treatment Plant	2023						$1,645,000	$1,850,401	
55	Pipe	East A to Zone 10 transmission line	2023						$4,590,000	$5,163,126	
Subtotal				1,000					$9,037,000	$10,165,396	
East C Well											
56	Well	Exploratory borehole	2025						$116,000	$141,132	
	Well	Production well	2025						$1,645,000	$2,001,394	
	Well	Well House	2025						$987,000	$1,200,836	
	Well	Land/Easements	2025						$107,000	$130,182	
57	Pipe	East C well to Z9 transmission	2025						$1,700,000	$2,068,310	
Subtotal				1,000					$4,555,000	$5,541,854	
West A Well											
58	Well	Exploratory borehole	2028						$116,000	$158,754	
	Well	Production well	2028						$1,645,000	$2,251,296	
	Well	Well House	2028						$987,000	$1,350,778	
	Well	Land/Easements	2028						$107,000	$146,437	
59	Pipe	West A well to Z10	2028						$1,362,000	$1,863,991	
60	Tank	Equalization tank for West A sources	2028						$400,000	$547,428	
61	Pump	Booster out of West A tank	2028						$7,433,000	$10,172,574	
Subtotal				1,000					$12,050,000	$16,491,257	
Total Source and Related To Source				5,500	6,180	143	3,680	60%	$31,935,000	$38,743,227	$22,542,362

TOOELE CITY CORPORATION

ORDINANCE 2022-13

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE R1-7 RESIDENTIAL ZONING DISTRICT AND REMOVING THE SENSITIVE AREA OVERLAY FOR APPROXIMATELY 38 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 900 SOUTH MAIN STREET.

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

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the "Land Use Plan") of the General Plan establishes Tooele City's general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

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

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

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

WHEREAS, the Land Use Map of the Tooele City General Plan has designated the subject property as Medium Density Residential, a designation that recommends the R1-7 Residential zoning district; and,

WHEREAS, the City received an application for Zoning amendments for property located at approximately 900 South Main Street on July 26, 2021, requesting that the

Subject Property be reassigned to the R1-7 Residential zoning district and removal of the Sensitive Area Overlay. (see Rezone Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by Craig D and Laura K Anderson and are currently assigned the RR-1 Residential zoning district; and,

WHEREAS, on September 8, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit C**); and,

WHEREAS, on _____, 2022, the City Council convened a duly-advertised public hearing:

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

1. this Ordinance and the zoning amendment proposed therein is in the best interest of Tooele City and its residents because it will provide increased housing options and additional housing availability, helping to address the housing gap in Utah; and,
2. the Zoning Map is hereby amended for the approximately 38 acres of property located at approximately 900 South Main Street as requested in **Exhibit A**, attached.

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

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

Exhibit A

Petition and Mapping Pertinent to Zoning Map Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

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

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

Project Information

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
7/26/2021	Zoning RR-1 Master Plan R1-7	Zoning R1-7 Master Plan-No Change	02-012-0005, 02-014-0-0017, 02-010-0-0011

Project Name:	Acres:
One O'Clock Hill	Approximately 38

Project Address: SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Proposed for Amendment: ☑ Ordinance ☐ General Plan ☐ Master Plan: _____

Brief Project Summary:

Zone Change of approximately 38 Acres from RR-1 to R-1-8 zoning. This matches the General Land Use Map adopted December 16, 2020/

Property Owner(s): CRAIG D ANDERSON TRUSTEE and LAURA K ANDERSON TRUSTEE			**Applicant(s):** SJ Managing Company		
Address: 7499 FOOTHILL DR			Address: 447 North Cooley St.		
City: TOOELE	State: Utah	Zip: 84074	City: Grantsville	State: Utah	Zip: 84029
Phone: 801-898-9085			Phone: 801-349-0761		
Contact Person: Shaun Johnson			Address: 447 North Cooley St.		
Phone: 801-349-0761			City: Grantsville	State: Utah	Zip: 84029
Cellular: 801-349-0761	Fax:		Email: shaun@sjcompany.net		

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

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

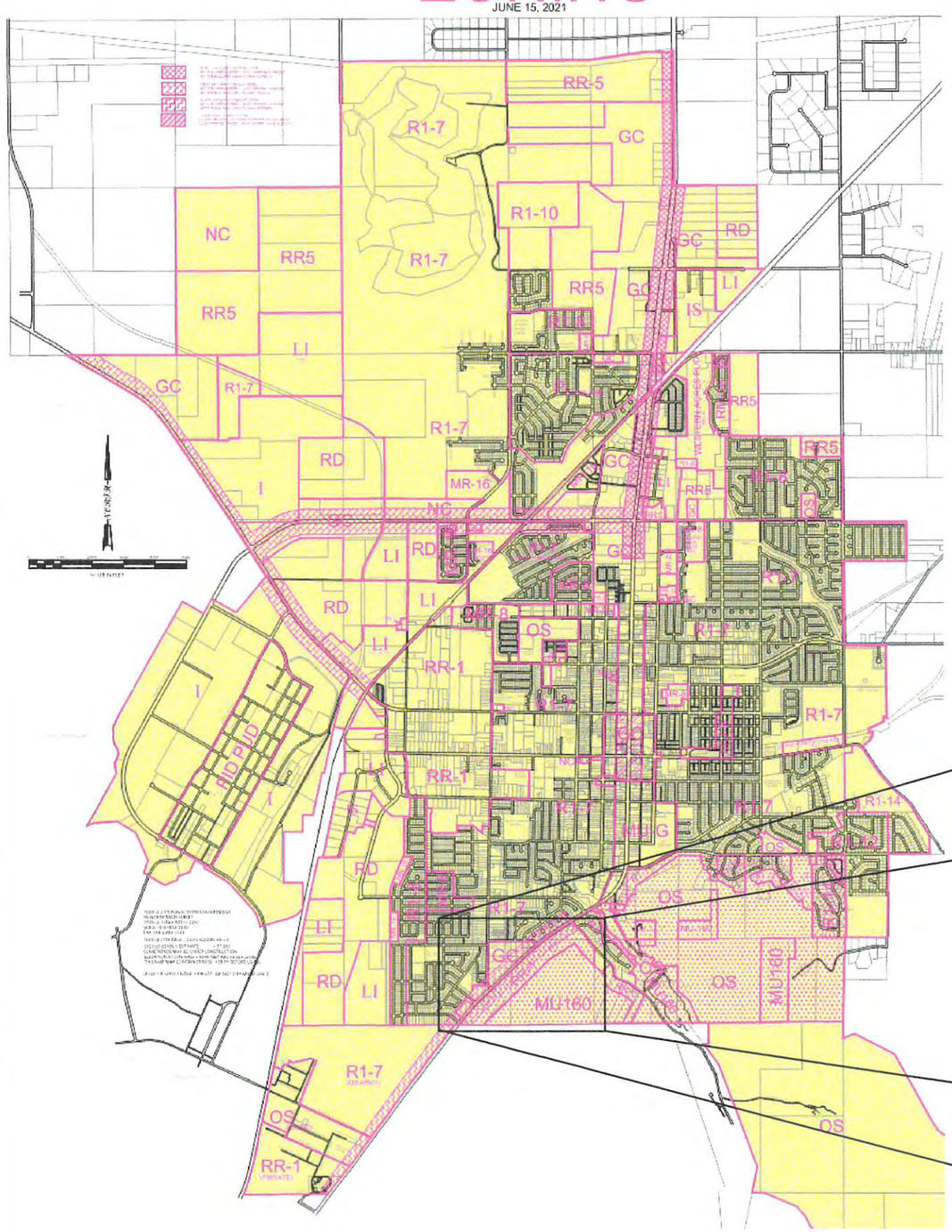
2210760

For Office Use Only

Received By:	Date Received:	Fees:	App. #: Rec. #:
Jessi	7/26/21	4,800.00	4116580

TOOELE CITY ZONING

JUNE 15, 2021



Zoning Map

1. What is the present zoning of the property?
RR-1

2. Explain how the proposed zoning is consistent with the current land use designation.
The current land use is for single family residential detached. We are proposing to keep this same land use.

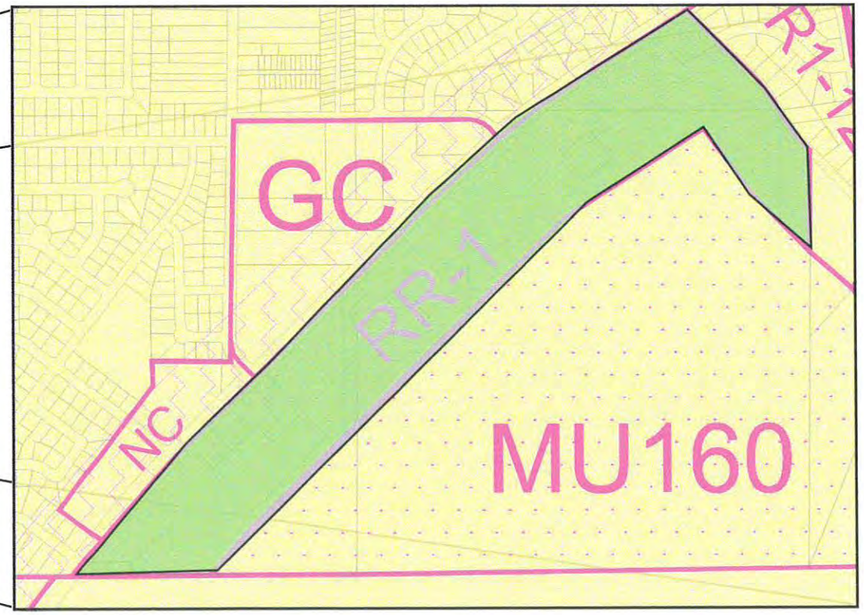
3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area.
The zoning surrounding this entire area is either R1-7, R1-8 or R1-12. We are proposing very similar to R1-7

4. Explain how the proposed zoning is suitable for the existing uses of the subject property(s).
The proposed zoning allows homes to be built in this area to match all the surrounding areas. The proposed zoning allows the proper access points from the highway to allow this area to be developed. The current zoning would require additional access points from the highway for each home, which would not be allowed by UDOT. Or a back access road would need to be built, which is not economical for the few lots that would be allowed.

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City.
The identity of Tooele would be strengthened by finally developing the iconic One O'Clock hill that is so unique to Tooele City. While so doing, we are considering the surrounding land use by leaving the iconic hill alone, and only developing the land at the base of the hill to match the surrounding area. To further use this land for the benefit of Tooele, we are proposing a trail behind this community at the base of the hill to help promote the trails around this area that many citizens use.

This property is an ideal Fill In Location as services are readily available on the full frontage of this property that is more than capable of handling this proposed zoning.

Adding additional housing in this area helps to promote the reduction in travveling distances for employment at the Army Depot, and upcoming industrial land development less than 1 mile away.



SJ
www.sjcompany.net
(801) 349-0761

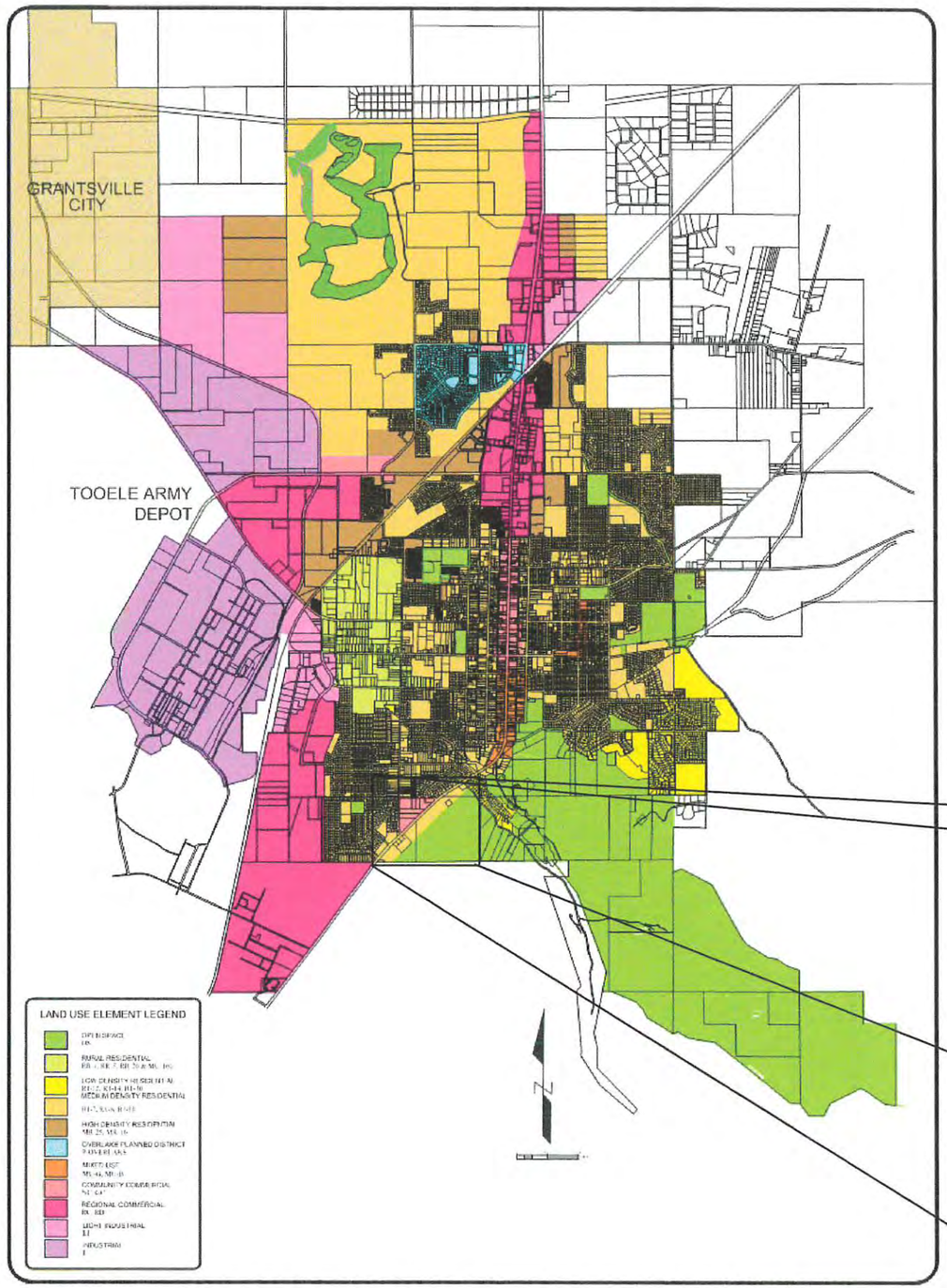
One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Zoning Map

General Plan Map



APPENDIX A
TOOELE CITY GENERAL PLAN
LAND USE PLAN
FUTURE USE MAP

ADOPTED DECEMBER 16,2020

Tooele City

1. What is the present land use designation of the subject property(s)?
R1-7, R1-8, R1-10

2. Explain how the proposed land use designation is similar or compatible with the other land use designations in the surrounding area.
The current land use is for single family residential detached. We are proposing to keep this same land use.

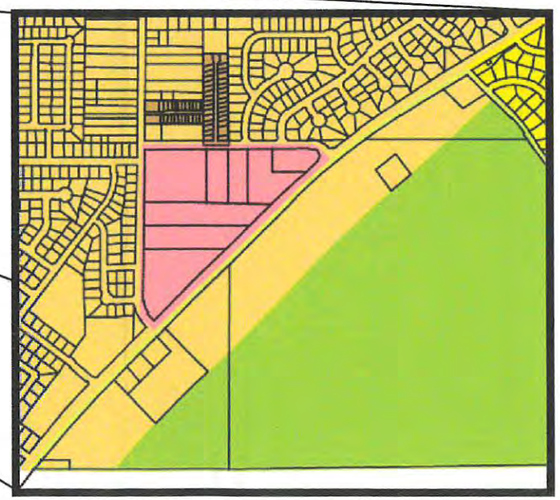
3. What do you anticipate the land being used for?
Residential Single Family Detached Housing

4. Explain how the proposed land use designation would affect property, surrounding properties, and Tooele City.
The proposed zoning allows homes to be built in this area to match all the surrounding areas. The proposed zoning allows the proper access points from the highway to allow this area to be developed. This will all affect Tooele City in positive ways by having land used as per the general plan map, and in a beautiful area.

5. Explain how the proposed land use designation promotes the goals and objectives of Tooele City.
The identity of Tooele would be strengthened by finally developing the iconic One O'Clock hill that is so unique to Tooele City. While so doing, we are considering the surrounding land use by leaving the iconic hill alone, and only developing the land at the base of the hill to match the surrounding area. To further use this land for the benefit of Tooele, we are proposing a trail behind this community at the base of the hill to help promote the trails around this area that many citizens use.

This property is an ideal Fill In Location as services are readily available on the full frontage of this property that is more than capable of handling this proposed zoning.

Adding additional housing in this area helps to promote the reduction in travveling distances for employment at the Army Depot, and upcoming industrial land development less than 1 mile away.



LAND USE ELEMENT LEGEND

- OPEN SPACE
  OS
- RURAL RESIDENTIAL
  RR-1, RR-5, RR-20 & MU-160
- LOW DENSITY RESIDENTIAL
  R1-12, R1-14, R1-30
- MEDIUM DENSITY RESIDENTIAL
  R1-7, R1-8, R1-10
- HIGH DENSITY RESIDENTIAL
  MR-25, MR-16
- OVERLAKE PLANNED DISTRICT
  P-OVERLAKE
- MIXED USE
  MU-G, MU-B
- COMMUNITY COMMERCIAL
  NC, GC
- REGIONAL COMMERCIAL
  RC, RD
- LIGHT INDUSTRIAL
  LI
- INDUSTRIAL
  I

SJ
www.sjcompany.net
(801) 349-0761

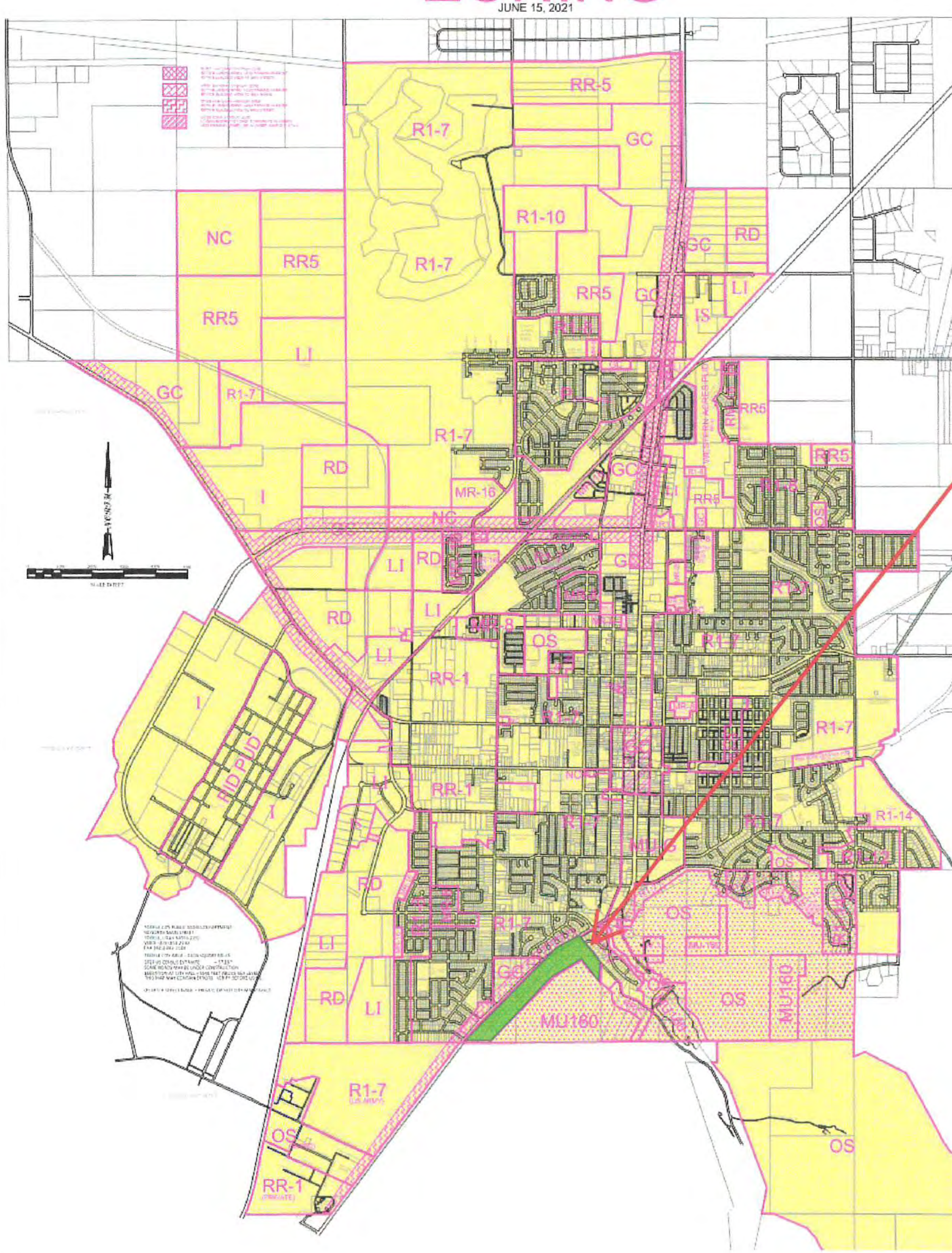
One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

General Plan

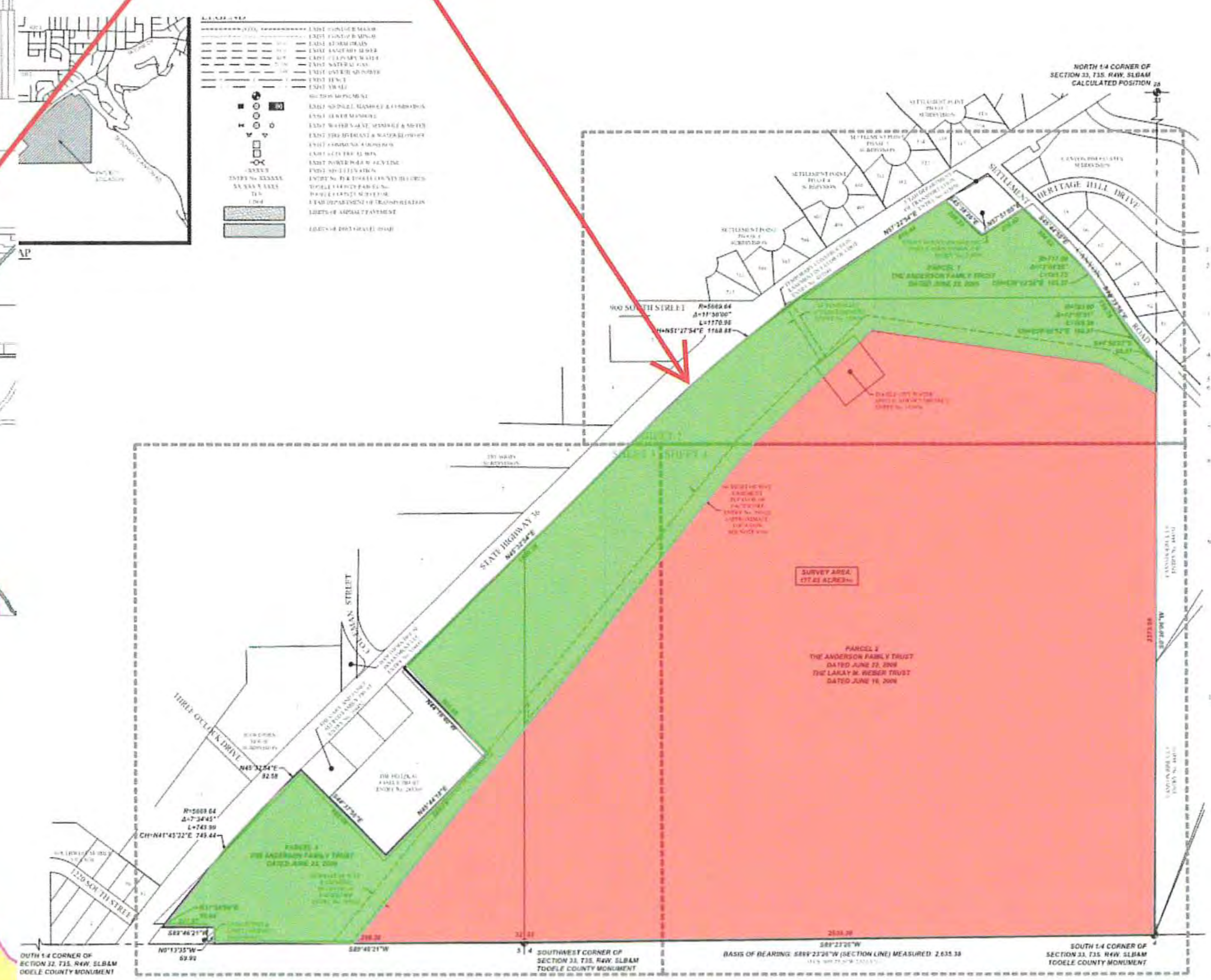
TOOELE CITY
ZONING
JUNE 15, 2021



Sensitive Overlay

In addition to requesting a zone change, we would also like to request to remove the sensitive overlay from a portion of the property. It has been understood that the portion we are requesting to be removed was never intended to be part of the sensitive overlay, just the mountain area behind this property.

Below is a map that shows the entire property that is currently under a sensitive overlay, with the area highlighted that we are requesting to be removed.



www.sjcompany.net
(801) 349-0761

One O'Clock Hill

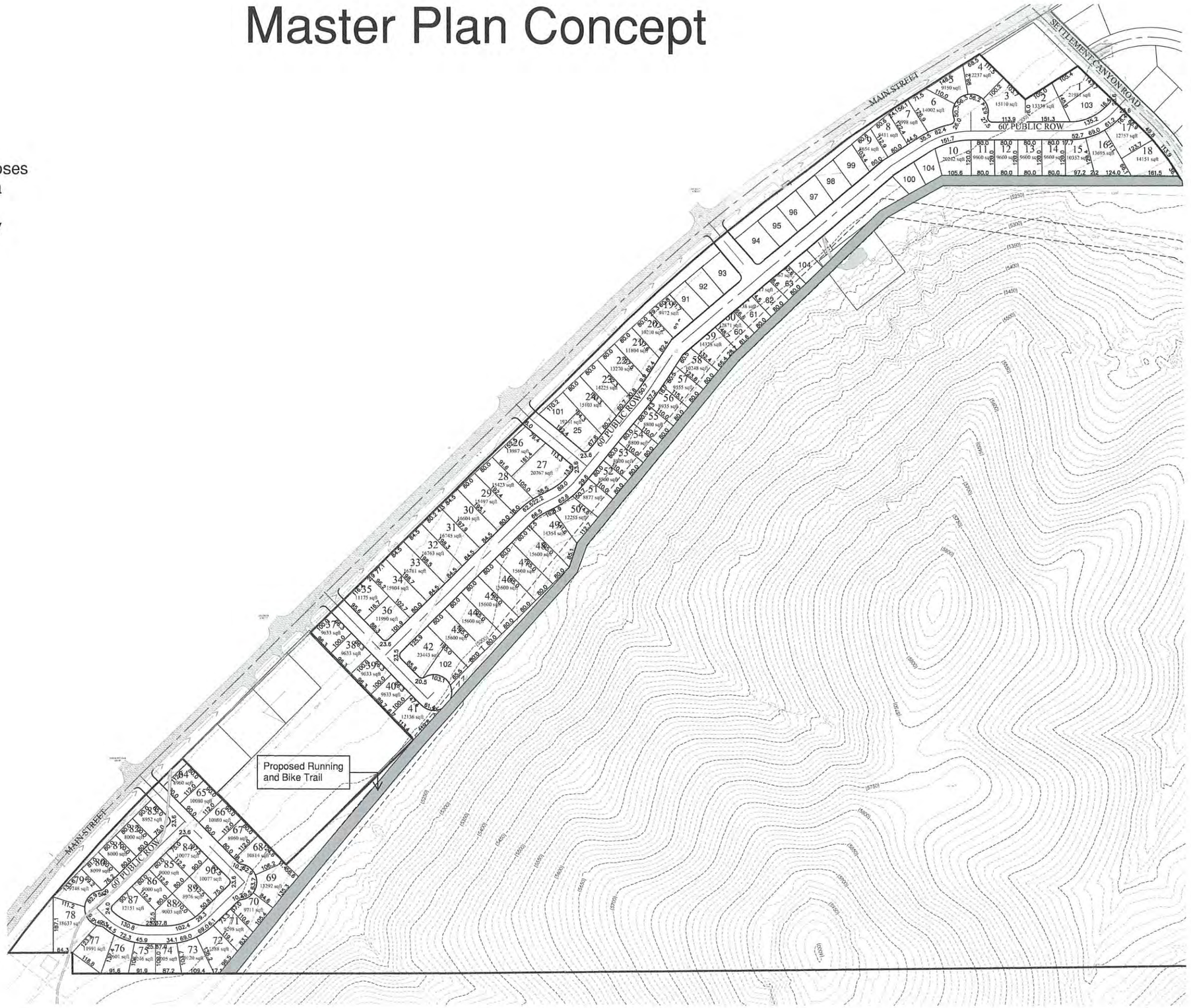
SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Sensitive Overlay

Master Plan Concept

This plan is for graphical purposes only. This is not meant to be a final plan or Layout. The anticipated number of lots may range from 90 to 130.



SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Master Plan Concept

Proposed Bike Trail as Part of the Zone Change

To create an additional benefit to Tooele city for creating this zoning, we propose to create at least an 8' walking, running and biking trail. This would be installed during the construction of the development.

SJ

www.sjcompany.net
(801) 349-0761

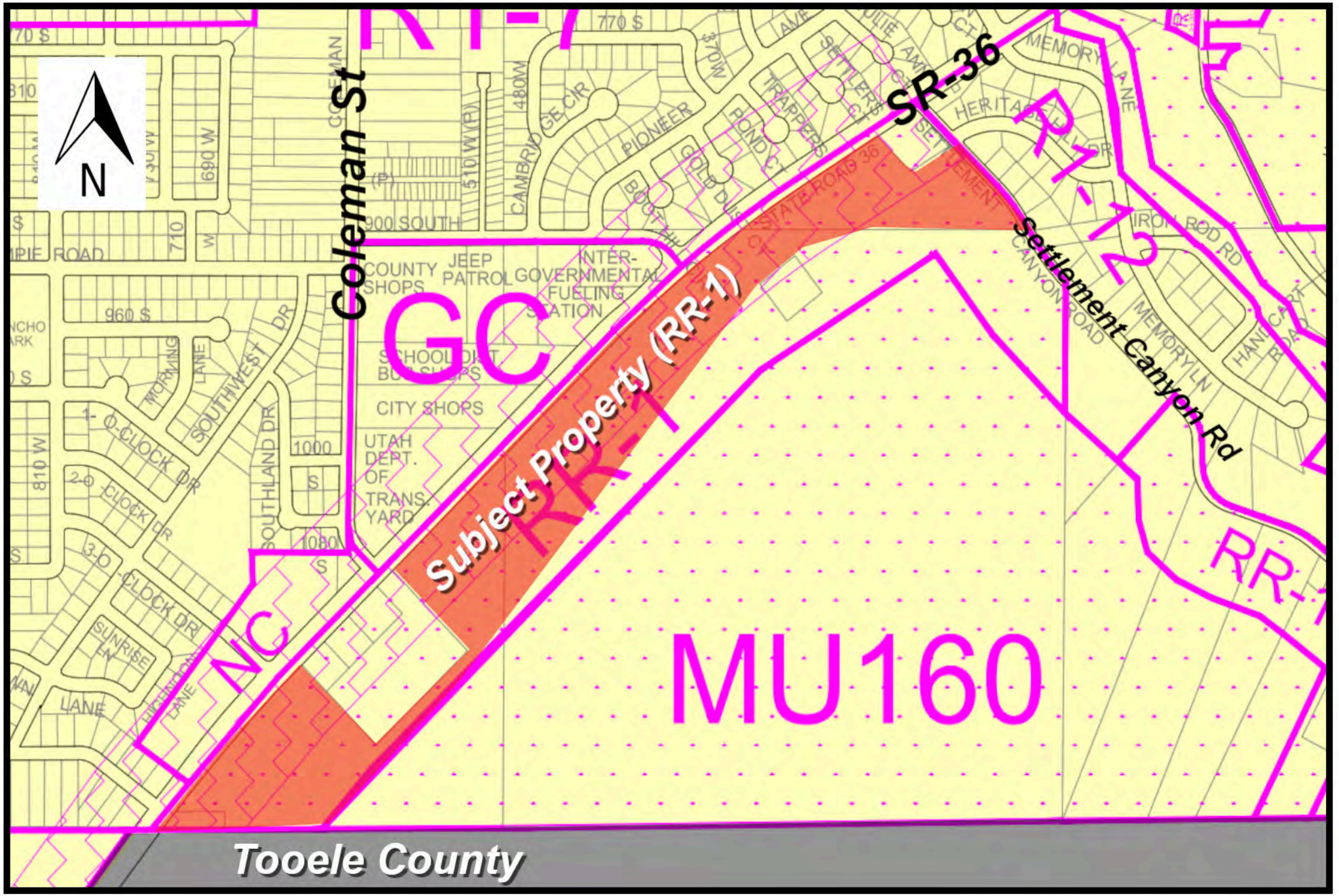
One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

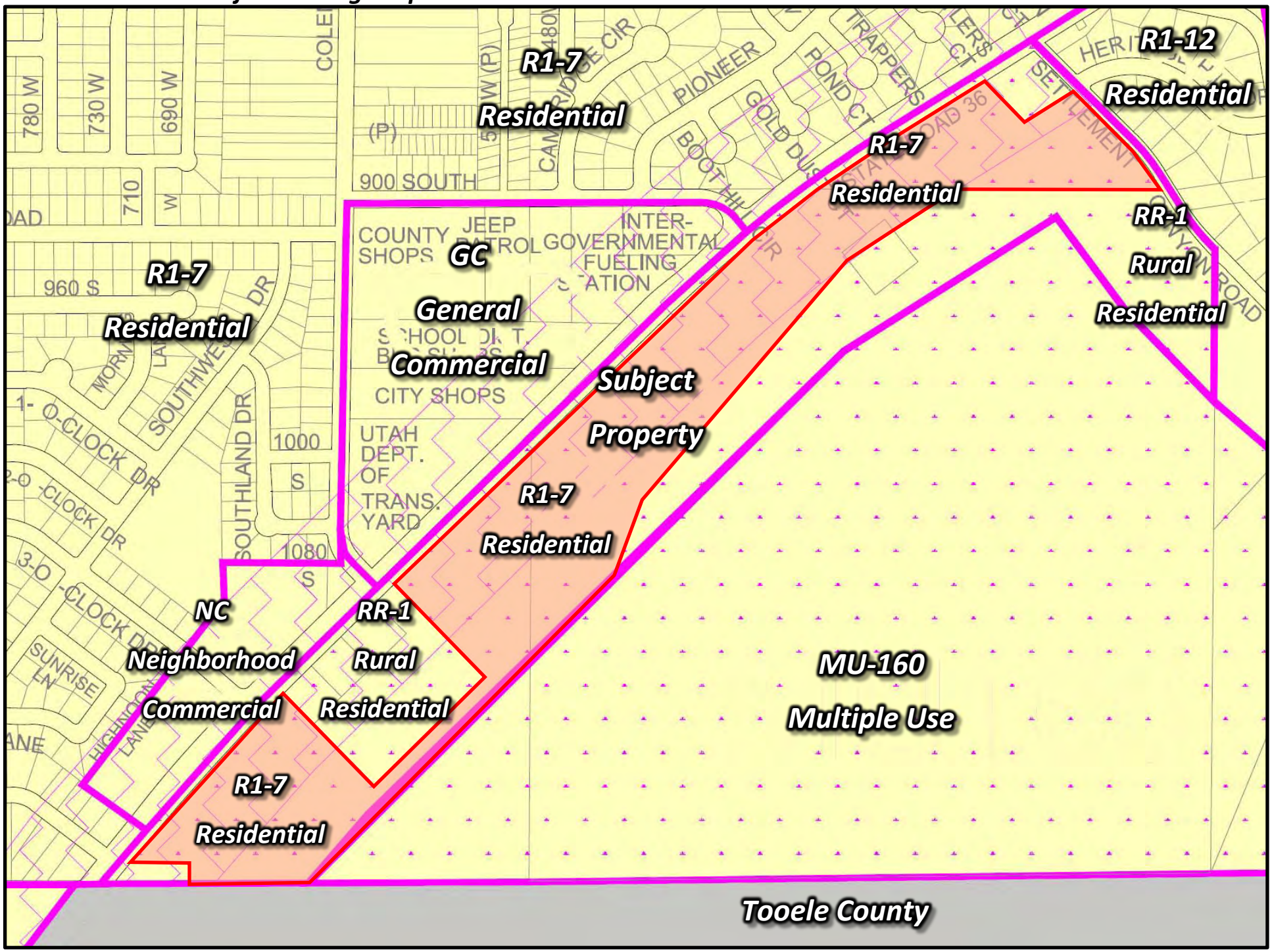
Added Benefit

One O'Clock Hill Zoning Map Amendment



Current Zoning

One O'Clock Hill Project Zoning Map Amendment



Proposed Zoning Map

Exhibit B

Staff Report

STAFF REPORT
August 26, 2021

To: Tooele City Planning Commission
Business Date: September 8, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **One O'Clock Hill – Zoning Map Amendment Request**

Application No.:	P21-860
Applicant:	Shaun Johnson, representing SJ Managing Company
Project Location:	Approximately 900 South Main Street
Zoning:	RR-1 Residential Zone Sensitive Area Overlay
Acreage:	Approximately 38 Acres (Approximately 1,655,280 ft^2)
Request:	Request for approval of a Zoning Map Amendment in the RR-1 Residential Sensitive Area Overlay zone regarding reassigning the zoning to R1-7 Residential and removing the Sensitive Area Overlay on the developable portions of the property.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 38 acres located at approximately 900 South Main Street (SR-36). The property is currently zoned RR-1 Residential and bears the Sensitive Area Overlay. The applicant is requesting that a Zoning Map Amendment be approved to reassign the zoning for the property to the R1-7 Residential zoning district and to remove the 38 acres of developable ground from the Sensitive Area Overlay.

This item was tabled from the September 8, 2021 Planning Commission meeting pending applicant's submittal of a traffic study, a soil and geological study and information on the relocation of the power lines in the area. The public hearing was opened and closed at that meeting. The applicant has provided the requested information. It is included in this packet.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the RR-1 Residential zoning classification, supporting approximately one dwelling unit per acre. The RR-1 Residential zoning designation is not identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. The property is long an narrow running south west to north east and is adjacent to various zoning districts. To the north west, on the adjacent side of SR-36 properties are zoned NC Neighborhood Commercial, GC General Commercial and R1-7 Residential. To the east on the adjacent side of Settlement Canyon Road properties are zoned R1-12 Residential. To the south east properties are zoned MU-160 Multiple Use. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The Land Use Map of the Tooele City General Plan designates the entire length of this property as Medium Density Residential (MDR). The MDR designation includes the R1-7, R1-8 and R1-10

Residential zoning districts. The applicant's request to reassign the zoning to the R1-7 Residential zone does comply with the MDR designation.

The property is current zoned RR-1 Residential. The purpose of the RR-1 Residential zoning district is to provide for single family residential areas and single family dwelling units on larger individual lots. Additionally these districts are intended to allow and make available Rural Residential opportunities and agricultural uses protected from the encroachment of incompatible uses. The RR-1 Residential zone also permits large animals such as horses, cows and llamas.

The R1-7 zoning district differs substantially from the RR-1 zoning district. One of those differences is lot size and density. The R1-7 zoning district permits a minimum lot size of 7,000 square feet and a density of 5 units per acre where the RR-1 zone is 1 dwelling unit per acre. The R1-7 zoning district does not permit the keeping of large animals.

The property also bears the Sensitive Area Overlay. The purpose of the Sensitive Area Overlay to provide regulatory standards, guidelines, and criteria having the effect of minimizing flooding, erosion, destruction of natural plant and wildlife habitat, alteration of natural drainages, and other environmental hazards, and protecting the natural scenic character of the hillside and mountain areas. In support of this purpose and intent, this Chapter recognizes the importance of the unique hillside and mountain areas of Tooele City to the scenic character, heritage, history, and identity of Tooele City and of adjoining areas of unincorporated Tooele County. In support of this purpose and intent, Tooele City finds that it is in the public interest to regulate the development of sensitive areas in a manner so as to minimize the adverse impacts of development on scenic open spaces and on sensitive or vulnerable organic and inorganic systems. The Sensitive Area Overlay provides additional development requirements when development is proposed on sensitive areas or areas with potential natural hazards. Some of those additional requirements include but are not limited to, slope restrictions, lot sizes, lot widths, buildable areas, cut and fill and so forth.

This property rests immediately at the foot of One O'Clock and Two O'Clock mountains and does contain potential natural hazards such as rock outfalls, faults, and slide potential. The property is also criss-crossed by numerous power lines. These issues will need to be addressed during the subdivision review process to ensure proper and safety in the development.

The property is also encumbered by the Southern Gateway Overlay district. This Gateway Overlay is in place to ensure an attractive and desirable streetscape for visually prominent areas and entries to the City. The Gateway Overlay encourages emphasis on streetscape landscaping, building architecture and parking location. It also requires Planning Commission approval of site plan development. Subdivisions already go through Planning Commission approval so the Gateway Overlay district really doesn't apply. It also has no bearing on land use, zoning, etc.

Subdivision Layout. The applicant has provided a master plan concept showing their intentions for subdivision of the 38 acre parcel. This is not a subdivision application and the concept plan has been provided for the Planning Commission's information only. The subdivision is proposing multiple accesses onto SR-36 which is a UDOT highway. The only City Street that will bear an impact from the potential development will be Settlement Canyon Road where a connection is being proposed just south of the Masonic Temple. The applicant will need to coordinate with UDOT for the other access points onto SR-36. It should be noted that there are approximately 7 acres consisting of 4 lots towards the south end of the development that are not participating in this Zoning Map Amendment and will maintain their existing zoning. The Mason Temple on the north east end of the proposed development is not participating in this proposed amendment and will maintain the current zoning.

Even though the subdivision is not being considered for approval at this time, a Zoning Map amendment is a good time for the Commission to negotiate with the developer and obtain what they would like to see as a condition of zoning. The Commission may table the application for additional information, changes to the concept plan and so forth. The Planning Commission is not obligated to render a decision at this meeting if it needs more information.

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

(1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:

- (a) The effect of the proposed amendment on the character of the surrounding area.
- (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
- (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
- (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
- (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
- (f) The overall community benefit of the proposed amendment.

REVIEWS

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

1. The property has the Sensitive Area Overlay because of slope and geological hazards such as slide potential, drainage, rock outfall, faults and so forth.
2. Numerous power lines criss-cross the property.
3. The R1-7 Residential zone does comply with the Medium Density Residential designation of the Tooele City Land Use Map.
4. The Masonic Temple and the 7 acres of property located to the south end of the proposed development are not participating in this this amendment request and will maintain the existing zoning.
5. The zoning map amendment is proposed only for the 38 acres that will be developed.

Engineering Review. The Tooele City Engineering division has completed their review of the Zoning Map Amendment submission and has not issued any comments.

Public Works. The Tooele City Public Works Division has completed their review of the Zoning Map Amendment submission and has not issued any comments.

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

STAFF RECOMMENDATION

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

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the One O'Clock Hill Zoning Map Amendment Request by Shaun Johnson, representing the SJ Managing Company reassigning the zoning of the property to R1-7 and removing the Sensitive Area Overlay, application number P21-860, based on the findings and subject to the conditions listed in the Staff Report dated August 26, 2021:"

1. List any additional findings and conditions…

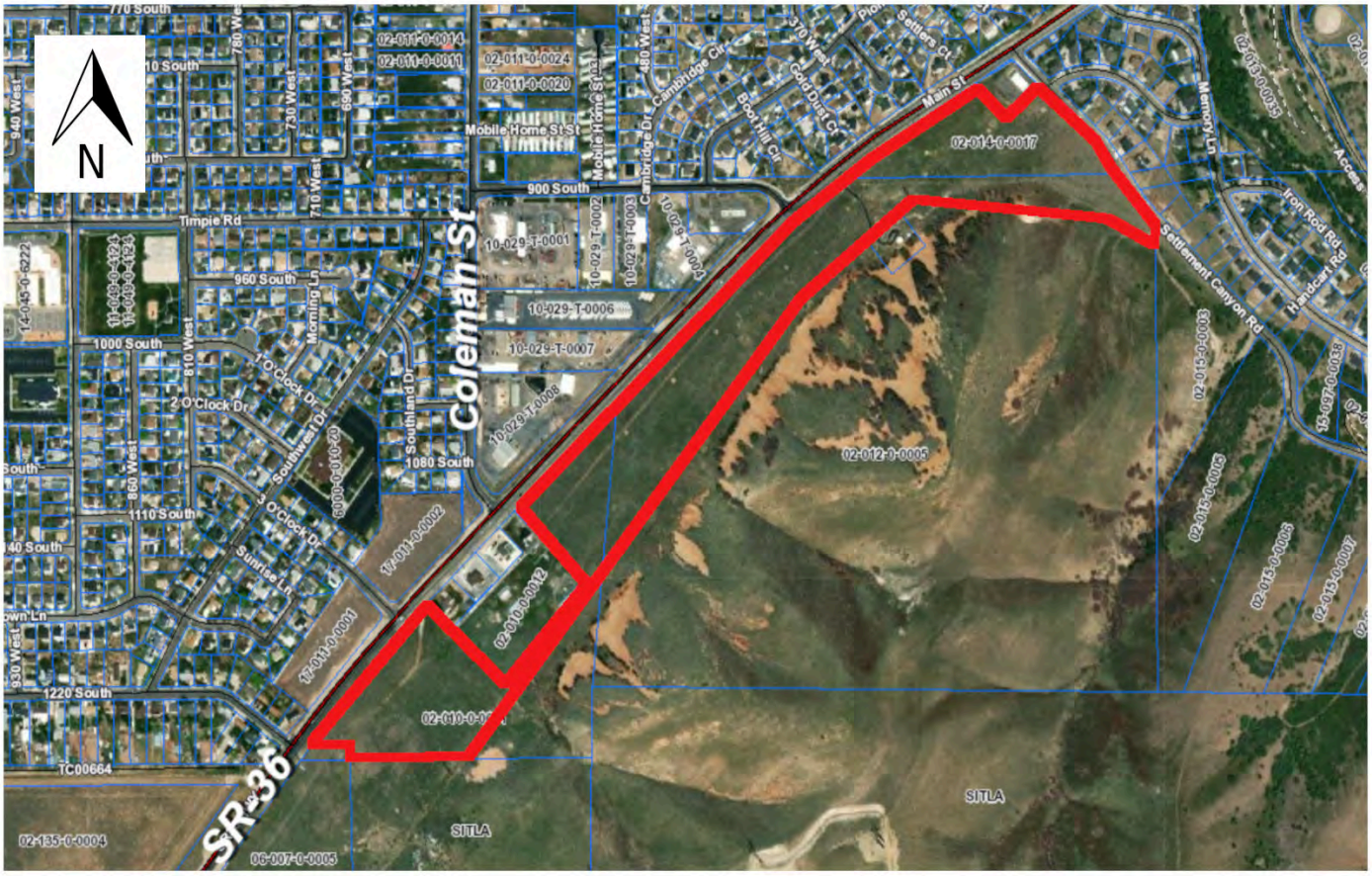
Sample Motion for a Negative Recommendation – "I move we forward a negative r recommendation to the City Council for the One O'Clock Hill Zoning Map Amendment Request by Shaun Johnson, representing the SJ Managing Company reassigning the zoning of the property to R1-7 and removing the Sensitive Area Overlay, application number P21-860, based on the following findings:"

1. List findings…

EXHIBIT A

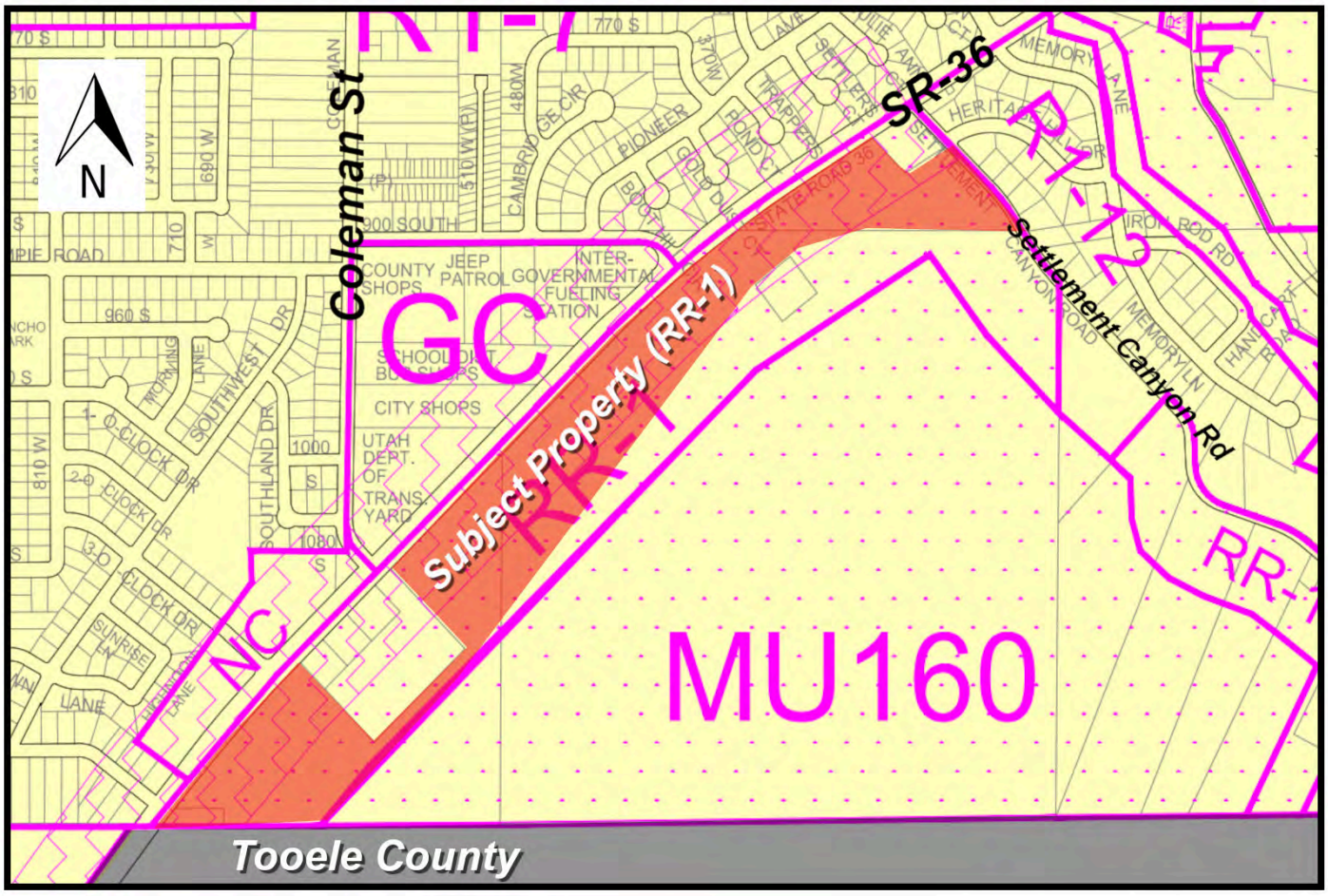
MAPPING PERTINENT TO THE ONE O'CLOCK HILL ZONING MAP AMENDMENT

One O'Clock Hill Zoning Map Amendment



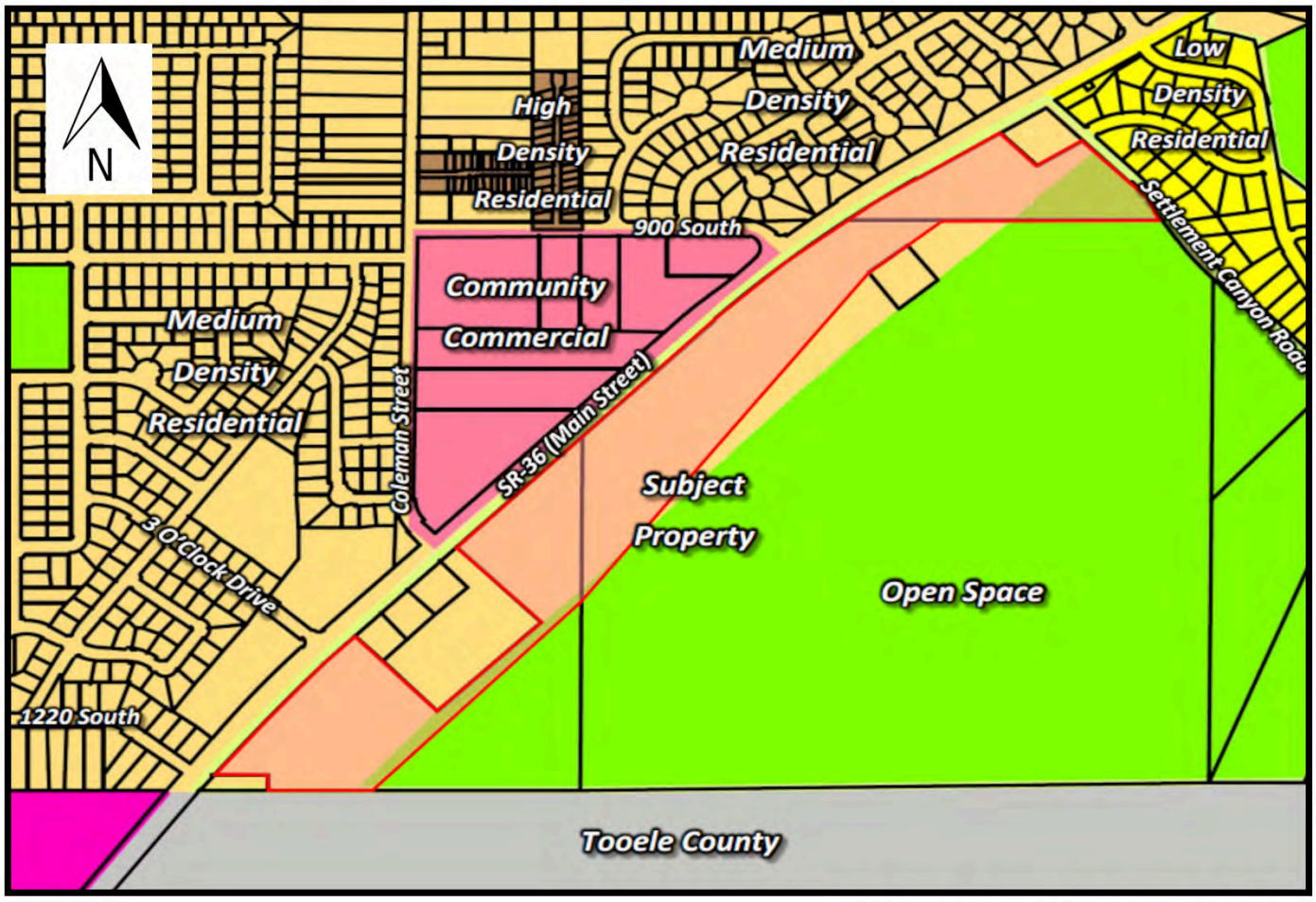
Aerial View

One O'Clock Hill Zoning Map Amendment



Current Zoning

One O'Clock Hill Zoning Map Amendment



Current Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

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

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

Project Information

Date of Submission:	Current Map Designation:	Proposed Map Designation:	Parcel #(s):
7/26/2021	Zoning RR-1 Master Plan R1-7	Zoning R1-7 Master Plan-No Change	02-012-0005, 02-014-0-0017, 02-010-0-0011

Project Name:	Acres:
One O'Clock Hill	Approximately 38

Project Address: SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Proposed for Amendment: ☑ Ordinance ☐ General Plan ☐ Master Plan: _____

Brief Project Summary:

Zone Change of approximately 38 Acres from RR-1 to R-1-8 zoning. This matches the General Land Use Map adopted December 16, 2020/

Property Owner(s): CRAIG D ANDERSON TRUSTEE and LAURA K ANDERSON TRUSTEE			**Applicant(s):** SJ Managing Company		
Address: 7499 FOOTHILL DR			Address: 447 North Cooley St.		
City: TOOELE	State: Utah	Zip: 84074	City: Grantsville	State: Utah	Zip: 84029
Phone: 801-898-9085			Phone: 801-349-0761		
Contact Person: Shaun Johnson			Address: 447 North Cooley St.		
Phone: 801-349-0761			City: Grantsville	State: Utah	Zip: 84029
Cellular: 801-349-0761	Fax:		Email: shaun@sjcompany.net		

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

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

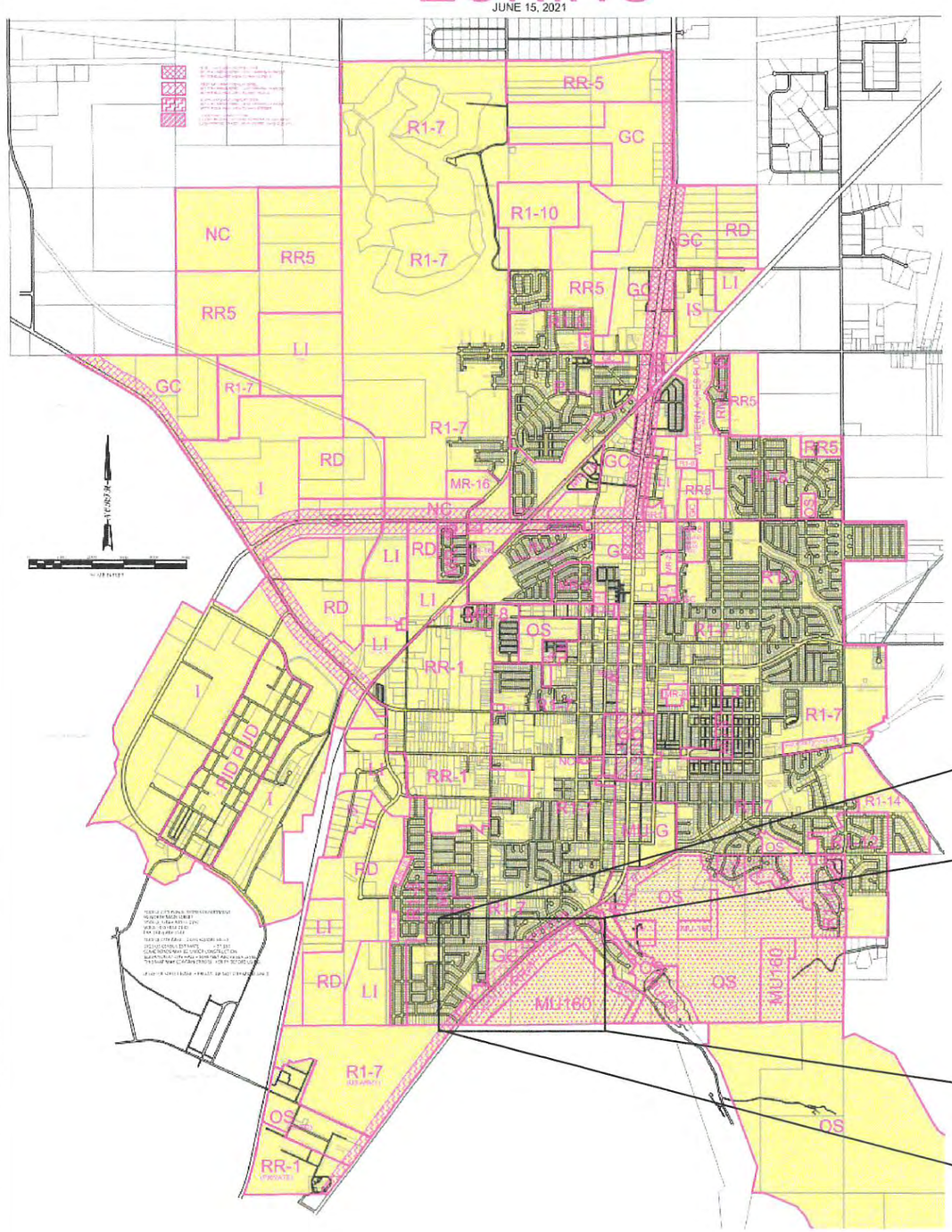
2210760

For Office Use Only

Received By:	Date Received:	Fees:	App. #: Rec. #:
Jessi	7/26/21	4,800.00	4116580

TOOELE CITY ZONING

JUNE 15, 2021



Zoning Map

1. What is the present zoning of the property?
RR-1

2. Explain how the proposed zoning is consistent with the current land use designation.
The current land use is for single family residential detached. We are proposing to keep this same land use.

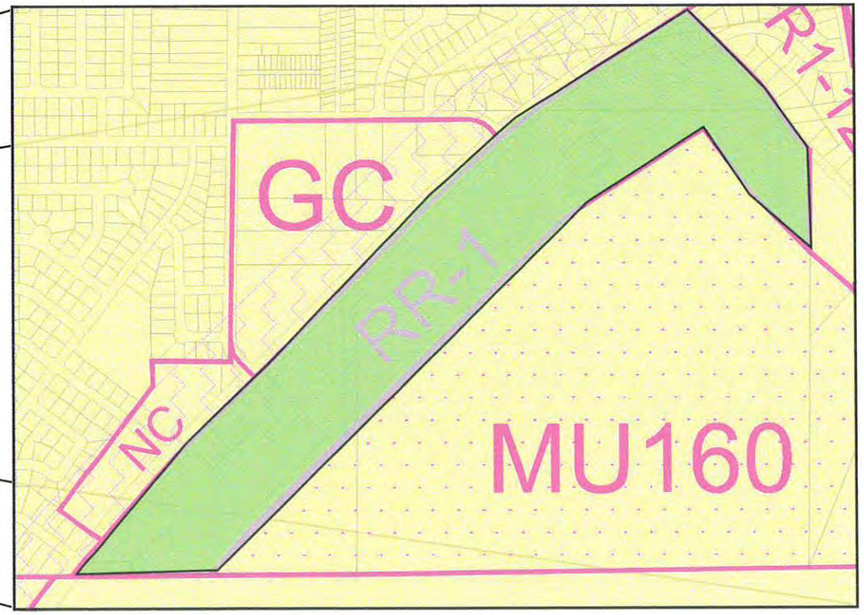
3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area.
The zoning surrounding this entire area is either R1-7, R1-8 or R1-12. We are proposing very similar to R1-7

4. Explain how the proposed zoning is suitable for the existing uses of the subject property(s).
The proposed zoning allows homes to be built in this area to match all the surrounding areas. The proposed zoning allows the proper access points from the highway to allow this area to be developed. The current zoning would require additional access points from the highway for each home, which would not be allowed by UDOT. Or a back access road would need to be built, which is not economical for the few lots that would be allowed.

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City.
The identity of Tooele would be strengthened by finally developing the iconic One O'Clock hill that is so unique to Tooele City. While so doing, we are considering the surrounding land use by leaving the iconic hill alone, and only developing the land at the base of the hill to match the surrounding area. To further use this land for the benefit of Tooele, we are proposing a trail behind this community at the base of the hill to help promote the trails around this area that many citizens use.

This property is an ideal Fill In Location as services are readily available on the full frontage of this property that is more than capable of handling this proposed zoning.

Adding additional housing in this area helps to promote the reduction in travveling distances for employment at the Army Depot, and upcoming industrial land development less than 1 mile away.



SJ
www.sjcompany.net
(801) 349-0761

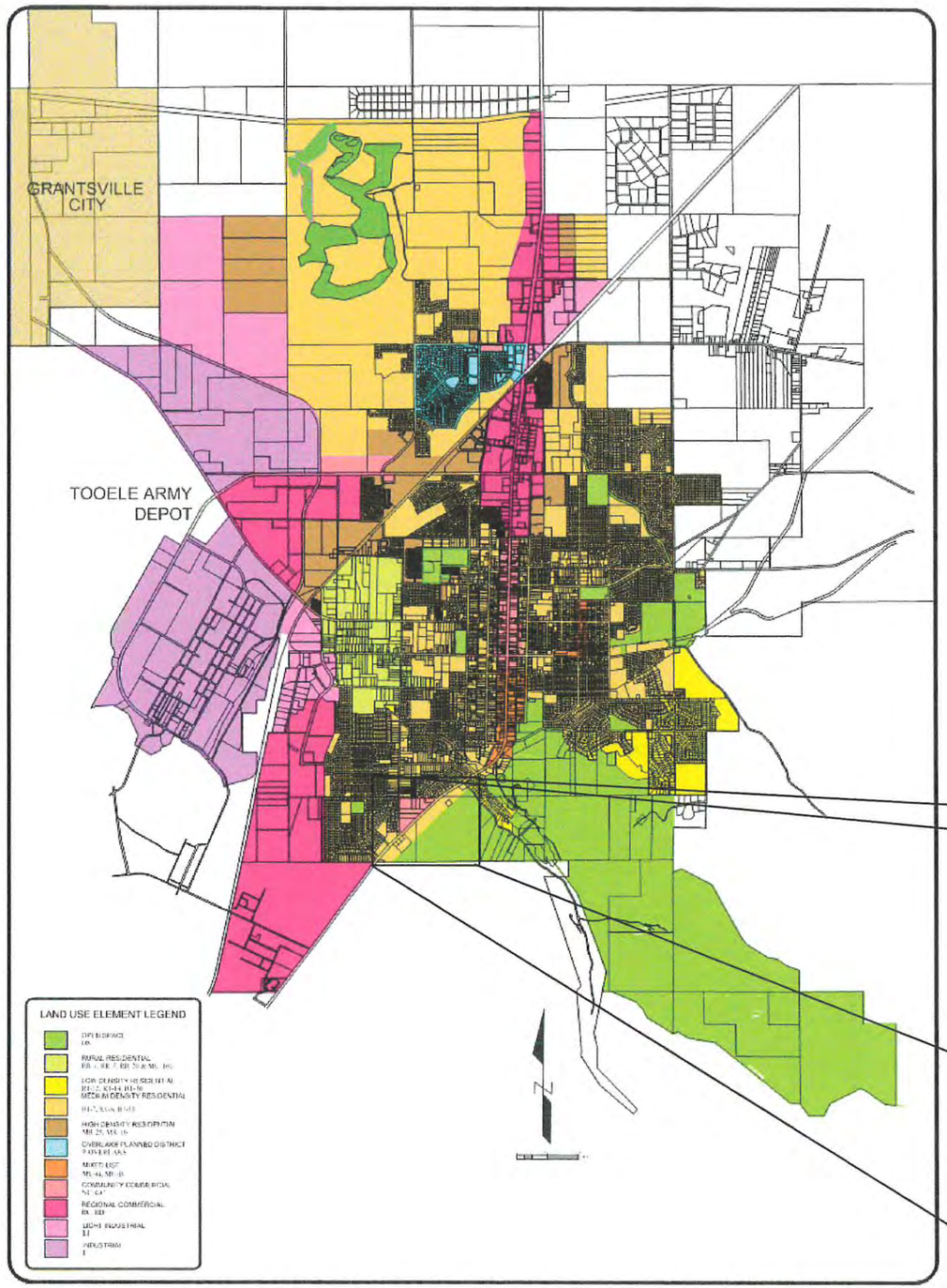
One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Zoning Map

General Plan Map



APPENDIX A
TOOELE CITY GENERAL PLAN
LAND USE PLAN
FUTURE USE MAP

ADOPTED DECEMBER 16,2020

Tooele City

1. What is the present land use designation of the subject property(s)?
R1-7, R1-8, R1-10

2. Explain how the proposed land use designation is similar or compatible with the other land use designations in the surrounding area.
The current land use is for single family residential detached. We are proposing to keep this same land use.

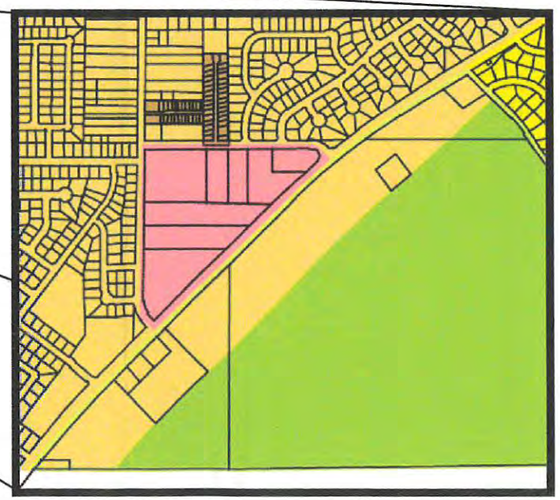
3. What do you anticipate the land being used for?
Residential Single Family Detached Housing

4. Explain how the proposed land use designation would affect property, surrounding properties, and Tooele City.
The proposed zoning allows homes to be built in this area to match all the surrounding areas. The proposed zoning allows the proper access points from the highway to allow this area to be developed. This will all affect Tooele City in positive ways by having land used as per the general plan map, and in a beautiful area.

5. Explain how the proposed land use designation promotes the goals and objectives of Tooele City.
The identity of Tooele would be strengthened by finally developing the iconic One O'Clock hill that is so unique to Tooele City. While so doing, we are considering the surrounding land use by leaving the iconic hill alone, and only developing the land at the base of the hill to match the surrounding area. To further use this land for the benefit of Tooele, we are proposing a trail behind this community at the base of the hill to help promote the trails around this area that many citizens use.

This property is an ideal Fill In Location as services are readily available on the full frontage of this property that is more than capable of handling this proposed zoning.

Adding additional housing in this area helps to promote the reduction in travveling distances for employment at the Army Depot, and upcoming industrial land development less than 1 mile away.



LAND USE ELEMENT LEGEND

- OPEN SPACE
  OS
- RURAL RESIDENTIAL
  RR-1, RR-5, RR-20 & MU-160
- LOW DENSITY RESIDENTIAL
  R1-12, R1-14, R1-30
- MEDIUM DENSITY RESIDENTIAL
  R1-7, R1-8, R1-10
- HIGH DENSITY RESIDENTIAL
  MR-25, MR-16
- OVERLAKE PLANNED DISTRICT
  P-OVERLAKE
- MIXED USE
  MU-G, MU-B
- COMMUNITY COMMERCIAL
  NC, GC
- REGIONAL COMMERCIAL
  RC, RD
- LIGHT INDUSTRIAL
  LI
- INDUSTRIAL
  I

SJ
www.sjcompany.net
(801) 349-0761

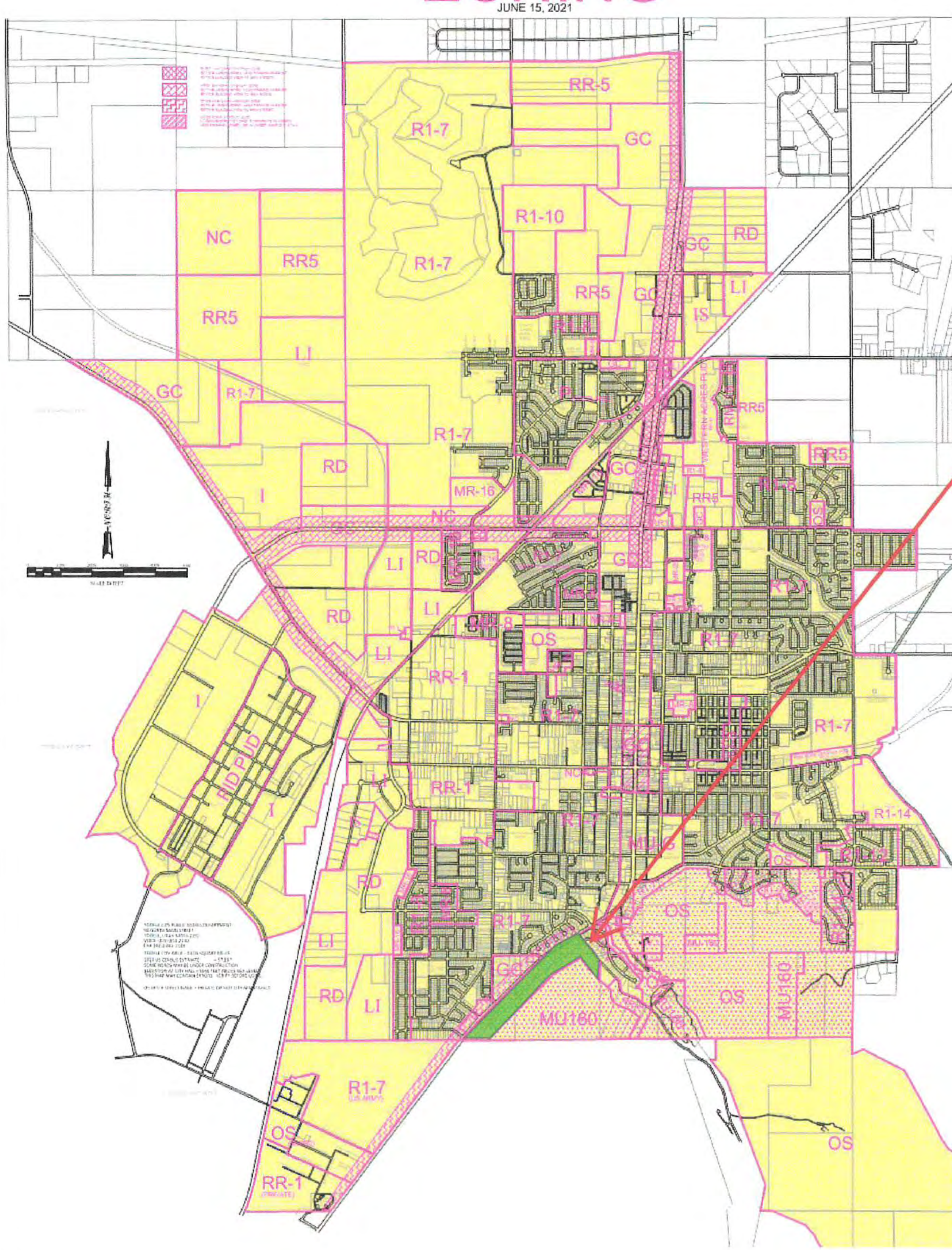
One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

General Plan

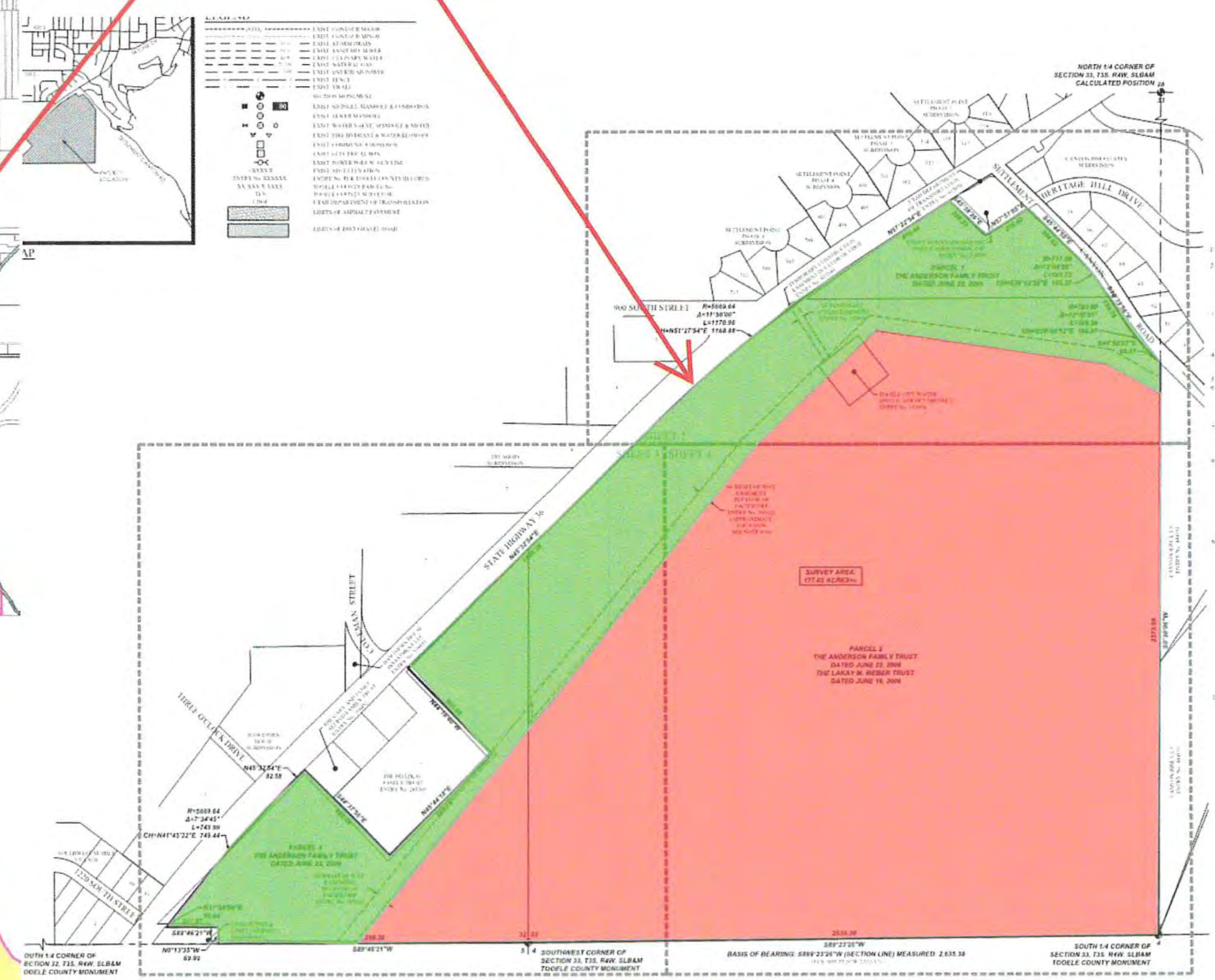
TOOELE CITY
ZONING
JUNE 15, 2021



Sensitive Overlay

In addition to requesting a zone change, we would also like to request to remove the sensitive overlay from a portion of the property. It has been understood that the portion we are requesting to be removed was never intended to be part of the sensitive overlay, just the mountain area behind this property.

Below is a map that shows the entire property that is currently under a sensitive overlay, with the area highlighted that we are requesting to be removed.



SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

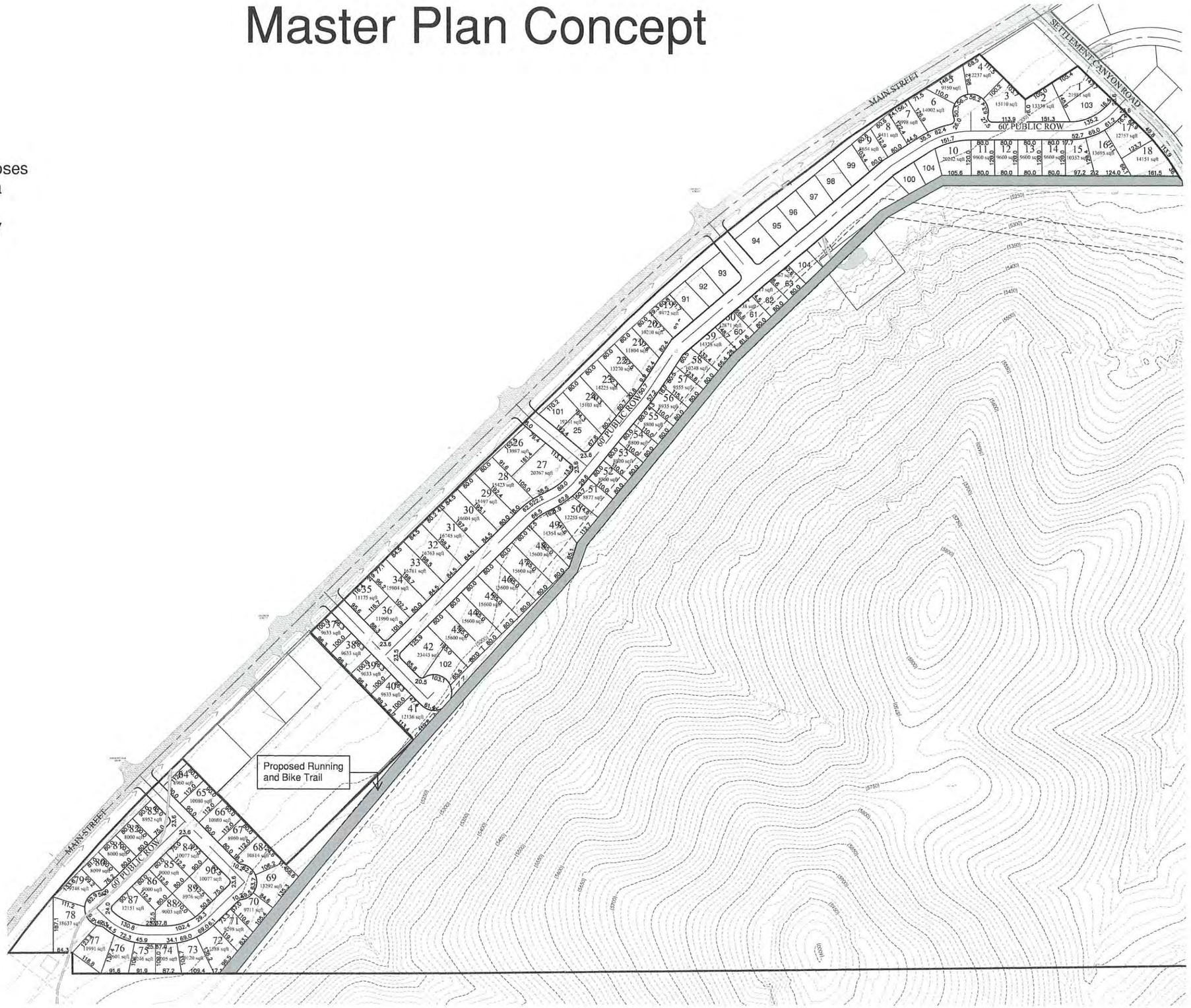
SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Sensitive Overlay

Master Plan Concept

This plan is for graphical purposes only. This is not meant to be a final plan or Layout. The anticipated number of lots may range from 90 to 130.



SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Master Plan Concept

Proposed Bike Trail as Part of the Zone Change

To create an additional benefit to Tooele city for creating this zoning, we propose to create at least an 8' walking, running and biking trail. This would be installed during the construction of the development.

SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

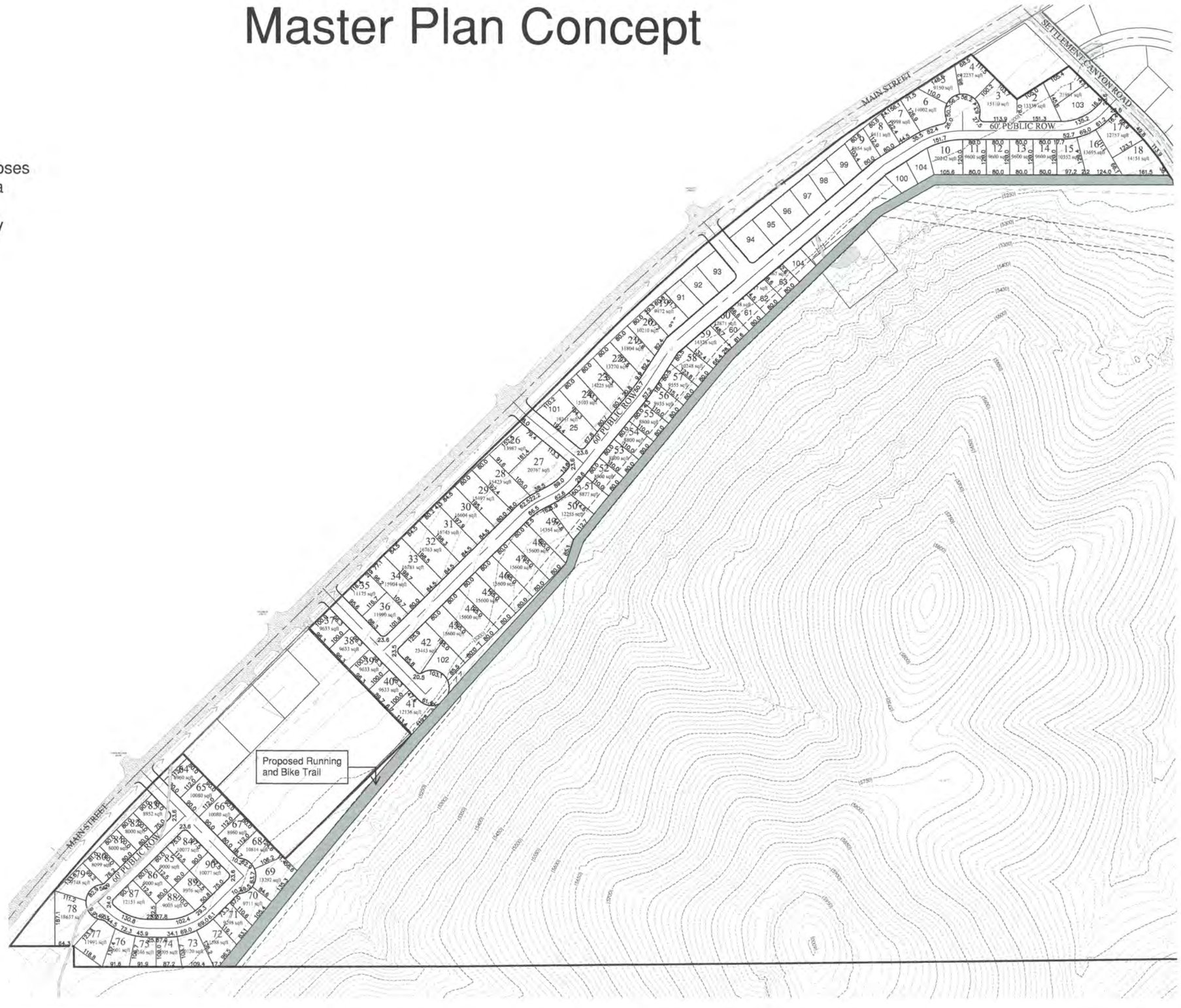
Added Benefit

Exhibit C

Planning Commission Minutes

Master Plan Concept

This plan is for graphical purposes only. This is not meant to be a final plan or Layout. The anticipated number of lots may range from 90 to 130.



SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

Date: Issue Date

Master Plan Concept

Proposed Bike Trail as Part of the Zone Change

To create an additional benefit to Tooele city for creating this zoning, we propose to create at least an 8' walking, running and biking trail. This would be installed during the construction of the development.

SJ

www.sjcompany.net
(801) 349-0761

One O'Clock Hill

SE1/4 OF SECTION 32 & SW1/4 OF SECTION 33, T3S, R4W, SLB&M, Tooele, Utah

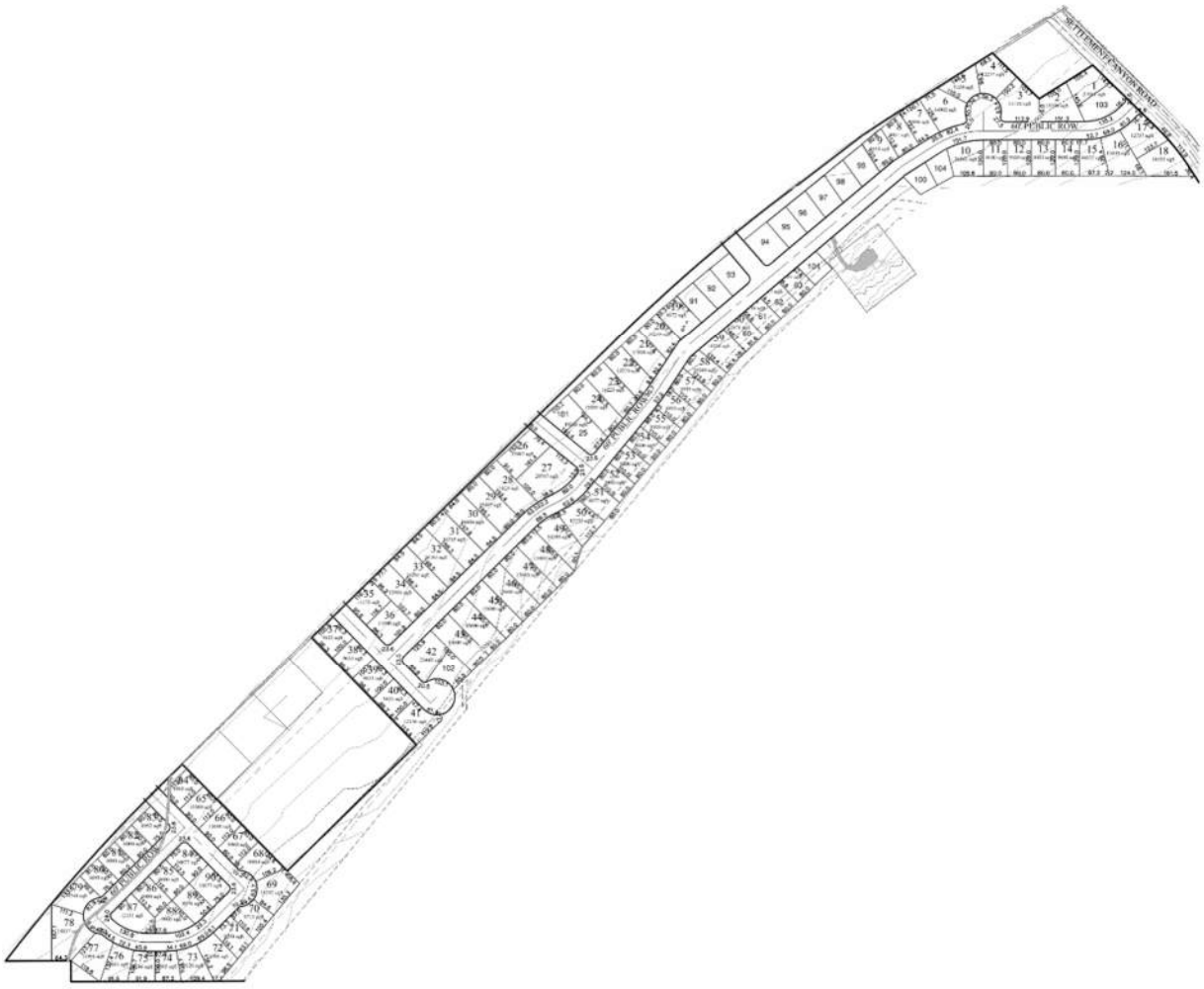
Date: Issue Date

Added Benefit

HALES ENGINEERING
innovative transportation solutions

One O'clock Hill

Traffic Impact Study



Tooele, Utah

October 14, 2021

UT21-2019

LICENSED PROFESSIONAL ENGINEER
NO. 295699
RYAN R. HALES
10/14/2021
STATE OF UTAH

1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343
www.halesengineering.com

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed One O'clock Hill development located in Tooele, Utah. The One O'clock Hill development is located on the southeast side of Main Street (S.R. 36), between Settlement Canyon Road and 1220 South.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2021) and future (2026) conditions, with and without the proposed project, and to recommend mitigation measures as needed. The evening peak hour level of service (LOS) results are shown in Table ES-1. Recommended storage lengths are shown in Table ES-2.

Table ES-1: Evening Peak Hour Level of Service Results

	Intersection	Level of Service			
		Existing (2021)		Future (2026)	
		BG	PP	BG	PP
1	Settlement Canyon Road / Main Street (S.R. 36)	b	b	b	d
2	900 South & Access 2 / Main Street (S.R. 36)	b	b	c	c
3	Bus Depot Access & Access 3 / Main Street (S.R. 36)	b	b	c	c
4	Coleman Street / Main Street (S.R. 36)	c	c	c	c
5	3 O'clock Drive & Access 5 / Main Street (S.R. 36)	b	c	b	c
6	Access 4 / Main Street (S.R. 36)	-	a	-	a

1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter)
2. BG = Background (without project traffic), PP = Plus Project (with project traffic)

Source: Hales Engineering, October 2021

Table ES-2: Recommended Storage Length

	Intersection	Recommended Storage Lengths (feet)															
		NB (S.R. 36)				SB (S.R. 36)				EB				WB			
		LT		RT		LT		RT		LT		RT		LT		RT	
		E	P	E	P	E	P	E	P	E	P	E	P	E	P	E	P
1	Settlement Canyon Road / Main Street (S.R. 36)	-	-	100	-	-	100	-	-	-	-	-	-	-	-	-	-
2	900 South & Access 2 / Main Street (S.R. 36)	100	-	-	-	100	100	-	-	-	-	-	-	-	-	-	-
3	Bus Depot Access & Access 3 / Main Street (S.R. 36)	100	-	-	-	-	100	530	-	-	-	-	-	-	-	-	-
4	Coleman Street / Main Street (S.R. 36)	100	-	-	-	-	-	100	-	-	-	60	75	-	-	-	-
5	3 O'clock Drive & Access 5 / Main Street (S.R. 36)	-	-	-	-	-	100	100	-	-	-	-	-	-	-	-	-
6	Access 4 / Main Street (S.R. 36)	-	-	-	-	-	100	-	-	-	-	-	-	-	-	-	-

1. Storage lengths are based on 2026 95th percentile queue lengths and do not include required deceleration / taper distances
2. E = Existing storage length (approximate), if applicable; P = proposed storage length for new turn lanes or changes to existing turn lanes, if applicable

Source: Hales Engineering, October 2021

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of residential single-family units
- The project is anticipated to generate approximately 1,056 weekday daily trips, including 78 trips in the morning peak hour, and 105 trips in the evening peak hour

2021	Background	Plus Project
Assumptions	• None	• SB left-turn pockets required for all project accesses to S.R. 36 per UDOT R930-6
Findings	• Acceptable LOS at all study intersections	• Acceptable LOS at all study intersections
2026	**Background**	**Plus Project**
Assumptions	• Background traffic grown using historic annual growth rate from UDOT AADT data	• None
Findings	• Acceptable LOS at all study intersections	• Acceptable LOS at all study intersections

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed One O'clock Hill development located in Tooele, Utah. The proposed project is located on the southeast side of Main Street (S.R. 36), between Settlement Canyon Road and 1220 South. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2021) and future (2026) conditions, with and without the proposed project, and to recommend mitigation measures as needed.

Figure 1: Vicinity map showing the project location in Tooele, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Settlement Canyon Road / Main Street (S.R. 36)
- 900 South / Main Street (S.R. 36)
- Tooele School Bus Depot Access / Main Street (S.R. 36)
- Coleman Street / Main Street (S.R. 36)
- 3 O'clock Drive / Main Street (S.R. 36)
- New project accesses (5) / Main Street (S.R. 36)

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The *Highway Capacity Manual* (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix B. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with "state-of-the-practice" traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS		Description of Traffic Conditions	Average Delay (seconds/vehicle)	
			Signalized Intersections	Unsignalized Intersections
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 6th Edition, 2016 Methodology (Transportation Research Board)

II. EXISTING (2021) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

Main Street (S.R. 36) – is a state-maintained roadway (classified by UDOT access management standards as a "Regional – Rural Importance" facility, or access category 4 roadway). S.R. 36 has one travel lane in each direction with left-turn lanes at intersections. North- and southbound traffic are separated by a two-way left-turn lane along most of the frontage of the project property. As identified and controlled by UDOT, a "Regional – Rural Importance" access classification identifies minimum signalized intersection spacing of one-half mile (2,640 feet), minimum unsignalized street spacing of 660 feet, and minimum driveway spacing of 500 feet. The posted speed limit on S.R. 36 varies between 35 and 55 mph in the project area.

Settlement Canyon Road – is a city-maintained roadway which is classified by the Tooele City Transportation Master Plan (February 2021) as a "local street." The roadway has one travel lanes in each direction. The posted speed limit is 25 mph in the study area.

900 South – is a city-maintained roadway which is classified by the Tooele City Transportation Master Plan (February 2021) as a "minor collector." The roadway has one travel lanes in each direction. The posted speed limit is 25 mph in the study area.

3 O'clock Drive – is a city-maintained roadway which is classified by the Tooele City Transportation Master Plan (February 2021) as a "local street." The roadway has one travel lanes in each direction. The posted speed limit is 25 mph in the study area.

C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Settlement Canyon Road / Main Street (S.R. 36)
- 900 South / Main Street (S.R. 36)
- Tooele School Bus Depot Access / Main Street (S.R. 36)
- Coleman Street / Main Street (S.R. 36)
- 3 O'clock Drive / Main Street (S.R. 36)

The counts were performed on Tuesday, October 5, 2021. The morning peak hour was determined to be between 8:00 and 9:00 a.m., and the evening peak hour was determined to be between 4:45 and 5:45 p.m. The evening peak hour volumes were approximately 65% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix A.

Hales Engineering considered seasonal adjustments to the observed traffic volumes. Monthly traffic volume data were obtained from a nearby UDOT automatic traffic recorder (ATR) on I-80 (ATR #615). In recent years, traffic volumes in October have been equal to approximately 102% of average traffic volumes. The observed traffic volumes were therefore left unadjusted to remain conservative in this analysis.

The traffic counts were collected during the COVID-19 pandemic when traffic volumes may have been slightly reduced due to social distancing measures. According to the UDOT Automatic Traffic Signal Performance Measures (ATSPM) website, the traffic volumes on October 5, 2021, were 8% higher than traffic volumes on March 3, 2020 (Pre-COVID). Therefore, the collected data were not adjusted since volumes were found to be higher than in pre-COVID conditions.

Figure 2 shows the existing evening peak hour volumes as well as intersection geometry at the study intersections.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the evening peak hour, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2021) conditions.

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing was observed during the evening peak hour.

F. Mitigation Measures

No mitigation measures are recommended.

Tooele - One O'clock Hill TIS
Existing (2021) Background

Evening Peak Hour
Figure 2

Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
10/12/2021

Table 2: Existing (2021) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Settlement Canyon Road / Main Street (S.R. 36)	NW Stop	NWL	11.1	b
900 South / Main Street (S.R. 36)	SE Stop	SEL	11.9	b
Bus Depot Access / Main Street (S.R. 36)	SE Stop	SEL	11.5	b
Coleman Street / Main Street (S.R. 36)	SE Stop	SEL	15.5	c
3 O'clock Drive / Main Street (S.R. 36)	SE Stop	SEL	11.1	b

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2021

III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed One O'clock Hill development is located on the southeast side of Main Street (S.R. 36), between Settlement Canyon Road and 1220 South. The development will consist of single-family residential units. A concept plan for the proposed development is provided in Appendix C. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity
Single-family detached housing	105 Units

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 11th Edition, 2021. Trip generation for the proposed project is included in Table 4.

The total trip generation for the development is as follows:

- Daily Trips: 1,056
- Morning Peak Hour Trips: 78
- Evening Peak Hour Trips: 105

Table 4: Trip Generation

Trip Generation Tooele - One O'Clock Hill TIS								
Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total New Daily Trips**
Single-Family Detached Housing (210)	105	Dwelling Units	1,056	50%	50%	528	528	**1,056**
Total			**1,056**			**528**	**528**	**1,056**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total New AM Trips**
Single-Family Detached Housing (210)	105	Dwelling Units	78	26%	74%	20	58	**78**
Total			**78**			**20**	**58**	**78**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total New PM Trips**
Single-Family Detached Housing (210)	105	Dwelling Units	105	63%	37%	66	39	**105**
Total			**105**			**66**	**39**	**105**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition, 2021.

SOURCE: Hales Engineering, October 2021

D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is shown in Table 5.

Table 5: Trip Distribution

Direction	% To/From Project
North	85%
South	10%
West	5%

These trip distribution assumptions were used to assign the evening peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.

Tooele - One O'clock Hill TIS
Trip Assignment

Evening Peak Hour
Figure 3

Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
10/12/2021

E. Access

The proposed access for the site will be gained at the following locations (see also concept plan in Appendix C):

Settlement Canyon Road:

- Access 1 will be located approximately 400 feet southeast of the Settlement Canyon Road / S.R. 36 intersection. It will access the project on the southwest side of Settlement Canyon Road. It is anticipated that the access will be stop-controlled.

Main Street (S.R. 36):

- Access 2 will be located at the existing 900 South / S.R. 36 intersection. It will access the project on the southeast side of S.R. 36. It is anticipated that the access will be stop-controlled.
- Access 3 will be located at the existing Tooele School Bus Depot Access / S.R. 36 intersection. It will access the project on the southeast side of S.R. 36. It is anticipated that the access will be stop-controlled.
- Access 4 will be located approximately 200 feet northeast of the Coleman Street / S.R. 36 intersection. It will access the project on the southeast side of S.R. 36. It is anticipated that the access will be stop-controlled.
- Access 5 will be located at the existing 3 O'clock Drive / S.R. 36 intersection. It will access the project on the southeast side of S.R. 36. It is anticipated that the access will be stop-controlled.

F. Auxiliary Lane Requirements

UDOT Administrative Rule R930-6 outlines minimum turn volumes (measured in vehicles per hour) to warrant auxiliary lanes. It is anticipated that auxiliary lanes may be required for the project accesses, as shown in Table 6.

Table 6: Auxiliary Lane Summary – Accesses onto S.R. 36 (UDOT AC 4)

Auxiliary Lane Type		Minimum Requirement	Measure	Met?
Left turn	Deceleration	10 vph	≥ 11 vph	Yes, all project accesses
	Acceleration	Safety Benefit?	No	No
Right turn	Deceleration	25 vph	≤ 2 vph	No
	Acceleration	50 vph	≤ 7 vph	No

It is anticipated that left-turn deceleration lanes may be required at all project accesses. This is currently possible for Access 1 – 4 due to the existing two-way left-turn lane (TWLTL) at these intersections. However, S.R. 36 may need to be widened at the 3 O'clock Drive & Access 5 / Main Street (S.R. 36) intersection to create a left-turn pocket, if required.

IV. EXISTING (2021) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2021) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the existing (2021) background traffic volumes to predict turning movement volumes for existing (2021) plus project conditions. Existing (2021) plus project evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added, as shown in Table 7.

D. Queuing Analysis

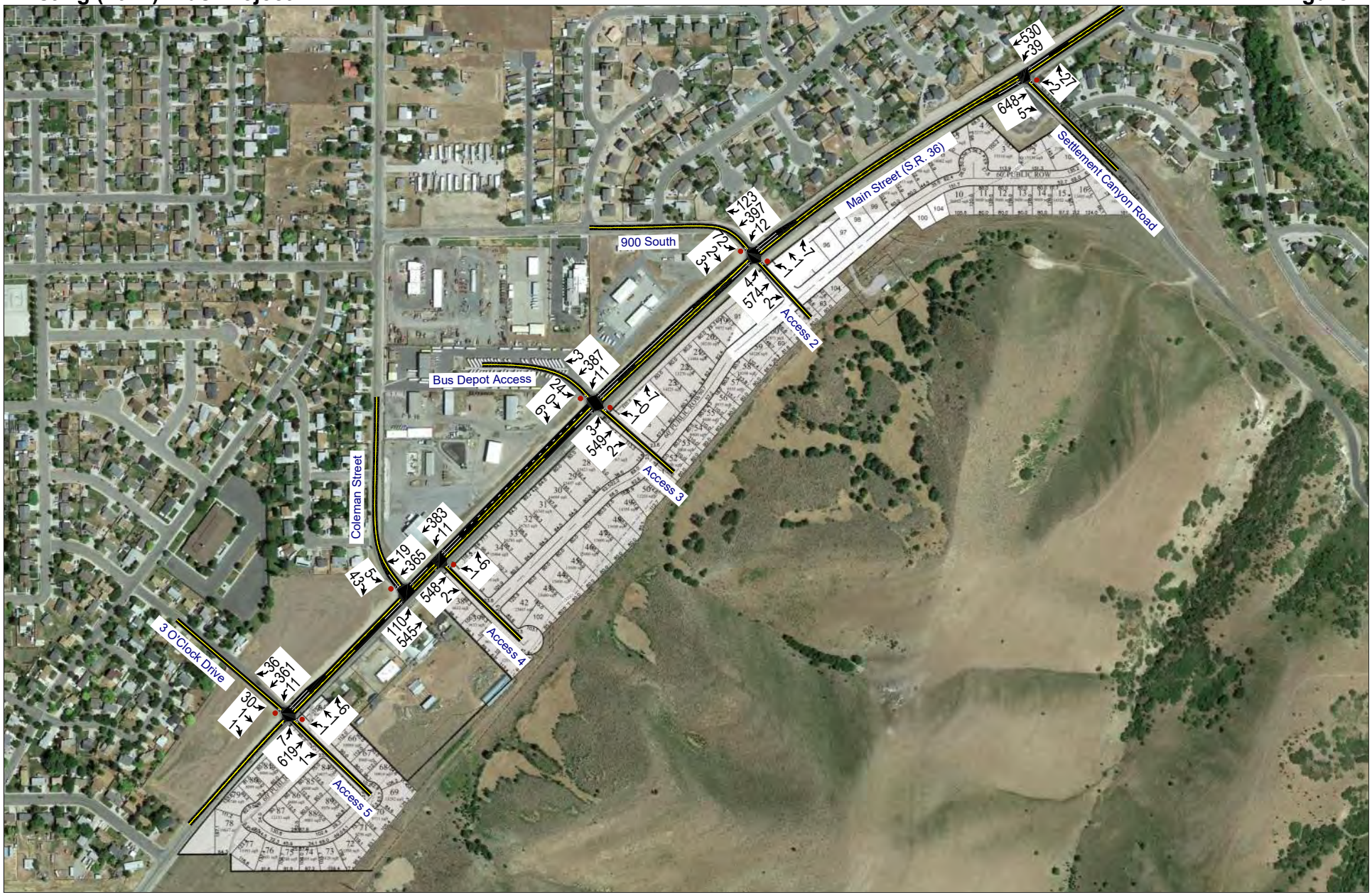
Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the evening peak hour.

E. Mitigation Measures

No mitigation measures are recommended.

Tooele - One O'clock Hill TIS
Existing (2021) Plus Project

Evening Peak Hour
Figure 4



Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
10/12/2021

Table 7: Existing (2021) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Settlement Canyon Road / Main Street (S.R. 36)	NW Stop	NWL	13.9	b
900 South & Access 2 / Main Street (S.R. 36)	NW/SE Stop	SEL	14.9	b
Bus Depot Access & Access 3 / Main Street (S.R. 36)	NW/SE Stop	SEL	13.1	b
Coleman Street / Main Street (S.R. 36)	SE Stop	SEL	15.1	c
3 O'clock Drive (Access 5) / Main Street (S.R. 36)	NW/SE Stop	NWT	15.2	c
Access 4 / Main Street (S.R. 36)	NW Stop	NWR	4.6	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2021

V. FUTURE (2026) BACKGROUND CONDITIONS

A. Purpose

The purpose of the future (2026) background analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions. Through this analysis, future background traffic operational deficiencies can be identified, and potential mitigation measures recommended.

B. Roadway Network

According to the Wasatch Front Regional Council (WFRC) Regional Transportation Plan, there are no projects planned before 2026 in the study area. Therefore, no changes were made to the roadway network for the future (2026) analysis.

C. Traffic Volumes

Hales Engineering estimated future (2026) volumes using historical AADT data on S.R. 36. From 2013 to 2019, traffic volumes increased by approximately 18.2%. This equates to an annual growth rate of 2.4% per year. Hales Engineering assumed this growth from 2021 to 2026 to estimate future background volumes. Future (2026) evening peak hour turning movement volumes are shown in Figure 5.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are anticipated to operate at acceptable levels of service during the evening peak hour in future (2026) background conditions, as shown in Table 8. These results serve as a baseline condition for the impact analysis of the proposed development for future (2026) conditions.

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the evening peak hour.

F. Mitigation Measures

No mitigation measures are recommended.

Tooele - One O'clock Hill TIS
Future (2026) Background

Evening Peak Hour
Figure 5

Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
10/13/2021

Table 8: Future (2026) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Settlement Canyon Road / Main Street (S.R. 36)	NW Stop	NWL	14.8	b
900 South / Main Street (S.R. 36)	SE Stop	SEL	16.3	c
Bus Depot Access / Main Street (S.R. 36)	SE Stop	SEL	17.7	c
Coleman Street / Main Street (S.R. 36)	SE Stop	SEL	16.3	c
3 O'clock Drive / Main Street (S.R. 36)	SE Stop	SEL	14.9	b

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2021

VI. FUTURE (2026) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the future (2026) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on future background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the future (2026) background traffic volumes to predict turning movement volumes for future (2026) plus project conditions. Future (2026) plus project evening peak hour turning movement volumes are shown in Figure 6.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour in future (2026) plus project conditions, as shown in Table 9.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the evening peak hour.

E. Mitigation Measures

No mitigation measures are recommended.

F. Recommended Storage Lengths

Hales Engineering determined recommended storage lengths based on the 95th percentile queue lengths given in the future (2026) plus project scenario. These storage lengths do not include the taper length. Recommended storage lengths for the study intersections are shown in Table 10. Intersections shown in Table 10 include new intersections and existing intersections that have recommended storage length changes.

Tooele - One O'clock Hill TIS
Future (2026) Plus Project

Evening Peak Hour
Figure 6

Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
10/13/2021

Table 9: Future (2026) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Settlement Canyon Road / Main Street (S.R. 36)	NW Stop	NWL	26.3	d
900 South & Access 2 / Main Street (S.R. 36)	NW/SE Stop	SEL	21.2	c
Bus Depot Access & Access 3 / Main Street (S.R. 36)	NW/SE Stop	SEL	17.0	c
Coleman Street / Main Street (S.R. 36)	SE Stop	SEL	16.5	c
3 O'clock Drive (Access 5) / Main Street (S.R. 36)	NW/SE Stop	NWT	19.2	c
Access 4 / Main Street (S.R. 36)	NW Stop	NWR	5.8	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2021

Table 10: Recommended Storage Lengths

	Intersection	Recommended Storage Lengths (feet)															
		NB (S.R. 36)				SB (S.R. 36)				EB				WB			
		LT		RT		LT		RT		LT		RT		LT		RT	
		E	P	E	P	E	P	E	P	E	P	E	P	E	P	E	P
1	Settlement Canyon Road / Main Street (S.R. 36)	-	-	100	-	-	**100**	-	-	-	-	-	-	-	-	-	-
2	900 South & Access 2 / Main Street (S.R. 36)	100	-	-	-	100	**100**	-	-	-	-	-	-	-	-	-	-
3	Bus Depot Access & Access 3 / Main Street (S.R. 36)	100	-	-	-	-	**100**	530	-	-	-	-	-	-	-	-	-
4	Coleman Street / Main Street (S.R. 36)	100	-	-	-	-	-	100	-	-	-	60	**75**	-	-	-	-
5	3 O'clock Drive & Access 5 / Main Street (S.R. 36)	-	-	-	-	-	**100**	100	-	-	-	-	-	-	-	-	-
6	Access 4 / Main Street (S.R. 36)	-	-	-	-	-	**100**	-	-	-	-	-	-	-	-	-	-

1. Storage lengths are based on 2026 95th percentile queue lengths and do not include required deceleration / taper distances
2. E = Existing storage length (approximate), if applicable; P = proposed storage length for new turn lanes or changes to existing turn lanes, if applicable

Source: Hales Engineering, October 2021

APPENDIX A

Turning Movement Counts

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

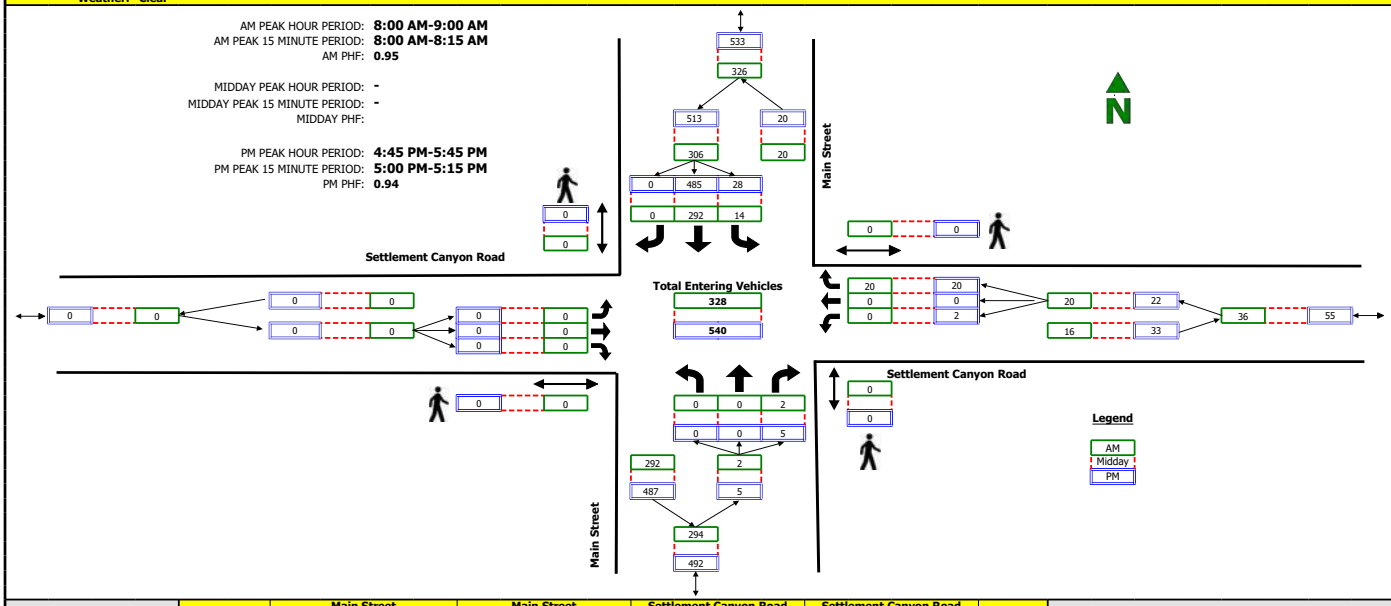
Intersection: Main Street / Settlement Canyon Road
North/South: Main Street
East/West: Settlement Canyon Road
Jurisdiction: Tooele
Project Title: One O'Clock Hill TIS
Project No: UT21-2019
Weather: Clear

Date: 10-5-21, Tue
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0% 102.4
Adjustment Station #: 615
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: **8:00 AM-9:00 AM**
AM PEAK 15 MINUTE PERIOD: **8:00 AM-8:15 AM**
AM PHF: **0.95**

MIDDAY PEAK HOUR PERIOD: -
MIDDAY PEAK 15 MINUTE PERIOD: -
MIDDAY PHF:

PM PEAK HOUR PERIOD: **4:45 PM-5:45 PM**
PM PEAK 15 MINUTE PERIOD: **5:00 PM-5:15 PM**
PM PHF: **0.94**



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				Settlement Canyon Road Eastbound				Settlement Canyon Road Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
7:00 - 7:15	0	0	0	0	0	52	0	0	0	0	0	0	0	0	6	0	58
7:15 - 7:30	0	0	1	0	0	44	0	0	0	0	0	0	0	0	2	0	47
7:30 - 7:45	0	0	2	0	3	49	0	0	0	0	0	0	0	0	5	0	59
7:45 - 8:00	0	0	0	0	5	58	0	0	0	0	0	0	1	0	2	0	66
8:00 - 8:15	0	0	1	0	3	76	0	0	0	0	0	0	0	0	6	0	86
8:15 - 8:30	0	0	1	0	4	75	0	0	0	0	0	0	0	0	5	0	85
8:30 - 8:45	0	0	0	0	4	71	0	0	0	0	0	0	0	0	3	0	78
8:45 - 9:00	0	0	0	0	3	70	0	0	0	0	0	0	0	0	6	0	79
MIDDAY PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
16:00 - 16:15	0	0	0	0	2	115	0	0	0	0	0	0	1	0	4	0	122
16:15 - 16:30	0	0	1	0	9	103	0	0	0	0	0	0	1	0	11	0	125
16:30 - 16:45	0	0	2	0	2	124	0	0	0	0	0	0	1	0	7	0	136
16:45 - 17:00	0	0	1	0	4	116	0	0	0	0	0	0	1	0	6	0	128
17:00 - 17:15	0	0	1	0	5	135	0	0	0	0	0	0	0	0	3	0	144
17:15 - 17:30	0	0	1	0	7	112	0	0	0	0	0	0	0	0	4	0	124
17:30 - 17:45	0	0	2	0	12	122	0	0	0	0	0	0	1	0	7	0	144
17:45 - 18:00	0	0	2	0	2	107	0	0	0	0	0	0	0	0	2	0	113

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

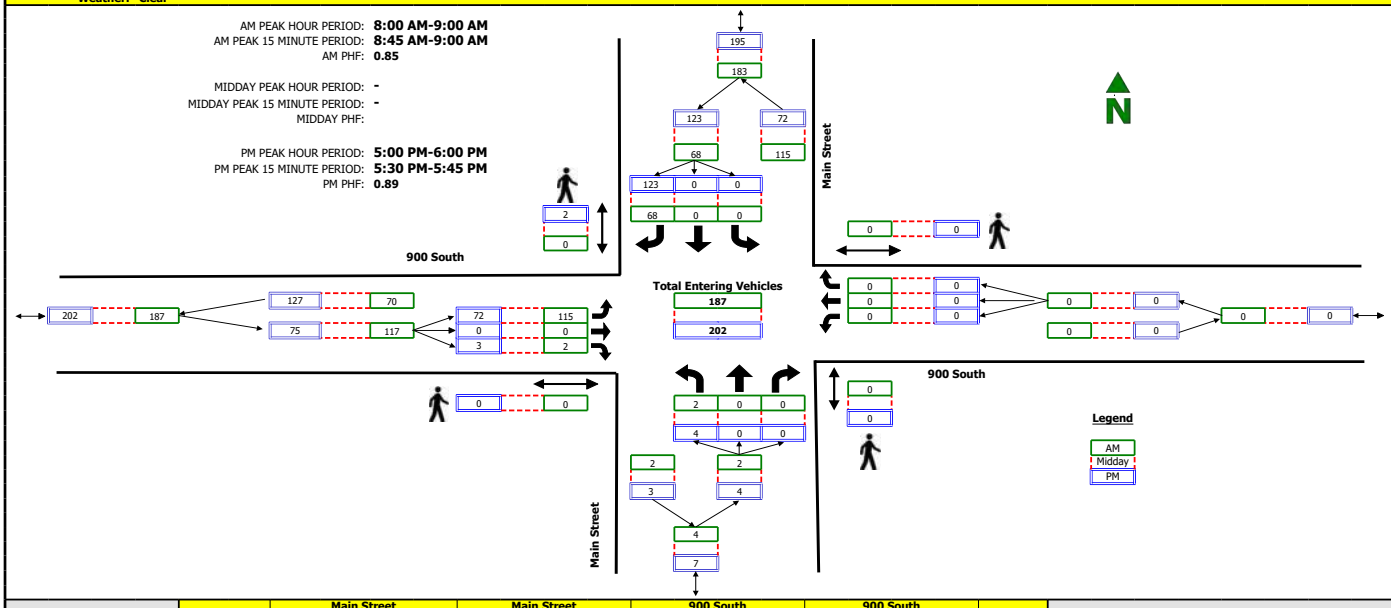
Intersection Turning Movement Summary

Intersection:	**Main Street / 900 South**	**Date:**	**10-5-21, Tue**
North/South:	**Main Street**	**Day of Week Adjustment:**	**100.0%**
East/West:	**900 South**	**Month of Year Adjustment:**	**100.0%**
Jurisdiction:	**Tooele**	**Adjustment Station #:**	**0**
Project Title:	**One O'Clock Hill TIS**	**Growth Rate:**	**0.0%**
Project No:	**UT21-2019**	**Number of Years:**	**0**
Weather:	**Clear**		

AM PEAK HOUR PERIOD: **8:00 AM-9:00 AM**
AM PEAK 15 MINUTE PERIOD: **8:45 AM-9:00 AM**
AM PHF: **0.85**

MIDDAY PEAK HOUR PERIOD: **-**
MIDDAY PEAK 15 MINUTE PERIOD: **-**
MIDDAY PHF:

PM PEAK HOUR PERIOD: **5:00 PM-6:00 PM**
PM PEAK 15 MINUTE PERIOD: **5:30 PM-5:45 PM**
PM PHF: **0.89**



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				900 South Eastbound				900 South Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
7:00 - 7:15	0	0	0	0	0	0	7	0	14	1	0	0	0	0	0	0	22
7:15 - 7:30	0	0	0	0	0	0	5	0	19	0	1	0	0	0	0	0	25
7:30 - 7:45	1	0	0	0	0	0	3	0	23	0	1	0	0	0	0	0	28
7:45 - 8:00	1	0	0	0	0	0	18	0	22	0	4	0	0	0	0	0	45
8:00 - 8:15	1	0	0	0	0	0	20	0	28	0	1	0	0	0	0	0	50
8:15 - 8:30	0	0	0	0	0	0	16	0	19	0	0	0	0	0	0	0	35
8:30 - 8:45	1	0	0	0	0	0	22	0	24	0	0	0	0	0	0	0	47
8:45 - 9:00	0	0	0	0	0	0	10	0	44	0	1	0	0	0	0	0	55
MIDDAY PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
16:00 - 16:15	0	0	0	0	0	0	26	0	20	0	0	0	0	0	0	0	46
16:15 - 16:30	0	0	0	0	0	0	23	0	17	0	0	0	0	0	0	0	40
16:30 - 16:45	1	0	0	0	0	0	32	0	19	0	1	0	0	0	0	0	53
16:45 - 17:00	1	0	0	0	0	0	20	0	22	1	3	0	0	0	0	0	47
17:00 - 17:15	1	0	0	0	0	0	36	0	14	0	1	0	0	0	0	0	52
17:15 - 17:30	0	0	0	0	0	0	21	0	18	0	1	0	0	0	0	0	40
17:30 - 17:45	3	0	0	0	0	0	32	1	21	0	1	0	0	0	0	0	57
17:45 - 18:00	0	0	0	0	0	0	34	1	19	0	0	0	0	0	0	0	53

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

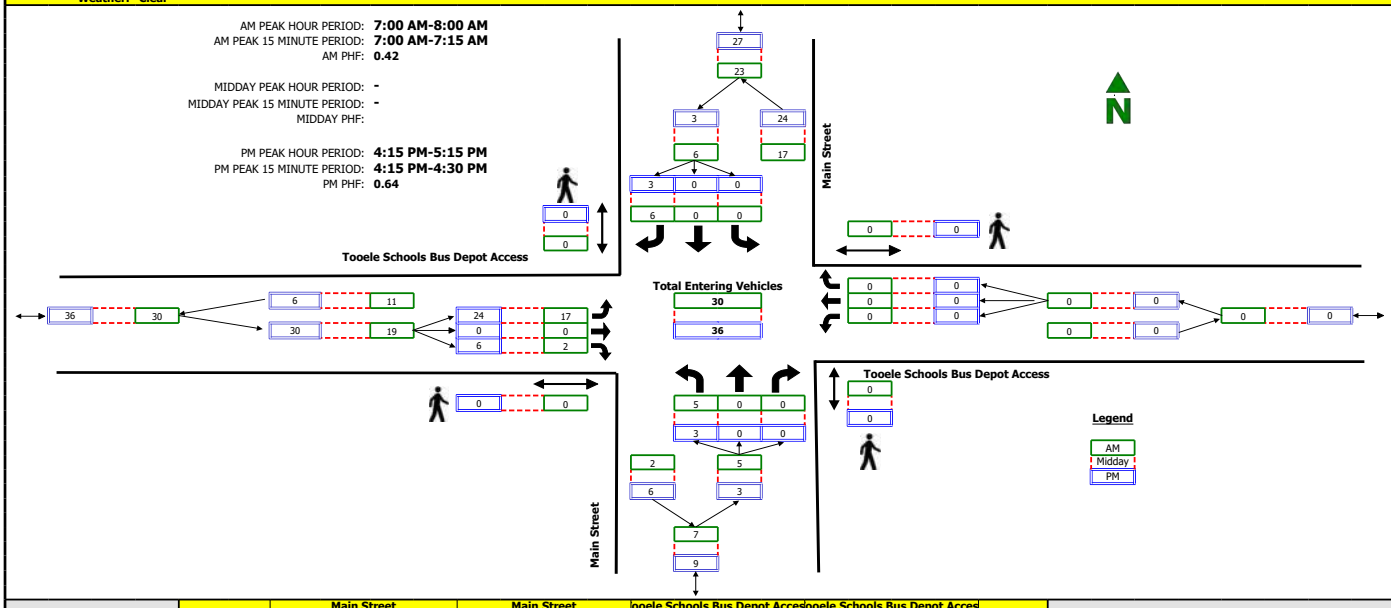
Intersection: Main Street / Tooele Schools Bus Depot Access
North/South: Main Street
East/West: Tooele Schools Bus Depot Access
Jurisdiction: Tooele
Project Title: One O'Clock Hill TIS
Project No: UT21-2019
Weather: Clear

Date: 10-5-21, Tue
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: **7:00 AM-8:00 AM**
AM PEAK 15 MINUTE PERIOD: **7:00 AM-7:15 AM**
AM PHF: **0.42**

MIDDAY PEAK HOUR PERIOD: **-**
MIDDAY PEAK 15 MINUTE PERIOD: **-**
MIDDAY PHF:

PM PEAK HOUR PERIOD: **4:15 PM-5:15 PM**
PM PEAK 15 MINUTE PERIOD: **4:15 PM-4:30 PM**
PM PHF: **0.64**



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				ooele Schools Bus Depot Acces Eastbound				ooele Schools Bus Depot Acces Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	2	0	0	0	0	0	2	0	12	0	2	0	0	0	0	0	18
7:15 - 7:30	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:30 - 7:45	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	2
7:45 - 8:00	2	0	0	0	0	0	3	0	4	0	0	0	0	0	0	0	9
8:00 - 8:15	0	0	0	0	0	0	0	0	5	0	2	0	0	0	0	0	7
8:15 - 8:30	0	0	0	0	0	0	2	4	1	0	2	0	0	0	0	0	5
8:30 - 8:45	0	0	0	0	0	0	2	1	3	0	2	0	0	0	0	0	7
8:45 - 9:00	0	0	0	0	0	0	4	0	4	0	2	0	0	0	0	0	10

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	0	0	0	0	0	0	1	0	2	0	0	0	0	0	0	0	3
16:15 - 16:30	1	0	0	0	0	0	1	0	9	0	3	0	0	0	0	0	14
16:30 - 16:45	1	0	0	0	0	0	1	0	7	0	1	0	0	0	0	0	10
16:45 - 17:00	0	0	0	0	0	0	1	0	1	0	1	0	0	0	0	0	3
17:00 - 17:15	1	0	0	0	0	0	0	0	7	0	1	0	0	0	0	0	9
17:15 - 17:30	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
17:30 - 17:45	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	2
17:45 - 18:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

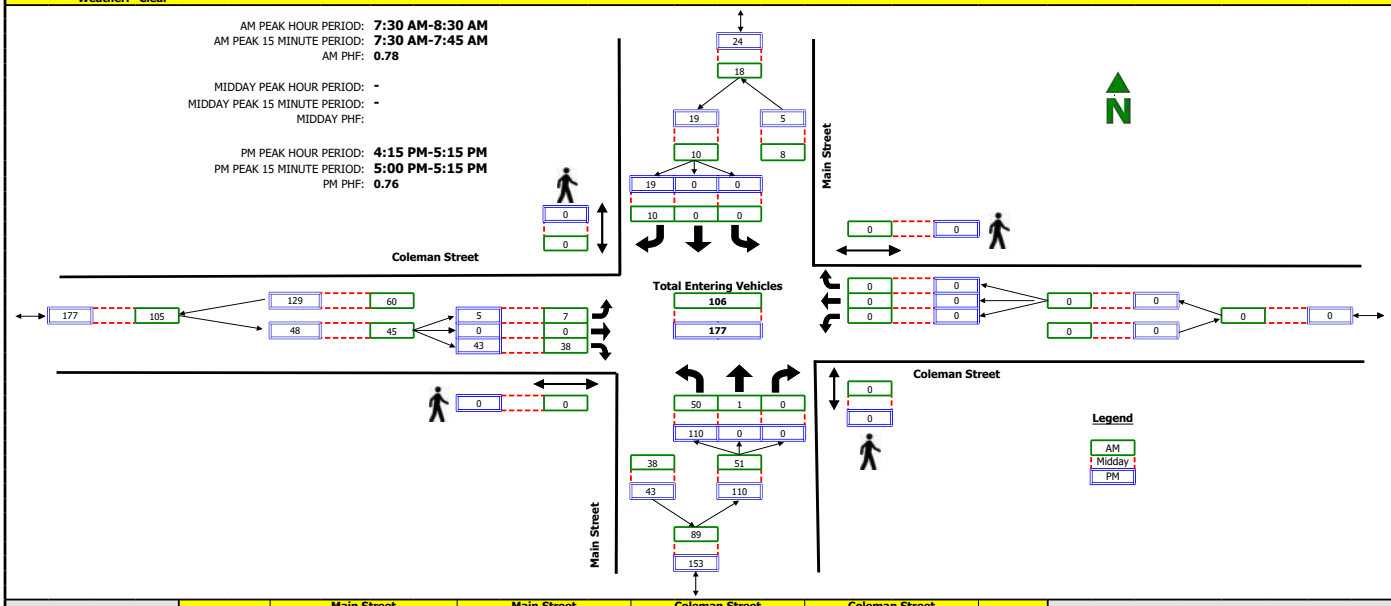
Intersection Turning Movement Summary

Intersection:	**Main Street / Coleman Street**	**Date:**	**10-5-21, Tue**
North/South:	**Main Street**	**Day of Week Adjustment:**	**100.0%**
East/West:	**Coleman Street**	**Month of Year Adjustment:**	**100.0%**
Jurisdiction:	**Tooele**	**Adjustment Station #:**	**0**
Project Title:	**One O'Clock Hill TIS**	**Growth Rate:**	**0.0%**
Project No:	**UT21-2019**	**Number of Years:**	**0**
Weather:	**Clear**		

AM PEAK HOUR PERIOD: **7:30 AM-8:30 AM**
AM PEAK 15 MINUTE PERIOD: **7:30 AM-7:45 AM**
AM PHF: **0.78**

MIDDAY PEAK HOUR PERIOD: **-**
MIDDAY PEAK 15 MINUTE PERIOD: **-**
MIDDAY PHF:

PM PEAK HOUR PERIOD: **4:15 PM-5:15 PM**
PM PEAK 15 MINUTE PERIOD: **5:00 PM-5:15 PM**
PM PHF: **0.76**



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				Coleman Street Eastbound				Coleman Street Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	6	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0	11
7:15 - 7:30	8	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	10
7:30 - 7:45	16	0	0	0	0	0	1	0	3	0	14	0	0	0	0	0	34
7:45 - 8:00	16	0	0	0	0	0	4	0	1	0	11	0	0	0	0	0	32
8:00 - 8:15	11	1	0	0	0	0	2	0	2	0	6	0	0	0	0	0	22
8:15 - 8:30	7	0	0	0	0	0	3	0	1	0	7	0	0	0	0	0	18
8:30 - 8:45	14	0	0	0	0	0	3	0	4	0	7	0	0	0	0	0	28
8:45 - 9:00	10	0	0	0	0	0	7	0	3	0	4	0	0	0	0	0	24

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	12	0	0	0	0	0	6	0	1	0	13	0	0	0	0	0	32
16:15 - 16:30	19	0	0	0	0	0	8	0	0	0	9	0	0	0	0	0	36
16:30 - 16:45	24	0	0	0	0	0	7	0	2	0	12	0	0	0	0	0	45
16:45 - 17:00	28	0	0	0	0	0	1	0	0	0	9	0	0	0	0	0	38
17:00 - 17:15	39	0	0	0	0	0	3	0	3	0	13	0	0	0	0	0	58
17:15 - 17:30	14	0	0	0	0	0	2	0	3	0	10	0	0	0	0	0	29
17:30 - 17:45	9	0	0	0	0	0	5	0	1	0	6	0	0	0	0	0	21
17:45 - 18:00	15	0	0	0	0	0	4	0	1	0	14	0	0	0	0	0	34

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

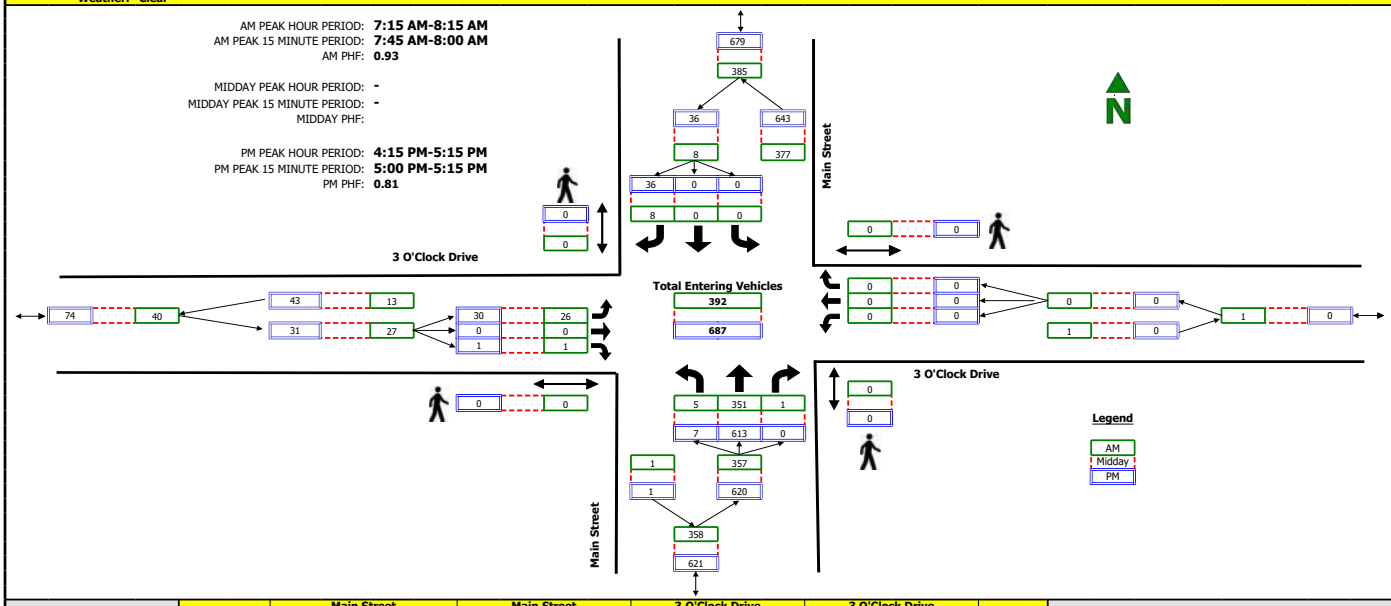
Intersection Turning Movement Summary

Intersection:	**Main Street / 3 O'Clock Drive**	**Date:**	**10-5-21, Tue**
North/South:	**Main Street**	**Day of Week Adjustment:**	**100.0%**
East/West:	**3 O'Clock Drive**	**Month of Year Adjustment:**	**100.0%**
Jurisdiction:	**Tooele**	**Adjustment Station #:**	**0**
Project Title:	**One O'Clock Hill TIS**	**Growth Rate:**	**0.0%**
Project No:	**UT21-2019**	**Number of Years:**	**0**
Weather:	**Clear**		

AM PEAK HOUR PERIOD: **7:15 AM-8:15 AM**
AM PEAK 15 MINUTE PERIOD: **7:45 AM-8:00 AM**
AM PHF: **0.93**

MIDDAY PEAK HOUR PERIOD: **-**
MIDDAY PEAK 15 MINUTE PERIOD: **-**
MIDDAY PHF:

PM PEAK HOUR PERIOD: **4:15 PM-5:15 PM**
PM PEAK 15 MINUTE PERIOD: **5:00 PM-5:15 PM**
PM PHF: **0.81**



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				3 O'Clock Drive Eastbound				3 O'Clock Drive Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
7:00 - 7:15	0	64	0	0	0	0	0	0	4	0	0	0	0	0	0	0	68
7:15 - 7:30	2	82	0	0	0	0	1	0	7	0	0	0	0	0	0	0	92
7:30 - 7:45	1	87	0	0	0	0	0	0	5	0	0	0	0	0	0	0	93
7:45 - 8:00	0	95	1	0	0	0	4	0	4	0	1	0	0	0	0	0	105
8:00 - 8:15	2	87	0	0	0	0	3	0	10	0	0	0	0	0	0	0	102
8:15 - 8:30	3	64	0	0	0	2	5	0	9	0	0	0	0	0	0	0	83
8:30 - 8:45	3	78	0	0	0	2	5	0	10	0	1	0	0	0	0	0	99
8:45 - 9:00	1	74	0	0	0	7	1	0	7	0	0	0	0	0	0	0	90
MIDDAY PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
16:00 - 16:15	4	78	0	0	0	0	3	0	1	0	3	0	0	0	0	0	89
16:15 - 16:30	1	121	0	0	0	0	10	0	11	0	0	0	0	0	0	0	143
16:30 - 16:45	0	116	0	0	0	0	8	0	6	0	0	0	0	0	0	0	130
16:45 - 17:00	3	183	0	0	0	0	10	0	5	0	1	0	0	0	0	0	202
17:00 - 17:15	3	193	0	0	0	0	8	0	8	0	0	0	0	0	0	0	212
17:15 - 17:30	0	85	0	0	0	0	13	0	3	0	0	0	0	0	0	0	101
17:30 - 17:45	1	103	0	0	0	0	6	0	3	0	0	0	0	0	0	0	113
17:45 - 18:00	1	112	0	0	0	0	13	0	5	0	0	0	0	0	0	0	131

APPENDIX B

LOS Results

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Settlement Canyon Road & Main Street (S.R. 36)
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
EB	T	622	617	99	1.9	*A*
	R	5	6	114	1.0	*A*
	Subtotal	627	623	99	1.9	*A*
WB	L	28	28	100	5.2	*A*
	T	485	475	98	0.4	*A*
	Subtotal	513	503	98	0.7	*A*
NW	***L***	***2***	***2***	***100***	***11.1***	***B***
	R	20	22	111	5.6	*A*
	Subtotal	22	24	109	6.1	*A*
Total		1,162	1,150	99	1.4	*A*

Intersection: Main Street (S.R. 36) & 900 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***72***	***69***	***96***	***11.9***	***B***
	R	3	3	100	6.6	*A*
	Subtotal	75	72	96	11.7	*B*
NE	L	4	3	75	3.3	*A*
	T	556	554	100	0.9	*A*
	Subtotal	560	557	99	0.9	*A*
SW	T	365	355	97	1.2	*A*
	R	123	123	100	0.8	*A*
	Subtotal	488	478	98	1.1	*A*
Total		1,123	1,107	99	1.7	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Bus Depot Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***24***	***26***	***108***	***11.5***	***B***
	R	6	8	128	2.7	*A*
	Subtotal	30	34	113	9.4	*A*
NE	L	3	3	100	1.5	*A*
	T	535	532	99	1.1	*A*
	Subtotal	538	535	99	1.1	*A*
SW	T	364	352	97	0.5	*A*
	R	3	4	133	0.1	*A*
	Subtotal	367	356	97	0.5	*A*
Total		936	925	99	1.2	*A*

Intersection: Main Street (S.R. 36) & Coleman Street
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***5***	***5***	***95***	***15.5***	***C***
	R	43	44	103	4.0	*A*
	Subtotal	48	49	102	5.2	*A*
NE	L	110	112	102	2.7	*A*
	T	534	531	99	0.8	*A*
	Subtotal	644	643	100	1.1	*A*
SW	T	352	342	97	1.2	*A*
	R	19	19	101	0.3	*A*
	Subtotal	371	361	97	1.2	*A*
Total		1,063	1,053	99	1.3	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & 3 O'Clock Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***30***	***28***	***93***	***11.1***	***B***
	R	1	2	200	2.8	*A*
	Subtotal	31	30	97	10.5	*B*
NE	L	7	6	83	1.3	*A*
	T	613	614	100	2.0	*A*
	Subtotal	620	620	100	2.0	*A*
SW	T	358	348	97	0.9	*A*
	R	36	37	102	0.2	*A*
	Subtotal	394	385	98	0.8	*A*
Total		1,046	1,035	99	1.8	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Settlement Canyon Road & Main Street (S.R. 36)
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
EB	T	649	665	103	2.0	*A*
	R	5	7	133	0.6	*A*
	Subtotal	654	672	103	2.0	*A*
WB	L	39	39	101	5.2	*A*
	T	530	537	101	0.4	*A*
	Subtotal	569	576	101	0.7	*A*
NW	***L***	***2***	***1***	***50***	***13.9***	***B***
	R	27	29	107	6.6	*A*
	Subtotal	29	30	103	6.8	*A*
Total		1,252	1,278	102	1.6	*A*

Intersection: Main Street (S.R. 36) & Access 2/900 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	T	1	1	100	6.0	*A*
	R	7	9	124	5.7	*A*
	Subtotal	9	10	111	5.7	*A*
SE	***L***	***72***	***72***	***100***	***14.9***	***B***
	T	2	1	50	14.1	*B*
	R	3	3	100	7.4	*A*
	Subtotal	77	76	99	14.6	*B*
NE	L	4	4	100	2.6	*A*
	T	574	589	103	1.0	*A*
	R	2	2	100	0.4	*A*
	Subtotal	580	595	103	1.0	*A*
SW	L	12	13	106	3.1	*A*
	T	398	395	99	1.3	*A*
	R	123	132	107	1.0	*A*
	Subtotal	533	540	101	1.3	*A*
Total		1,199	1,221	102	2.0	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Access 3/Bus Depot Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	1	100	5.0	*A*
	R	7	7	97	5.2	*A*
	Subtotal	8	8	100	5.2	*A*
SE	***L***	***24***	***25***	***104***	***13.1***	***B***
	R	6	6	96	3.6	*A*
	Subtotal	30	31	103	11.3	*B*
NE	L	3	3	100	1.5	*A*
	T	549	564	103	1.2	*A*
	R	2	3	150	0.1	*A*
	Subtotal	554	570	103	1.2	*A*
SW	L	11	10	89	2.4	*A*
	T	387	384	99	0.6	*A*
	R	3	4	133	0.1	*A*
	Subtotal	401	398	99	0.6	*A*
Total		994	1,007	101	1.3	*A*

Intersection: Main Street (S.R. 36) & Coleman Street
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***5***	***4***	***76***	***15.1***	***C***
	R	43	42	98	4.0	*A*
	Subtotal	48	46	96	5.0	*A*
NE	L	110	108	98	3.2	*A*
	T	546	564	103	1.0	*A*
	Subtotal	656	672	102	1.4	*A*
SW	T	365	357	98	0.3	*A*
	R	19	20	107	0.1	*A*
	Subtotal	384	377	98	0.3	*A*
Total		1,087	1,095	101	1.2	*A*

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Existing (2021) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Access 5/3 O'Clock Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	1	100	9.8	*A*
	T	***1***	***1***	***100***	***15.2***	***C***
	R	6	6	96	6.8	*A*
	Subtotal	8	8	100	8.2	*A*
SE	L	30	32	106	11.7	*B*
	T	1	1	100	5.9	*A*
	R	1	1	100	1.8	*A*
	Subtotal	32	34	106	11.2	*B*
NE	L	7	7	97	1.8	*A*
	T	619	632	102	2.3	*A*
	R	1	2	200	0.0	*A*
	Subtotal	627	641	102	2.3	*A*
SW	L	11	9	80	2.9	*A*
	T	362	359	99	1.0	*A*
	R	36	32	88	0.2	*A*
	Subtotal	409	400	98	1.0	*A*
Total		1,077	1,083	101	2.1	*A*

Intersection: Main Street (S.R. 36) & Access 4
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	R	***6***	***6***	***96***	***4.6***	***A***
	Subtotal	7	6	86	4.6	*A*
NE	T	548	565	103	0.2	*A*
	R	2	2	100	0.0	*A*
	Subtotal	550	567	103	0.2	*A*
SW	L	11	12	107	2.4	*A*
	T	384	379	99	1.0	*A*
	Subtotal	395	391	99	1.0	*A*
Total		953	964	101	0.6	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Settlement Canyon Road & Main Street (S.R. 36)
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
EB	T	701	707	101	2.1	*A*
	R	10	11	107	1.1	*A*
	Subtotal	711	718	101	2.1	*A*
WB	L	35	33	94	5.8	*A*
	T	550	558	102	0.4	*A*
	Subtotal	585	591	101	0.7	*A*
NW	***L***	***5***	***5***	***95***	***14.8***	***B***
	R	25	23	92	6.6	*A*
	Subtotal	30	28	93	8.1	*A*
Total		1,326	1,337	101	1.6	*A*

Intersection: Main Street (S.R. 36) & 900 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***80***	***80***	***100***	***16.3***	***C***
	R	5	6	114	5.8	*A*
	Subtotal	85	86	101	15.6	*C*
NE	L	10	8	78	3.2	*A*
	T	630	640	102	1.0	*A*
	Subtotal	640	648	101	1.0	*A*
SW	T	416	420	101	1.4	*A*
	R	140	144	103	1.1	*A*
	Subtotal	556	564	101	1.3	*A*
Total		1,281	1,298	101	2.1	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Bus Depot Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***30***	***31***	***102***	***17.7***	***C***
	R	10	11	107	6.0	*A*
	Subtotal	40	42	105	14.6	*B*
NE	L	5	6	114	1.8	*A*
	T	611	617	101	1.3	*A*
	Subtotal	616	623	101	1.3	*A*
SW	T	415	419	101	0.6	*A*
	R	5	6	114	0.2	*A*
	Subtotal	420	425	101	0.6	*A*
Total		1,077	1,090	101	1.6	*A*

Intersection: Main Street (S.R. 36) & Coleman Street
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***10***	***9***	***88***	***16.3***	***C***
	R	50	49	98	4.9	*A*
	Subtotal	60	58	97	6.7	*A*
NE	L	125	120	96	3.3	*A*
	T	605	613	101	1.1	*A*
	Subtotal	730	733	100	1.5	*A*
SW	T	400	406	101	1.3	*A*
	R	25	25	100	0.3	*A*
	Subtotal	425	431	101	1.2	*A*
Total		1,216	1,222	101	1.6	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & 3 O'Clock Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***35***	***40***	***113***	***14.9***	***B***
	R	5	5	95	4.2	*A*
	Subtotal	40	45	113	13.7	*B*
NE	L	10	9	88	2.2	*A*
	T	695	692	100	2.3	*A*
	Subtotal	705	701	99	2.3	*A*
SW	T	412	409	99	1.1	*A*
	R	40	45	113	0.2	*A*
	Subtotal	452	454	100	1.0	*A*
Total		1,197	1,200	100	2.3	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Settlement Canyon Road & Main Street (S.R. 36)
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
EB	T	727	739	102	2.3	*A*
	R	10	11	107	1.2	*A*
	Subtotal	737	750	102	2.3	*A*
WB	L	46	46	100	6.7	*A*
	T	595	595	100	0.5	*A*
	Subtotal	641	641	100	0.9	*A*
NW	***L***	***5***	***5***	***95***	***26.3***	***D***
	R	32	32	99	7.4	*A*
	Subtotal	37	37	100	10.0	*A*
Total		1,415	1,428	101	1.9	*A*

Intersection: Main Street (S.R. 36) & Access 2/900 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	T	1	1	100	18.8	*C*
	R	7	7	97	8.4	*A*
	Subtotal	9	8	89	9.7	*A*
SE	***L***	***80***	***83***	***103***	***21.2***	***C***
	T	2	2	100	18.5	*C*
	R	5	6	114	10.7	*B*
	Subtotal	87	91	105	20.4	*C*
NE	L	10	8	78	3.0	*A*
	T	650	660	102	1.2	*A*
	R	2	2	100	0.3	*A*
	Subtotal	662	670	101	1.2	*A*
SW	L	12	13	106	3.9	*A*
	T	449	446	99	1.5	*A*
	R	140	141	101	1.1	*A*
	Subtotal	601	600	100	1.5	*A*
Total		1,360	1,369	101	2.7	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Access 3/Bus Depot Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	R	7	8	110	6.1	*A*
	Subtotal	8	8	100	6.1	*A*
SE	***L***	***30***	***29***	***96***	***17.0***	***C***
	R	10	11	107	4.5	*A*
	Subtotal	40	40	100	13.6	*B*
NE	L	5	5	95	1.6	*A*
	T	624	631	101	1.4	*A*
	R	2	3	150	0.2	*A*
	Subtotal	631	639	101	1.4	*A*
SW	L	11	10	89	2.9	*A*
	T	438	437	100	0.7	*A*
	R	5	5	95	0.1	*A*
	Subtotal	454	452	100	0.7	*A*
Total		1,134	1,139	100	1.6	*A*

Intersection: Main Street (S.R. 36) & Coleman Street
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SE	***L***	***10***	***8***	***78***	***16.5***	***C***
	R	50	50	100	4.5	*A*
	Subtotal	60	58	97	6.2	*A*
NE	L	125	128	102	3.9	*A*
	T	618	628	102	1.4	*A*
	Subtotal	743	756	102	1.8	*A*
SW	T	415	417	100	0.4	*A*
	R	25	24	96	0.1	*A*
	Subtotal	440	441	100	0.4	*A*
Total		1,243	1,255	101	1.5	*A*

HALES ENGINEERING
innovative transportation solutions

SimTraffic LOS Report

Project: Tooele - One O'clock Hill TIS
Analysis Period: *Future (2026) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2019*

Intersection: Main Street (S.R. 36) & Access 5/3 O'Clock Drive
Type: Unsignalized

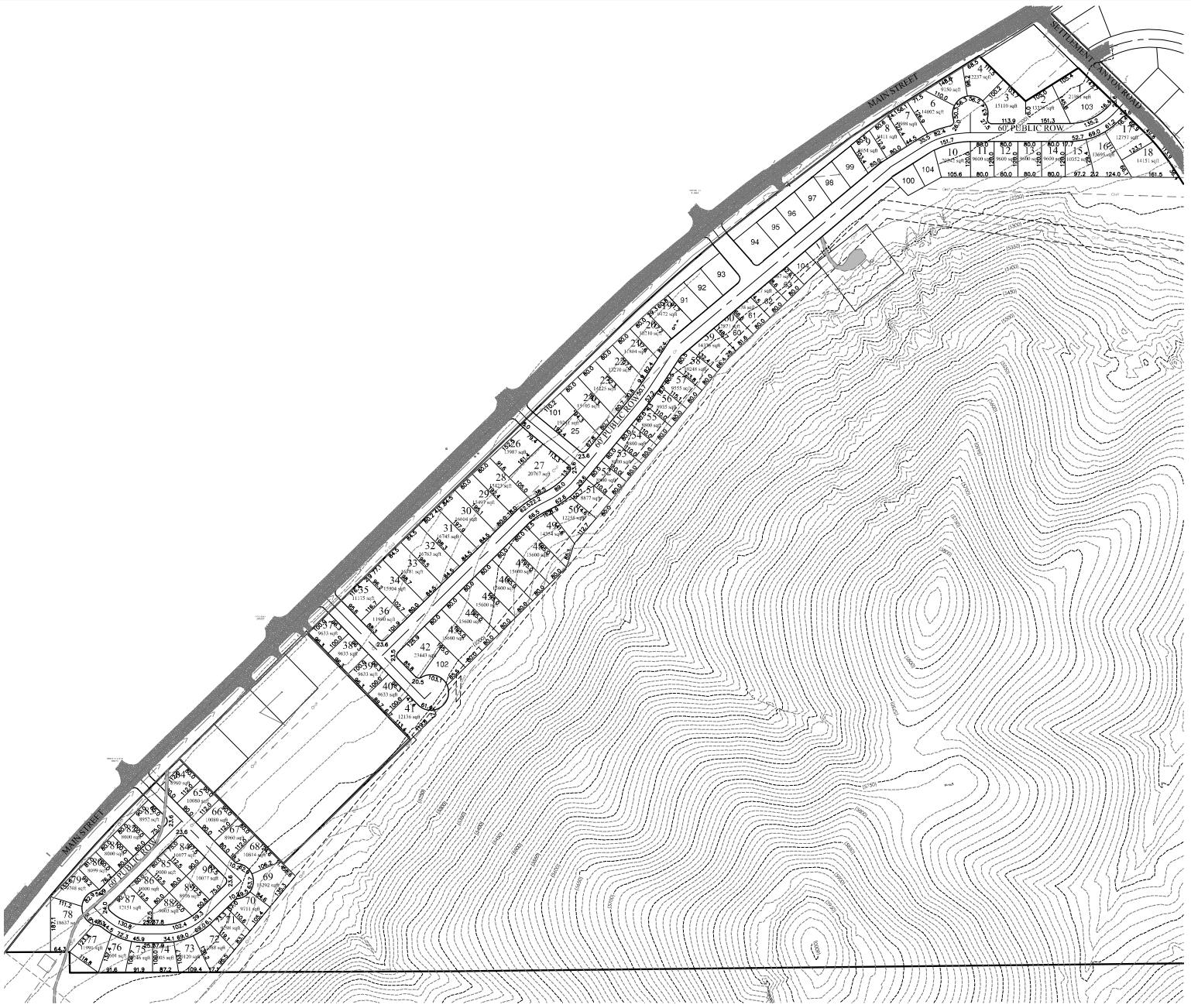
Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	T	***1***	***1***	***100***	***19.2***	***C***
	R	6	7	112	7.4	*A*
	Subtotal	8	8	100	8.9	*A*
SE	L	35	38	108	15.0	*B*
	T	1	1	100	9.1	*A*
	R	5	6	114	4.6	*A*
	Subtotal	41	45	110	13.5	*B*
NE	L	10	10	98	1.9	*A*
	T	701	711	101	2.6	*A*
	R	1	1	100	0.7	*A*
	Subtotal	712	722	101	2.6	*A*
SW	L	11	11	98	2.9	*A*
	T	414	413	100	1.3	*A*
	R	40	43	108	0.3	*A*
	Subtotal	465	467	100	1.2	*A*
Total		1,227	1,242	101	2.5	*A*

Intersection: Main Street (S.R. 36) & Access 4
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NW	L	1	0	0		
	R	***6***	***8***	***128***	***5.8***	***A***
	Subtotal	7	8	114	5.8	*A*
NE	T	626	632	101	0.3	*A*
	R	2	3	150	0.1	*A*
	Subtotal	628	635	101	0.3	*A*
SW	L	11	9	80	3.5	*A*
	T	438	439	100	1.1	*A*
	Subtotal	449	448	100	1.1	*A*
Total		1,084	1,091	101	0.7	*A*

APPENDIX C

Site Plan



N

W E

S

GRAPHIC SCALE

(IN FEET)
1 inch = 150ft.

R1-8 ZONE REQUIREMENTS

ZONE:	R1-8
LOT SIZE:	8,000 SF
FRONTAGE:	35'
LOT WIDTH:	75'
CUL-DE-SAC RADIUS:	60'
ROW WIDTH:	60'

GENERAL NOTE:

INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.

FOCUS©
ENGINEERING AND SURVEYING, LLC
12 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

ONE O'CLOCK HILL

TOOELE CITY, TOOELE COUNTY, UTAH

CONCEPT PLAN

REVISION BLOCK

#	DATE	DESCRIPTION
1	---	---
2	---	---
3	---	---
4	---	---
5	---	---
6	---	---

CONCEPT PLAN

Scale: 1"=150' | Drawn: CJG
Date: 08/17/18 | Job #: 17-455
Sheet: B

APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report

Project: Tooele - One O'clock Hill TIS

Analysis: Existing (2021) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2019

Intersection	NE		NW	SE			SW		WB
	L	LT	LR	L	LR	R	R	T	L
01: Settlement Canyon Road & Main Street (S.R. 36)			50						50
02: Main Street (S.R. 36) & 900 South	25				75			0	
03: Main Street (S.R. 36) & Bus Depot Access	25				75				
04: Main Street (S.R. 36) & Coleman Street	75			25		50	25		
05: Main Street (S.R. 36) & 3 O'Clock Drive		25			50				

SimTraffic Queueing Report

Project: Tooele - One O'clock Hill TIS

Analysis: Existing (2021) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2019

Intersection	NE		NW		SE			SW	WB
	L	LTR	LR	LTR	L	LTR	R	L	L
01: Settlement Canyon Road & Main Street (S.R. 36)			50						50
02: Main Street (S.R. 36) & Access 2/900 South	25			50		75		25	
03: Main Street (S.R. 36) & Access 3/Bus Depot Access	25			50		75		25	
04: Main Street (S.R. 36) & Coleman Street	75				25		50		
05: Main Street (S.R. 36) & Access 5/3 O'Clock Drive		25		50		50		25	
06: Main Street (S.R. 36) & Access 4			50					25	

SimTraffic Queueing Report

Project: Tooele - One O'clock Hill TIS

Analysis: Future (2026) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2019

Intersection	NE		NW	SE			SW	EB	WB
	L	LT	LR	L	LR	R	R	R	L
01: Settlement Canyon Road & Main Street (S.R. 36)			50					25	50
02: Main Street (S.R. 36) & 900 South	25				75				
03: Main Street (S.R. 36) & Bus Depot Access	25				75				
04: Main Street (S.R. 36) & Coleman Street	75			50		75	0		
05: Main Street (S.R. 36) & 3 O'Clock Drive		50			75				

SimTraffic Queueing Report

Project: Tooele - One O'clock Hill TIS

Analysis: Future (2026) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2019

Intersection	NE		NW		SE			SW		EB	WB
	L	LTR	LR	LTR	L	LTR	R	L	R	T	L
01: Settlement Canyon Road & Main Street (S.R. 36)			75							25	75
02: Main Street (S.R. 36) & Access 2/900 South	25			50		100		25			
03: Main Street (S.R. 36) & Access 3/Bus Depot Access	25			50		75		25			
04: Main Street (S.R. 36) & Coleman Street	75				50		75		25		
05: Main Street (S.R. 36) & Access 5/3 O'Clock Drive		25		50		75		25			
06: Main Street (S.R. 36) & Access 4			50					25			

Andrew Aagard

From: Paul Hansen
Sent: Thursday, March 17, 2022 4:08 PM
To: Jim Bolser; Andrew Aagard
Cc: Debbie Winn; Jared Stewart
Subject: FW: Shawn Johnson Development in Tooele City

I received the following from UDOT regarding their review of the traffic study for the One O'Clock development.

Paul Hansen, P.E. | City Engineer
Tooele City Corporation | 90 North Main Street | Tooele, Utah 84074
(ph) 435.843.2132 | (fax) 435.843.2139 | www.tooelecity.org

From: Nazee Treweek <ntreweek@utah.gov>
Sent: Thursday, March 17, 2022 11:53 AM
To: Paul Hansen <PaulH@TooeleCity.org>
Cc: Kim Velasquez <kvelasquez@utah.gov>; Megan Leonard <mleonard@utah.gov>
Subject: Re: Shawn Johnson Development in Tooele City

We did review it. And I think overall we are ok with it. We will most likely have them make the access you have circled an emergency only access though.

On Wed, Mar 16, 2022 at 11:47 AM Paul Hansen <PaulH@tooelecity.org> wrote:

> We are following up to see what if anything has been reviewed or discussed the developer Shaun Johnson and the One O'Clock TIS. We fully understand that UDOT will not issue an access permit until the development is ready to proceed and has filed all required paperwork. However, the City Planning Commission will not consider their rezone request until we at least have some minimal level of review from UDOT. As we discussed in a recent global project review of Tooele City Projects, we ask if there were any compelling opposition to SR-36 access, as shown in the following image. The full report is attached. I believe that your preliminary indication was than all three new accesses from the southeast could occur, but that you needed to look at the one offset from Coleman.
>
> Have you been able to provide at least a conceptual opinion on the four (4) new accesses shown?

From: Kim Velasquez <kvelasquez@utah.gov>
Sent: Wednesday, March 16, 2022 11:06 AM
To: Paul Hansen <PaulH@TooeleCity.org>
Subject: Re: Shawn Johnson Development in Tooele City

If you have questions on your project the best person to contact would be Nazee Treweek or Megan Leonard.

Their contact info is Megan 801-887-8767 her email is mleonard@utah.gov

Nazee 801-975-4810 her email is ntreweek@utah.gov

If I can help with anything else let me know!

On Tue, Mar 15, 2022 at 2:09 PM Paul Hansen <PaulH@tooelecity.org> wrote:

Kim:

Would you mind a quick call to discuss this project?

Paul Hansen, P.E. | City Engineer

Tooele City Corporation | 90 North Main Street | Tooele, Utah 84074

(ph) 435.843.2132 | (fax) 435.843.2139 | www.tooelecity.org

From: Kim Velasquez <kvelasquez@utah.gov>
Sent: Thursday, February 17, 2022 10:41 AM
To: Shaun Johnson <Shaun@sjcompany.net>
Cc: Jared Stewart <jareds@TooeleCity.org>; Jim Bolser <jimb@TooeleCity.org>; Andrew Aagard <AndrewA@TooeleCity.org>; Debbie Winn <dwinn@TooeleCity.org>; Paul Hansen <PaulH@TooeleCity.org>
Subject: Re: UDOT Meeting

1497 West 40 South
Lindon, Utah - 84042
Phone (801) 225-5711

840 West 1700 South #10
Salt Lake City, Utah - 84104
Phone (801) 787-9138

1596 W. 2650 S. #108
Ogden, Utah - 84401
Phone (801) 399-9516

Geotechnical Study
One O'clock Hill
Settlement Canyon Road and UT-36
Tooele, Utah

Project No. 219074

November 2, 2021

Prepared For:

SJ Company
Attention: Mr. Shaun Johnson
447 North Cooley Street
Grantsville, UT 84029

TABLE OF CONTENTS

ATTACHED FIGURES

APPENDIX A

1.0 SUMMARY

This entire report presents the results of Earthtec Engineering's completed geotechnical study for the One O'clock Hill in Tooele, Utah. This summary provides a general synopsis of our recommendations and findings. Details of our findings, conclusions, and recommendations are provided within the body of this report.

- The native clay soils have a negligible potential for collapse (settlement) and a slight potential for compression under increased moisture contents and anticipated load conditions. (see Section 6)
- Conventional strip and spread footings may be used to support the structures, with foundations placed entirely on firm, undisturbed, uniform native soils (i.e. completely on clay soils, or completely on sand soils, etc.), or entirely on a minimum of 12 inches of properly placed, compacted, and tested structural fill extending to undisturbed native soils for structural loads up to 4,000 pounds per linear foot for bearing walls and up to 30,000 pounds for column loads. If loads exceed these see Section 10 for further recommendations.

Based on the results of our field exploration, laboratory testing, and engineering analyses, it is our opinion that the subject site may be suitable for the proposed development, provided the recommendations presented in this report are followed and implemented during design and construction.

Failure to consult with Earthtec Engineering (Earthtec) regarding any changes made during design and/or construction of the project from those discussed herein relieves Earthtec from any liability arising from changed conditions at the site. We also strongly recommend that Earthtec observes the building excavations to verify the adequacy of our recommendations presented herein, and that Earthtec performs materials testing and special inspections for this project to provide continuity during construction.

2.0 INTRODUCTION

The project is located at approximately Settlement Canyon Road and UT-36 in Tooele, Utah. The general location of the site is shown on Figure No. 1, *Vicinity Map* and Figure No. 2, *Site Plan Showing Location of Test Pits and Slope Cross-Sections*, at the end of this report. The purposes of this study are to evaluate the subsurface soil conditions at the site, assess the engineering characteristics of the subsurface soils, and provide geotechnical recommendations for general site grading and the design and construction of foundations, concrete floor slabs, miscellaneous concrete flatwork, and asphalt paved residential streets.

The scope of work completed for this study included field reconnaissance, subsurface exploration, field and laboratory soil testing, geotechnical engineering analysis, and the preparation of this report.

3.0 PROPOSED CONSTRUCTION

We understand that the proposed project, as described to us by Mr. Shaun Johnson, consists of subdividing the approximately 38-acre span of three existing parcels with the construction of a new residential subdivision containing up to 130 lots. The proposed structures will consist of conventionally framed, one- to two-story, single-family dwellings with basements. We have based our recommendations in this report that the anticipated foundation loads for the proposed structures will not exceed 4,000 pounds per linear foot for bearing walls, 30,000 pounds for column loads, and 100 pounds per square foot for floor slabs. If structural loads will be greater Earthtec should be notified so that we may review our recommendations and make modifications, if necessary.

In addition to the construction described above, we anticipate that utilities will be installed to service the proposed buildings, exterior concrete flatwork will be placed in the form of curb, gutter, sidewalks, driveways, and asphalt paved residential streets will be constructed.

4.0 GENERAL SITE DESCRIPTION

4.1 Site Description

At the time of our subsurface exploration the site consisted of three undeveloped parcels vegetated with native grasses, trees, and sagebrush. Large power line poles run northeast-southwest throughout the property, and a pump house is built on the northern section against the mountain slope with an asphalt driveway leading to it. An emergency two-track road exists running along the central run of powerlines and does not appear to be regularly maintained, according to local residents at the south end of the property. The ground surface appears to be relatively flat past the edge of the mountain slopes, we anticipate less than 3 feet of cut and fill may be required for site grading. The lot was bounded on the northwest by UT-36 Highway, on the southeast by open mountainous land, on the southwest by open field, and on the northeast by Settlement Canyon Road.

4.2 Geologic Setting

The subject property is located in the southeastern portion of Tooele Valley near the western slope of the Oquirrh Mountains. Tooele Valley is a deep, sediment-filled basin that is part of the Basin and Range Physiographic Province. The valley was formed by extensional tectonic processes during the Tertiary and Quaternary geologic time periods. The valley is bordered by the Oquirrh Mountains on the east and the Stansbury Mountains on the west. Much of northwestern Utah, including Tooele Valley, was previously covered by the Pleistocene age Lake Bonneville. The Great Salt Lake, which borders Tooele Valley to the north, is a remnant of this ancient fresh water lake. The surficial geology of much of the eastern margin of the valley has been mapped by Clark, et al., 2017[1]. The surficial geology at the location of the subject site and

[1] Clark, D.L., Oviatt, C.G., Dinter, D.A., 2017, Interim Geologic Map of the Tooele 30'x60' Quadrangle, *Tooele, Salt*

adjacent properties contains four geologic units which are mapped as "Lacustrine and alluvial deposits, undivided" (Map Unit Qla), "Younger fan alluvium, post-Lake Bonneville (Map unit Qafy), "Older fan alluvium, pre-Lake Bonneville" (Map unit Qafo), and "Oquirrh Group, Bingham Mine Formation, upper member" (IPobmu) dated from the upper Pennsylvanian (IPobmu) to the Holocene (Qla) and middle- to upper-Pleistocene (Qafy and Qafo). The named geologic units are described, in part, below:

Qafy **Younger fan alluvium, post-Lake Bonneville (Holocene to uppermost Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; deposited by streams, debris flows, and flash floods on alluvial fans and in mountain valleys; merges with unit Qal; includes alluvium and colluvium in canyon and mountain valleys; may include areas of eolian deposits and lacustrine fine-grained deposits below the Bonneville shoreline; includes active and inactive fans younger than Lake Bonneville, but may also include some older deposits above the Bonneville shoreline.

Qafo **Older fan alluvium, pre-Lake Bonneville (upper to middle? Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; similar to unit Qafy, but forms higher level incised deposits that predate Lake Bonneville; includes fan surfaces of different levels; fans are incised by younger alluvial deposits and locally etched by Lake Bonneville.

Qla **Lacustrine and alluvial deposits, undivided (Holocene to upper Pleistocene)** – Sand, gravel, silt, and clay; consist of alluvial deposits reworked by lakes, lacustrine deposits reworked by streams and slopewash, and alluvial and lacustrine deposits that cannot be readily differentiated at map scale.

IPobmu **Oquirrh Group, Bingham Mine Formation, upper member (Upper Pennsylvanian, Virgilian-Missourian)** – Light gray to tan, thinly color-banded and locally cross-bedded quartzite with interbedded thin, light- to medium-gray, calcareous, fine-grained sandstone, limestone, and siltstone.

Additionally, a surface fault rupture hazard study and a rock fall hazard study were conducted at the subject site as part of this investigation. The results for those studies can be found in their respective reports and not as a part of the geotechnical investigation.

5.0 SUBSURFACE EXPLORATION

5.1 Soil Exploration

Under the direction of a qualified member of our geotechnical staff, subsurface explorations were conducted at the site on September 21 and 22, 2021 by the excavation of ten (10) test pits to

Lake, and Davis Counties, Utah; Utah Geological Survey, Open-File 669DM, Scale 1: 62,500.

depths of 4 to 10 feet below the existing ground surface using a a track-mounted excavator. The approximate locations of the test pits are shown on Figure No. 2, *Site Plan Showing Location of Test Pits and Slope Cross-Sections*. Graphical representations and detailed descriptions of the soils encountered are shown on Figure Nos. 3 through 12, *Test Pit Log* at the end of this report. The stratification lines shown on the logs represent the approximate boundary between soil units; the actual transition may be gradual. Due to potential natural variations inherent in soil deposits, care should be taken in interpolating between and extrapolating beyond exploration points. A key to the symbols and terms on the logs is presented on Figure No. 13, *Legend*.

Disturbed bag samples and relatively undisturbed block samples were collected at various depths in each test pit.

The soil samples collected were classified by visual examination in the field following the guidelines of the Unified Soil Classification System (USCS). The samples were transported to our Lindon, Utah laboratory where they will be retained for 30 days following the date of this report and then discarded, unless a written request for additional holding time is received prior to the 30-day limit.

6.0 LABORATORY TESTING

Representative soil samples collected during our field exploration were tested in the laboratory to assess pertinent engineering properties and to aid in refining field classifications, if needed. Tests performed included natural moisture contents, dry density tests, liquid and plastic limits determinations, mechanical (partial) gradation analyses, direct shear tests, and a one-dimensional consolidation test. The laboratory test results are also included on the attached *Test Pit Logs* at the respective sample depths, on Figure No. 14, *Consolidation-Swell Test*, on Figure Nos. 15 and 16, *Direct Shear Test*, and on Figure Nos. 17 through 20, *Stability Results*.

As part of the consolidation test procedure, water was added to a sample to assess moisture sensitivity when the sample was loaded to an equivalent pressure of approximately 1,000 psf. The native clay soils have a negligible potential for collapse (settlement) and a slight potential for compressibility under increased moisture contents and anticipated load conditions.

A water-soluble sulfate test was performed on a representative sample obtained during our field exploration which indicated a value of less than 10 parts per million. Based on this result, the risk of sulfate attack to concrete appears to be "negligible" according to American Concrete Institute standards. Therefore, there are no restrictions on the type of Portland cement that may be used for concrete in contact with on-site soils. The results can be found in Appendix A.

7.0 SUBSURFACE CONDITIONS

7.1 Soil Types

On the surface of the site, we encountered topsoil which is estimated to extend about ½ to 1 foot

in depth at the test pit locations. Below the topsoil we encountered layers of primarily gravel, sand, and bedrock, extending to depths of 4 to 10 feet below the existing ground surface. Graphical representations and detailed descriptions of the soils encountered are shown on Figure Nos. 3 through 12, *Test Pit Log* at the end of this report. Based on our experience and observations during field exploration, the clay soils visually were stiff in consistency and the sand and gravel soils visually had a relative density varying from loose to very dense.

It should be considered that a limited number of test pits were used during the course of our subsurface exploration. Topsoil and fill material composition and contacts are difficult to determine from test pit sampling. Variation in topsoil depths may occur at the site.

7.2 Collapsible Soils

Collapsible soils are typically characterized by a pinhole structure and relatively low unit weights. Foundations, floor slabs, and roadways supported on these soils may be susceptible to large settlements and structural distress when wetted. Significantly collapsible soils were not encountered in our explorations.

7.3 Groundwater Conditions

Groundwater was not encountered within the excavations at the depths explored. Note that groundwater levels will fluctuate in response to the season, precipitation, snow melt, irrigation, and other on and off-site influences. Quantifying these fluctuations would require long term monitoring, which is beyond the scope of this study. The contractor should be prepared to dewater excavations as needed.

8.0 SITE GRADING

8.1 General Site Grading

All surface vegetation and unsuitable soils (such as topsoil, organic soils, undocumented fill, soft, loose, or disturbed native soils, collapsible, and any other inapt materials) should be removed from below foundations, floor slabs, exterior concrete flatwork, and pavement areas. We encountered topsoil on the surface of the site. The topsoil (including soil with roots larger than about ¼ inch in diameter) should be completely removed, even if found to extend deeper, along with any other unsuitable soils that may be encountered. Over-excavations below footings and slabs also may be needed, as discussed in Section 10.0.

Fill placed over large areas, even if only a few feet in depth, can cause consolidation in the underlying native soils resulting in settlement of the fill. Because the site is relatively flat, we anticipate that less than 3 feet of grading fill will be placed. If more than 3 feet of grading fill will be placed above the existing surface (to raise site grades), Earthtec should be notified so that we may provide additional recommendations, if required. Such recommendations will likely include placing the fill several weeks (or possibly more) prior to construction to allow settlement to occur.

8.2 Temporary Excavations

Temporary excavations that are less than 4 feet in depth and above groundwater should have side slopes no steeper than ½H:1V (Horizontal:Vertical). Temporary excavations where water is encountered in the upper 4 feet or that extend deeper than 4 feet below site grades should be sloped or braced in accordance with OSHA[2] requirements for Type B soils.

8.3 Fill Material Composition

Structural fill is defined as imported fill material that will ultimately be subjected to any kind of structural loading, such as those imposed by footings, floor slabs, pavements, etc. Gradation requirements stated below shall be verified in intervals not exceeding 1,000 tons. We recommend that imported structural fill consist of sandy/gravelly soils meeting the following requirements in the table below:

Table 1: Imported Structural Fill Recommendations

Sieve Size/Other	Percent Passing (by weight)
4 inches	100
3/4 inches	70 – 100
No. 4	40 – 80
No. 40	15 – 50
No. 200	0 – 20
Liquid Limit	35 maximum
Plasticity Index	15 maximum

Engineered fill is defined as reworked granular (sands or gravels), native material that will ultimately be subjected to any kind of structural loading, such as those imposed by footings, floor slabs, pavements. Native clay and silt soils are not suitable for use as engineered fill. We recommend that a professional engineer or geologist verify that the engineered fill to be used on this project meets the requirements. Engineered fill should be clear of all organics, have a maximum particle size of 4 inches, less than 70 percent retained on the ¾-seive, a maximum Liquid Limit of 35, and a maximum Plasticity Index of 15.

In some situations, particles larger than 4 inches and/or more than 30 percent coarse gravel may be acceptable but would likely make compaction more difficult and/or significantly reduce the possibility of successful compaction testing. Consequently, stricter quality control measures than normally used may be required, such as using thinner lifts and increased or full-time observation of fill placement.

We recommend that utility trenches below any structural load be backfilled using structural fill or engineered fill. Local governments or utility companies required specification for backfill should be followed unless our recommendations stricter.

If native soil is used as fill material, the contractor should be aware that native clay and silt soils

[2] OSHA Health and Safety Standards, Final Rule, CFR 29, part 1926.

(as observed in the explorations) may be time consuming to compact due to potential difficulties in controlling the moisture content needed to obtain optimum compaction and changes proctor values.

If required (i.e. fill in submerged areas), we recommend that free draining granular material (clean sand and/or gravel) meet the following requirements in the table below:

Table 2: Free-Draining Fill Recommendations

Sieve Size/Other	Percent Passing (by weight)
3 inches	100
No. 10	0 – 25
No. 40	0 – 15
No. 200	0 – 5
Plasticity Index	Non-plastic

Three-inch minus washed rock (sometimes called river rock or drain rock) and pea gravel materials usually meet these requirements and may be used as free draining fill. If free draining fill will be placed adjacent to soil containing a significant amount of sand or silt/clay, precautions should be taken to prevent the migration of fine soil into the free draining fill. Such precautions should include either placing a filter fabric between the free draining fill and the adjacent soil material, or using a well-graded, clean filtering material approved by the geotechnical engineer.

8.4 Fill Placement and Compaction

Fill should be placed on level, horizontal surfaces. Where fill will be placed on existing slopes steeper than 5H:1V, the existing ground should be benched prior to placing fill. We recommend bench heights of 1 to 4 feet, with the lowest bench being a minimum 3 feet below adjacent grade and at least 10 feet wide.

The thickness of each lift should be appropriate for the compaction equipment that is used. We recommend a maximum lift thickness prior to compaction of 4 inches for hand operated equipment, 6 inches for most "trench compactors" and 8 inches for larger rollers, unless it can be demonstrated by in-place density tests that the required compaction can be obtained throughout a thicker lift. The full thickness of each lift of structural fill placed should be compacted to at least the following percentages of the maximum dry density, as determined by ASTM D-1557:

- In landscape and other areas not below structurally loaded areas: 90%
- Less than 5 feet of fill below structurally loaded areas: 95%
- 5 feet or greater of fill below structurally loaded areas: 98%

Generally, placing and compacting fill at moisture contents within ±2 percent of the optimum moisture content, as determined by ASTM D-1557, will facilitate compaction. Typically, the further the moisture content deviates from optimum the more difficult it will be to achieve the required compaction.

Fill should be tested frequently during placement and we recommend early testing to demonstrate

that placement and compaction methods are achieving the required compaction. The contractor is responsible to ensure that fill materials and compaction efforts are consistent so that tested areas are representative of the entire fill.

8.5 Stabilization Recommendations

Near surface soils may rut and pump during grading and construction. The likelihood of rutting and/or pumping, and the depth of disturbance, is proportional to the moisture content in the soil, the load applied to the ground surface, and the frequency of the load. Consequently, rutting and pumping can be minimized by avoiding concentrated traffic, minimizing the load applied to the ground surface by using lighter equipment, partially loaded equipment, tracked equipment, by working in dry times of the year, and/or by providing a working surface for equipment.

During grading the soil in any obvious soft spots should be removed and replaced with granular material. If rutting or pumping occurs traffic should be stopped in the area of concern. The soil in rutted areas should be removed and replaced with granular material. In areas where pumping occurs the soil should either be allowed to sit until pore pressures dissipate (several hours to several days) and the soil firms up or be removed and replaced with granular material. Typically, we recommend removal to a minimum depth of 24 inches.

For granular material, we recommend using angular well-graded gravel, such as pit run, or crushed rock with a maximum particle size of four inches. We suggest that the initial lift be approximately 12 inches thick and be compacted with a static roller-type compactor. A finer granular material such as sand, gravelly sand, sandy gravel or road base may also be used. Materials which are more angular and coarse may require thinner lifts in order to achieve compaction. We recommend that the fines content (percent passing the No. 200 sieve) be less than 15%, the liquid limit be less than 35, and the plasticity index be less than 15.

Using a geosynthetic fabric, such as Mirafi 600X or equivalent, may also reduce the amount of material required and avoid mixing of the granular material and the subgrade. If a fabric is used, following removal of disturbed soils and water, the fabric should be placed over the bottom and up the sides of the excavation a minimum of 24 inches. The fabric should be placed in accordance with the manufacturer's recommendations, including proper overlaps. The granular material should then be placed over the fabric in compacted lifts. Again, we suggest that the initial lift be approximately 12 inches thick and be compacted with a static roller-type compactor.

9.0 SEISMIC AND GEOLOGIC CONSIDERATIONS

9.1 Seismic Design

The State of Utah has adopted the 2015 International Residential Code (IRC) and residential structures should be designed in accordance with the 2015 IRC. The IRC designates this area as a seismic design class D_0.

The site is located at approximately 40.513 degrees latitude and -112.311 degrees longitude from the approximate center of the site. The IRC site value for this property is 0.583g. The design spectral response acceleration parameters are given below.

Table 3: Design Acceleration for Short Period

S_S	F_a	Site Value (S_{DS})
		2/3 S_S*F_a
0.709g	1.233	0.583g

9.2 Faulting

The subject property is located within the Intermountain Seismic Belt where the potential for active faulting and related earthquakes is present. Based upon published geologic maps[3], no active faults traverse through the site and the site is not located within local fault study zones. However, an implied trace of the Oquirrh Fault Zone is mapped along the northwest edge of UT-36 which runs along the northwest boundary of the subject site. A surface fault rupture hazard study was performed on the property, the results of which are detailed in a separate report.

9.3 Liquefaction Potential

According to current liquefaction maps[4] for Tooele Valley, the site is located within an area designated as "Very Low" in liquefaction potential. Liquefaction can occur when saturated subsurface soils below groundwater lose their inter-granular strength due to an increase in soil pore water pressures during a dynamic event such as an earthquake. Loose, saturated sands are most susceptible to liquefaction, but some loose, saturated gravels and relatively sensitive silt to low-plasticity silty clay soils can also liquefy during a seismic event. Subsurface soils encountered were composed of unsaturated sand and gravel soils.

The soils encountered at this project do not appear liquefiable, but the liquefaction susceptibility of underlying soils (deeper than our explorations) is not known and would require deeper explorations to quantify.

10.0 FOUNDATIONS

10.1 General

The foundation recommendations presented in this report are based on the soil conditions encountered during our field exploration, the results of laboratory testing of samples of the native soils, the site grading recommendations presented in this report, and the foundation loading conditions presented in Section 3.0, *Proposed Construction*, of this report. If loading conditions and assumptions related to foundations are significantly different, Earthtec should be notified so

[3] U.S. Geological Survey, Quaternary Fault and Fold Database of the United States, November 3, 2010.
[4] Utah Geological Survey, Liquefaction Susceptibility Map for Tooele Valley, Tooele County, Utah, Public Information Series 80, August 2003.

that we can re-evaluate our design parameters and estimates (higher loads may cause more settlement), and to provide additional recommendations if necessary.

Conventional strip and spread footings may be used to support the proposed structures after appropriate removals as outlined in Section 8.1. Foundations should not be installed on topsoil, undocumented fill, debris, combination soils, organic soils, frozen soil, or in ponded water. If foundation soils become disturbed during construction, they should be removed or compacted.

10.2 Strip/Spread Footings

We recommend that conventional strip and spread foundations be constructed entirely on firm, undisturbed, uniform native soils (i.e. completely on clay soils, or completely on sand soils, etc.), or entirely on a minimum of 12 inches of properly placed, compacted, and tested structural fill extending to undisturbed native soils for structural loads up to 4,000 pounds per linear foot for bearing walls and up to 30,000 pounds for column loads. If loads exceed 4,000 pounds per linear foot for bearing walls or 30,000 pounds for column loads, please contact Earthtec for further recommendations. For foundation design we recommend the following:

- Footings founded on undisturbed native soils may be designed using a maximum allowable bearing capacity of 2,000 pounds per square foot. Footings founded on a minimum of 12 inches of structural fill extending to undisturbed native soil may be designed using a maximum allowable bearing capacity of 2,500 pounds per square foot. The values for vertical foundation pressure can be increased by one-third for wind and seismic conditions per Section 1806 when used with the Alternative Basic Load Combinations found in Section 1605.3.2 of the 2018 International Building Code.
- Continuous and spot footings should be uniformly loaded and should have a minimum width of 20 and 30 inches, respectively.
- Exterior footings should be placed below frost depth which is determined by local building codes. In general, 30 inches of cover is adequate for most sites; however local code should be verified by the end design professional. Interior footings, not subject to frost (heated structures), should extend at least 18 inches below the lowest adjacent grade.
- Foundation walls and footings should be properly reinforced to resist all vertical and lateral loads and differential settlement.
- The bottom of footing excavations should be compacted with at least 4 passes of an approved non-vibratory roller prior to erection of forms or placement of structural fill to densify soils that may have been loosened during excavation and to identify soft spots. If soft areas are encountered, they should be stabilized as recommended in Section 8.5.
- Footing excavations should be observed by the geotechnical engineer prior to beginning fill placement or footing construction if fill is not required to evaluate whether suitable bearing soils have been exposed and whether excavation bottoms are free of loose or disturbed soils.
- In lieu of traditional structural fill, clean 1- to 2-inch clean gravel may be used in conjunction

with a stabilization fabric, such as Mirafi 600X or equivalent, which should be placed between the native soils and the clean gravel (additional recommendations for placing clean gravel and stabilization fabric are given in Section 8.5 of this report).

- Structural fill used below foundations should extend laterally a minimum of 6 inches for every 12 vertical inches of structural fill placed. For example, if 18 inches of structural fill is required to bring the excavation to footing grade, the structural fill should extend laterally a minimum of 9 inches beyond the edge of the footings on both sides.

10.3 Estimated Settlements

If the proposed foundations are properly designed and constructed using the parameters provided above, we estimate that total settlements should not exceed one inch and differential settlements should be one-half of the total settlement over a 25-foot length of continuous foundation, for non-earthquake conditions. Additional settlement could occur during a seismic event due to ground shaking, if more than 3 feet of grading fill is placed above the existing ground surface, if loading conditions are greater than anticipated in Section 2, and/or if foundation soils are allowed to become wetted.

10.4 Lateral Earth Pressures

Below grade walls act as soil retaining structures and should be designed to resist pressures induced by the backfill soils. The lateral pressures imposed on a retaining structure are dependent on the rigidity of the structure and its ability to resist rotation. Most retaining walls that can rotate or move slightly will develop an active lateral earth pressure condition. Structures that are not allowed to rotate or move laterally, such as subgrade basement walls, will develop an at-rest lateral earth pressure condition. Lateral pressures applied to structures may be computed by multiplying the vertical depth of backfill material by the appropriate equivalent fluid density. Any surcharge loads in excess of the soil weight applied to the backfill should be multiplied by the appropriate lateral pressure coefficient and added to the soil pressure. For static conditions the resultant forces are applied at about one-third the wall height (measured from bottom of wall). For seismic conditions, the resultant forces are applied at about two-third times the height of the wall both measured from the bottom of the wall. The lateral pressures presented in the table below are based on drained, horizontally placed native soils as backfill material using a 35° friction angle and a dry unit weight of 120 pcf.

Table 4: Lateral Earth Pressures (Static and Dynamic)

Condition	Case	Lateral Pressure Coefficient	Equivalent Fluid Pressure (pcf)
Active	Static	0.27	33
	Seismic	0.34	41
At-Rest	Static	0.43	51
	Seismic	0.62	74
Passive	Static	3.69	443
	Seismic	6.50	779

*Seismic values combine the static and dynamic values

These pressure values do not include any surcharge and are based on a relatively level ground surface at the top of the wall and drained conditions behind the wall. It is important that water is not allowed to build up (hydrostatic pressures) behind retaining structures. Retaining walls should incorporate drainage behind the walls as appropriate, and surface water should be directed away from the top and bottom of the walls.

Lateral loads are typically resisted by friction between the underlying soil and footing bottoms. Resistance to sliding may incorporate the friction acting along the base of foundations, which may be computed using a coefficient of friction of soils against concrete of 0.30 for native clay and silts, 0.40 for native sands, and 0.55 for native gravels, clean gravel, or structural fill meeting the recommendations presented herein. Concrete or masonry walls shall be selected and constructed in accordance with Section R404 of the 2015 International Residential Code or sections referenced therein. Retaining wall lateral resistance design should further reference Section R404.4 for reference of Safety Factors.

11.0 FLOOR SLABS AND FLATWORK

Concrete floor slabs and exterior flatwork may be supported on undisturbed native soils or on a minimum of 12 inches properly placed, compacted, and tested engineered fill or imported structural fill extending to undisturbed native soils after appropriate removals and grading as outlined in Section 8.1 are completed. We recommend placing a minimum of 4 inches of free-draining fill material (see Section 8.3) beneath floor slabs to facilitate construction, act as a capillary break, and aid in distributing floor loads. For exterior flatwork, we recommend placing a minimum of 4 inches of road-base material. Prior to placing the free-draining fill or road-base materials, the native sub-grade should be proof-rolled to identify soft spots, which should be stabilized as discussed above in Section 8.5.

For slab design, we recommend using a modulus of sub-grade reaction of 120 pounds per cubic inch. The thickness of slabs supported directly on the ground shall not be less than 3½ inches. A 6-mil polyethylene vapor retarder with joints lapped not less than 6 inches shall be placed between the ground surface and the concrete, as per Section R506 of the 2015 International Residential Code.

To help control normal shrinkage and stress cracking, we recommend that floor slabs have adequate reinforcement for the anticipated floor loads with the reinforcement continuous through interior floor joints, frequent crack control joints, and non-rigid attachment of the slabs to foundation and bearing walls. Special precautions should be taken during placement and curing of all concrete slabs and flatwork. Excessive slump (high water-cement ratios) of the concrete and/or improper finishing and curing procedures used during hot or cold weather conditions may lead to excessive shrinkage, cracking, spalling, or curling of slabs. We recommend all concrete placement and curing operations be performed in accordance with American Concrete Institute (ACI) codes and practices.

12.0 DRAINAGE

12.1 Surface Drainage

As part of good construction practice, precautions should be taken during and after construction to reduce the potential for water to collect near foundation walls. Accordingly, we recommend the following:

- The contractor should take precautions to prevent significant wetting of the soil at the base of the excavation. Such precautions may include: grading to prevent runoff from entering the excavation, excavating during normally dry times of the year, covering the base of the excavation if significant rain or snow is forecast, backfill at the earliest possible date, frame floors and/or the roof at the earliest possible date, other precautions that might become evident during construction.
- Adequate compaction of foundation wall backfill must be provided i.e. a minimum of 90% of ASTM D-1557. Water consolidation methods should not be used.
- The ground surface should be graded to drain away from the building in all directions. We recommend a minimum fall of 8 inches in the first 10 feet.
- Roof runoff should be collected in rain gutters with down spouts designed to discharge well outside of the backfill limits, or at least 10 feet from foundations, whichever is greater.
- Sprinkler nozzles should be aimed away, and all sprinkler components kept at least 5 feet, from foundation walls. A drip irrigation system may be utilized in landscaping areas within 10 feet of foundation walls to minimize water intrusion at foundation backfill. Also, sprinklers should not be placed at the top or on the face of slopes. Sprinkler systems should be designed with proper drainage and well maintained. Over-watering should be avoided.
- Any additional precautions which may become evident during construction.

12.2 Subsurface Drainage

Section R405.1 of the 2015 International Residential Code states, "Drains shall be provided

around all concrete and masonry foundations that retain earth and enclose habitable or usable spaces located below grade." Section R310.2.3.2 of the 2015 International Residential Code states, "Window wells shall be designed for proper drainage by connecting to the building's foundation drainage system." An exception is allowed when the foundation is installed on well drained ground consisting of Group 1 soils, which include those defined by the Unified Soil Classification System as GW, GP, SW, SP, GM, and SM. The soils observed in the explorations at the depth of foundation consisted primarily of poorly-graded gravel (GP-GM) which is a Group 1 soil.

13.0 PAVEMENT RECOMMENDATIONS

We understand that asphalt paved residential streets will be constructed as part of the project. The native soils encountered beneath the topsoil during our field exploration were predominantly composed of gravels. We estimate that a California Bearing Ratio (CBR) value of 5 is appropriate for these soils. If the topsoil is left beneath concrete flatwork and pavement areas, increased maintenance costs over time should be anticipated.

We anticipate that the traffic volume will be about 1,250 vehicles per day (4.1 ESAL/day) or less for the residential streets, consisting of mostly cars and pickup trucks, with a daily delivery truck and a weekly garbage truck. Based on these traffic parameters, the estimated CBR given above, a 20-year life expectancy, and the procedures and typical design inputs outlined in the UDOT Pavement Design Manual (2008), we recommend the minimum asphalt pavement section presented below. The pavement section should meet the minimum values are required by the jurisdiction or the values below, whichever is greater.

Table 5: Pavement Section Recommendations

Asphalt Thickness (in)	Compacted Aggregate Base Thickness (in)	Compacted Subbase Thickness (in)
3	8*	0

* Stabilization may be required

If the pavement will be required to support excessive construction traffic (such as dump trucks hauling soil to raise or lower the site), more than an occasional semi-tractor or fire truck, or more traffic than listed above, our office should be notified so that we can re-evaluate the pavement section recommendations. The following also apply:

- The subgrade should be prepared by proof rolling to a firm, non-yielding surface, with any identified soft areas stabilized as discussed above in Section 8.5.
- Site grading fills below the pavements should meet structural fill composition and placement recommendations per Sections 8.3 and 8.4 herein.
- Asphaltic concrete, aggregate base and sub-base material composition should meet local, APWA, or UDOT requirements. Gradation requirements and frequency shall be followed as

required by local, APWA, or UDOT requirements, but not to exceed 500 tons.

- Aggregate base and sub-base is compacted to local, APWA, or UDOT requirements, or to at least 95 percent of maximum dry density (ASTM D 1557).
- The aggregate base shall have a CBR value to 70 percent or greater and the subbase shall have a CBR value of 10 percent or greater.
- Asphaltic concrete is compacted to local or UDOT requirements, or to at least 96 percent of the laboratory Marshall density (ASTM D 6927).

14.0 SLOPE STABILITY

We evaluated the stability of the existing slopes as shown in Figure No. 2, *Site Plan Showing Location Test Pits and Slope Cross-Sections*. The properties of the soils observed at the site were determined from laboratory testing. Direct shear tests were run on samples obtained from our field exploration. The test results indicate that the silt soils have an internal friction angle of 35 degrees and a cohesion of 675 psf, while the gravel soils have an internal friction angle of 41 and a cohesion of 330 psf. We conservatively used the following soil strength parameters to run the slope stability on this lot:

Table 6: Soil Strength Parameters

Soil Classification	Moist Unit Weight (pcf)	Friction Angle (ϕ)	Cohesion (psf)
ML	121.3	35	675
GP-GM	117.0	41	330

For the seismic (pseudostatic) analysis, a peak horizontal ground acceleration of 0.299g for the 2% probability of exceedance in 50 years was obtained for site (grid) locations of 40.513 degrees latitude and -112.311 longitude. Typically, one-third this value is utilized in analysis. A peak horizontal ground acceleration of 0.099g was used as the pseudostatic coefficient for the stability analysis.

We evaluated the stability of the proposed site using the computer program XSTABL. This program uses a limit equilibrium (Bishop's modified) method for calculating factors of safety against sliding on an assumed failure surface and evaluates numerous potential failure surfaces, with the most critical failure surface identified as the one yielding the lowest factor of safety of those evaluated. The configuration analyzed was based on the historical photographs, our observations during the field investigation, and available topographic maps. The cross-section analyzed is shown on Figure No. 2, *Site Plan Showing Location of Test Pits and Slope Cross-Sections*.

Typically, the required minimum factors of safety are 1.5 for static conditions and 1.1 for seismic (pseudostatic) conditions. The results of our analyses indicate that the slope configuration at the proposed lot analyzed is stable under these conditions. The slope stability data are attached as Figure Nos. 17 through 20, *Stability Results*. If unretained cuts greater than 6 feet on the slope

area are planned or retaining walls, we recommend that further analysis of the slope be performed.

15.0 GENERAL CONDITIONS

The exploratory data presented in this report was collected to provide geotechnical design recommendations for this project. The explorations may not be indicative of subsurface conditions outside the study area or between points explored and thus have a limited value in depicting subsurface conditions for contractor bidding. Variations from the conditions portrayed in the explorations may occur and which may be sufficient to require modifications in the design. If during construction, conditions are different than presented in this report, Earthtec should be advised immediately so that the appropriate modifications can be made.

The findings and recommendations presented in this geotechnical report were prepared in accordance with generally accepted geotechnical engineering principles and practice in this area of Utah at this time. No warranty or representation is intended in our proposals, contracts, letters, or reports. Failure to consult with Earthtec regarding any changes made during design and/or construction of the project from those discussed herein relieves Earthtec from any liability arising from changed conditions at the site.

This geotechnical report is based on relatively limited subsurface explorations and laboratory testing. Subsurface conditions may differ in some locations of the site from those described herein, which may require additional analyses and possibly modified recommendations. Thus, we strongly recommend consulting with Earthtec regarding any changes made during design and construction of the project from those discussed herein. Failure to consult with Earthtec regarding any such changes relieves Earthtec from any liability arising from changed conditions at the site.

To maintain continuity, Earthtec should also perform materials testing and special inspections for this project. The recommendations presented herein are based on the assumption that an adequate program of tests and observations will be followed during construction to verify compliance with our recommendations. We also assume that we will review the project plans and specifications to verify that our conclusions and recommendations are incorporated and remain appropriate (based on the actual design). Earthtec should be retained to review the final design plans and specifications so comments can be made regarding interpretation and implementation of our geotechnical recommendations in the design and specifications. Earthtec also should be retained to provide observation and testing services during grading, excavation, foundation construction, and other earth-related construction phases of the project.

We appreciate the opportunity of providing our services on this project. If we can answer questions or be of further service, please contact Earthtec at your convenience.

Respectfully;

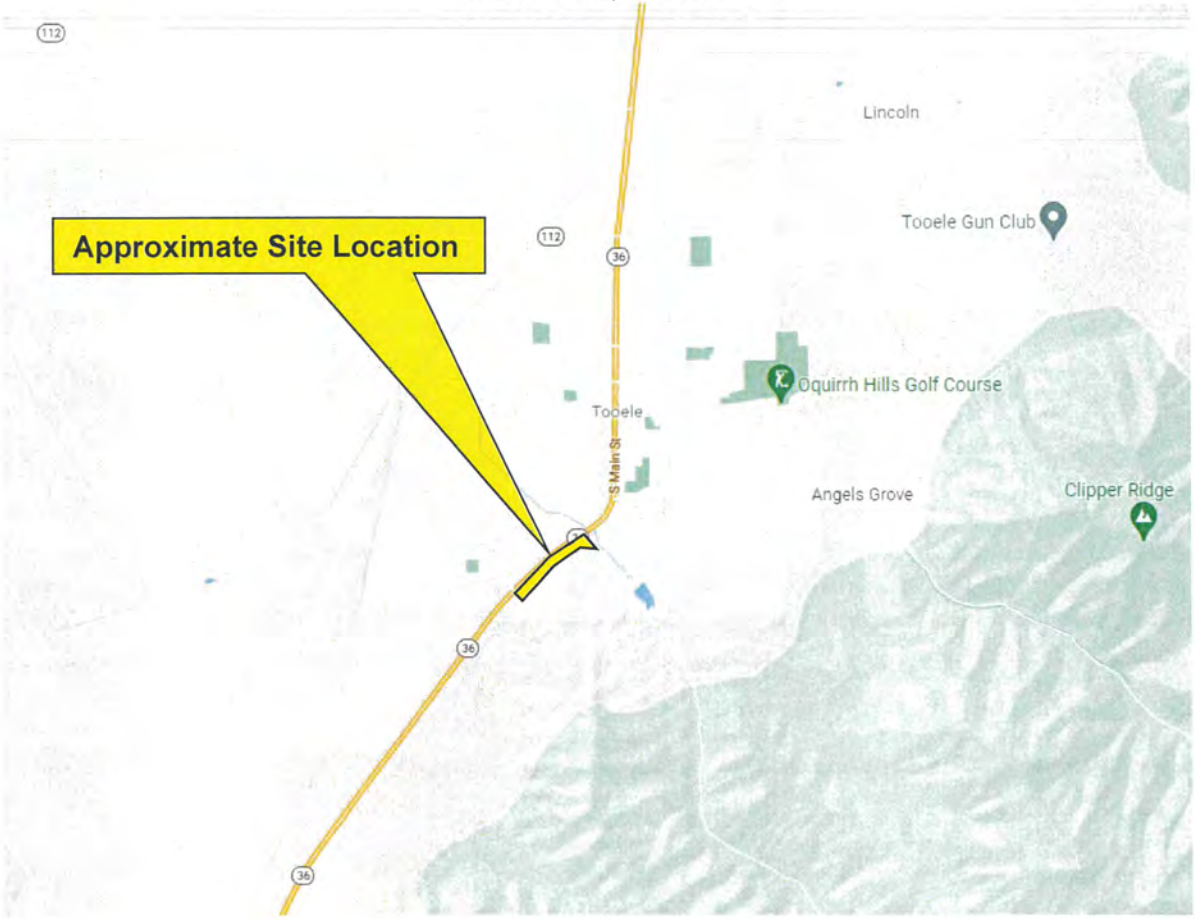
EARTHTEC ENGINEERING

Michael S. Schedel
Staff Geologist

Timothy A. Mitchell, P.E.
Senior Geotechnical Engineer

VICINITY MAP

ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH



N

Not to Scale

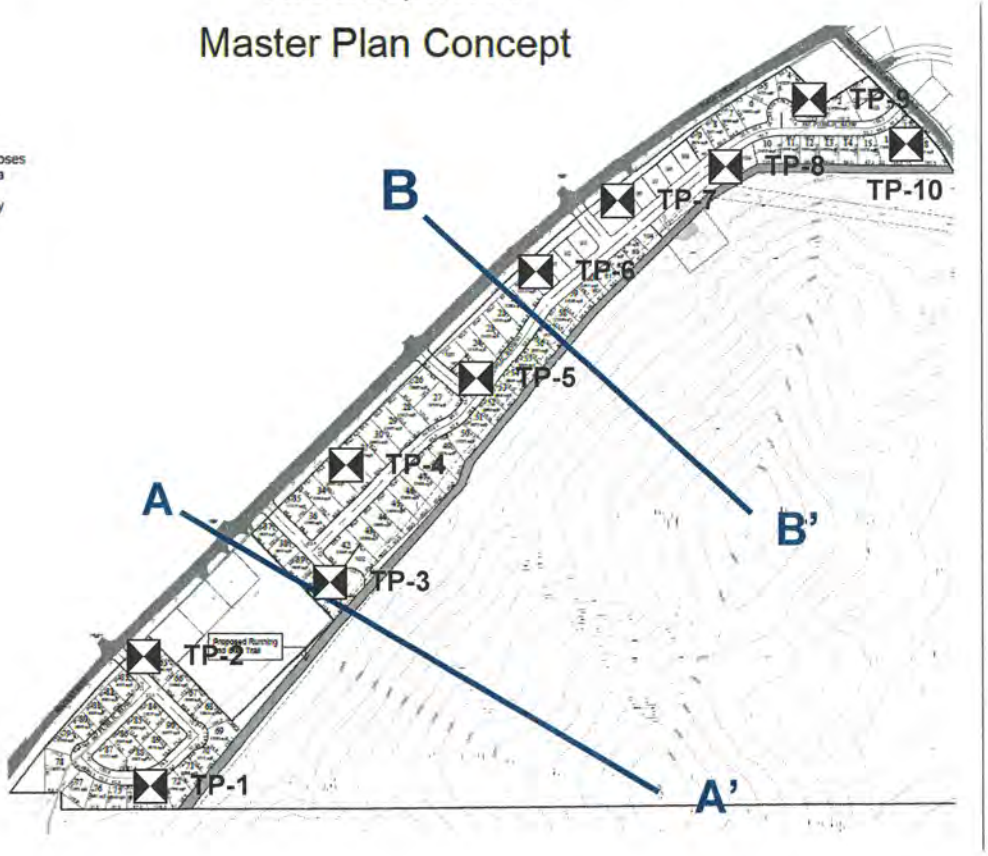
PROJECT NO.: 219074	EARTHTEC ENGINEERING	FIGURE NO.: 1

SITE PLAN SHOWING LOCATION OF TEST PITS AND SLOPE CROSS-SECTIONS

ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH

Master Plan Concept

This plan is for graphical purposes only. This is not meant to be a final plan or Layout. The anticipated number of lots may range from 90 to 130.



*Site Plan provided by Client.

Approximate Test Pit Locations

Slope Cross-Section Locations

N

Not to Scale

PROJECT NO.: 219074	EARTHTEC ENGINEERING	FIGURE NO.: 2

TEST PIT LOG
NO.: TP-01

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, sandy silt with gravel, dry, dark brown, organics									
1			Poorly Graded GRAVEL with sand, loose to very dense (estimated), dry, light brown									
2												
3		GP	...cobbles and boulders	X	1				67	31	2	
4												
5												
6			...large boulders	X								
			End of Test Pit at 6 Feet due to Large Boulders									
7												
8												
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 3

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-02

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, silty sand, dry, light brown, organics									
1												
2		SM	Silty SAND with gravel, loose to medium dense (estimated), dry, brown, lightly cemented									
3				X								
4												
5		GP	Poorly Graded GRAVEL with sand, medium dense (estimated), dry, light brown	X	1		21	NP	51	44	5	
6												
7		SP	Poorly Graded SAND with gravel, medium dense (estimated), dry, light brown	X								
8			...gravel lenses encountered									
9												
10				X	3		23	NP	34	62	4	
11			Test Pit Terminated at 10 Feet									
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 4

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-03

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, silty sand with gravel, dry, light brown, organics									
1		GP-GM	Poorly Graded GRAVEL with silt and sand, dense to very dense (estimated), dry, brown, cobbles and boulders									
2			...large boulders									
3				X								
4			End of Test Pit at 4 Feet due to Quartzite Bedrock									
5												
6												
7												
8												
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 5

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-04

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, silty sand with gravel, dry, brown, organics, boulders									
1		CL-ML	Sandy Silty CLAY, stiff (estimated), slightly moist, brown and white, calcareous									
2												
3				X	7		25	7	1	40	59	
4												
5		ML	Sandy SILT, stiff to very stiff (estimated), slightly moist, brown, lightly cemented	X	3		22	NP	3	39	58	DS
6												
7			...with gravel	X								
8			End of Test Pit at 7½ Feet due to Large Boulders									
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 6

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-05

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/22/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, clayey sand with gravel, dry, brown, organics, boulders									
1												
2		GP-GM	Poorly Graded GRAVEL with silt and sand, dense (estimated), dry, brown, cobbles and boulders	X								
3												
4			Quartzite BEDROCK, medium-grained, massive, light tan and white, moderately weathered, hard, moderately fractured									
5			End of Test Pit at 4 Feet due to Bedrock									
6												
7												
8												
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 7

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-06

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, silty sand with gravel, dry, light brown, organics									
2		GP-GM	Poorly Graded GRAVEL with silt and sand, dense (estimated), dry, light brown, cobbles and boulders	X	2				57	32	11	
4			Quartzite BEDROCK, medium-grained, massive, light tan and white, moderately weathered, hard, moderately fractured	X								
			End of Test Pit at 4 Feet due to Bedrock									

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 8

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-07

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0												
1			TOPSOIL, silty sand with gravel, dry, brown, organics, cobbles and boulders									
2		GP-GM	Poorly Graded GRAVEL with silt and sand, dense (estimated), dry, brown, angular boulders	X								
3												
4			Quartzite BEDROCK, medium-grained, massive, light tan and white, moderately weathered, hard, moderately fractured									
5			End of Test Pit at 4 Feet due to Bedrock									
6												
7												
8												
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 9

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-08

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/21/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, clayey sand with gravel, dry, brown, organics									
1		SP	Poorly Graded SAND with gravel, dense (estimated), dry, brown, cobbles									
2												
3			Quartzite BEDROCK, medium-grained, massive, light tan and white, moderately weathered, hard, moderately fractured	X								
4			End of Test Pit at 4 Feet due to Bedrock									
5												
6												
7												
8												
9												
10												
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 10

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-09

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/22/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, clayey sand with gravel, dry, brown, organics									
1		GP-GM	Poorly Graded GRAVEL with silt and sand, medium dense (estimated), dry, brown									
2												
3				X	2		19	NP	62	26	12	DS
4												
5		GM	Silty GRAVEL with sand, very dense (estimated), dry, white and light brown, moderately cemented	X								
6		CL-ML	Sandy Silty CLAY, stiff (estimated), slightly moist, light brown and white, calcareous									
7				■	13	98	26	4	6	37	57	C
8			...with gravel	X								
9			...clay lenses encountered									
10												
11			Test Pit Terminated at 10 Feet									
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 11

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

TEST PIT LOG
NO.: TP-10

PROJECT: One O'clock Hill
CLIENT: SJ Company
LOCATION: See Figure No. 2
OPERATOR: Blaine Hone Excavating
EQUIPMENT: Track Mounted Excavator
DEPTH TO WATER; INITIAL ▽ :

PROJECT NO.: 219074
DATE: 09/22/21
ELEVATION: Not Measured
LOGGED BY: M. Schedel
AT COMPLETION ▼ :

Depth (Ft.)	Graphic Log	USCS	Description	Samples	TEST RESULTS: Water Cont. (%)	Dry Dens. (pcf)	LL	PI	Gravel (%)	Sand (%)	Fines (%)	Other Tests
0			TOPSOIL, silty sand with gravel, dry, brown, organics									
1			Poorly Graded GRAVEL with silt and sand, loose to very dense (estimated), dry, brown, lightly cemented									
2			...boulders									
3				X								
4												
				X	2		24	NP	69	26	5	
5		GP-GM	...moderately cemented									
6				X								
7			...not cemented									
8				X	4				62	30	8	
9												
10												
			Test Pit Terminated at 10 Feet									
11												
12												

Notes: No groundwater encountered.

Tests Key
CBR = California Bearing Ratio
C = Consolidation
R = Resistivity
DS = Direct Shear
SS = Soluble Sulfates
B = Burnoff

PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 12

LOG OF TESTPIT LOGS.GPJ EARTHTEC.GDT 10/28/21

LEGEND

PROJECT: One O'clock Hill
CLIENT: SJ Company
DATE: 09/21/21
LOGGED BY: M. Schedel

UNIFIED SOIL CLASSIFICATION SYSTEM

MAJOR SOIL DIVISIONS			USCS SYMBOL	TYPICAL SOIL DESCRIPTIONS
COARSE GRAINED SOILS (More than 50% retaining on No. 200 Sieve)	GRAVELS (More than 50% of coarse fraction retained on No. 4 Sieve)	CLEAN GRAVELS (Less than 5% fines)	GW	Well Graded Gravel, May Contain Sand, Very Little Fines
			GP	Poorly Graded Gravel, May Contain Sand, Very Little Fines
		GRAVELS WITH FINES (More than 12% fines)	GM	Silty Gravel, May Contain Sand
			GC	Clayey Gravel, May Contain Sand
	SANDS (50% or more of coarse fraction passes No. 4 Sieve)	CLEAN SANDS (Less than 5% fines)	SW	Well Graded Sand, May Contain Gravel, Very Little Fines
			SP	Poorly Graded Sand, May Contain Gravel, Very Little Fines
		SANDS WITH FINES (More than 12% fines)	SM	Silty Sand, May Contain Gravel
			SC	Clayey Sand, May Contain Gravel
FINE GRAINED SOILS (More than 50% passing No. 200 Sieve)	SILTS AND CLAYS (Liquid Limit less than 50)		CL	Lean Clay, Inorganic, May Contain Gravel and/or Sand
			ML	Silt, Inorganic, May Contain Gravel and/or Sand
			OL	Organic Silt or Clay, May Contain Gravel and/or Sand
	SILTS AND CLAYS (Liquid Limit Greater than 50)		CH	Fat Clay, Inorganic, May Contain Gravel and/or Sand
			MH	Elastic Silt, Inorganic, May Contain Gravel and/or Sand
			OH	Organic Clay or Silt, May Contain Gravel and/or Sand
HIGHLY ORGANIC SOILS			PT	Peat, Primarily Organic Matter

SAMPLER DESCRIPTIONS

- SPLIT SPOON SAMPLER (1 3/8 inch inside diameter)
- MODIFIED CALIFORNIA SAMPLER (2 inch outside diameter)
- SHELBY TUBE (3 inch outside diameter)
- BLOCK SAMPLE
- BAG/BULK SAMPLE

WATER SYMBOLS

- ▽ Water level encountered during field exploration
- ▼ Water level encountered at completion of field exploration

NOTES:
1. The logs are subject to the limitations, conclusions, and recommendations in this report.
2. Results of tests conducted on samples recovered are reported on the logs and any applicable graphs.
3. Strata lines on the logs represent approximate boundaries only. Actual transitions may be gradual.
4. In general, USCS symbols shown on the logs are based on visual methods only: actual designations (based on laboratory tests) may vary.

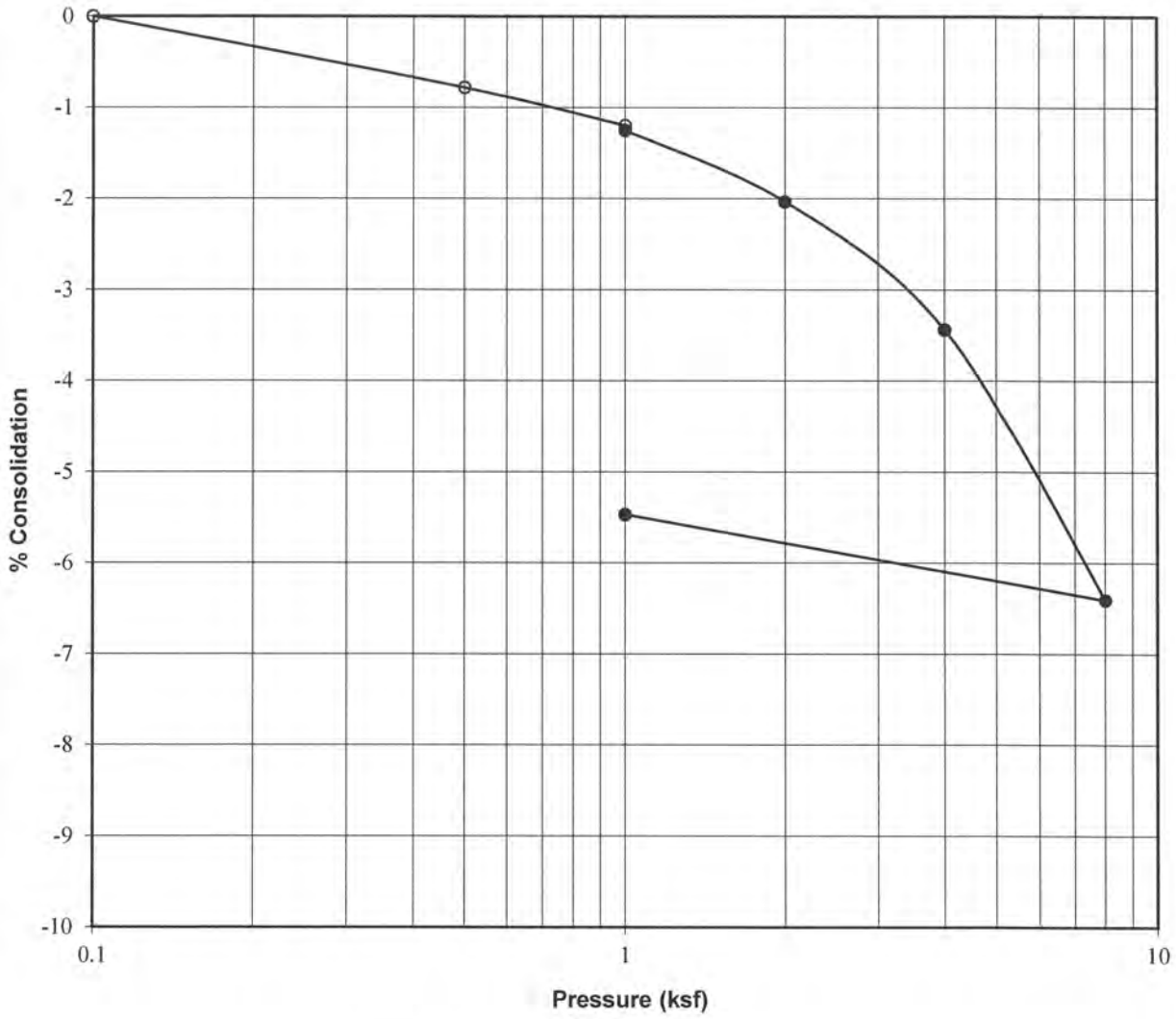
PROJECT NO.: 219074

EARTHTEC ENGINEERING

FIGURE NO.: 13

LEGEND LOGS.GPJ EARTHTEC.GDT 10/28/21

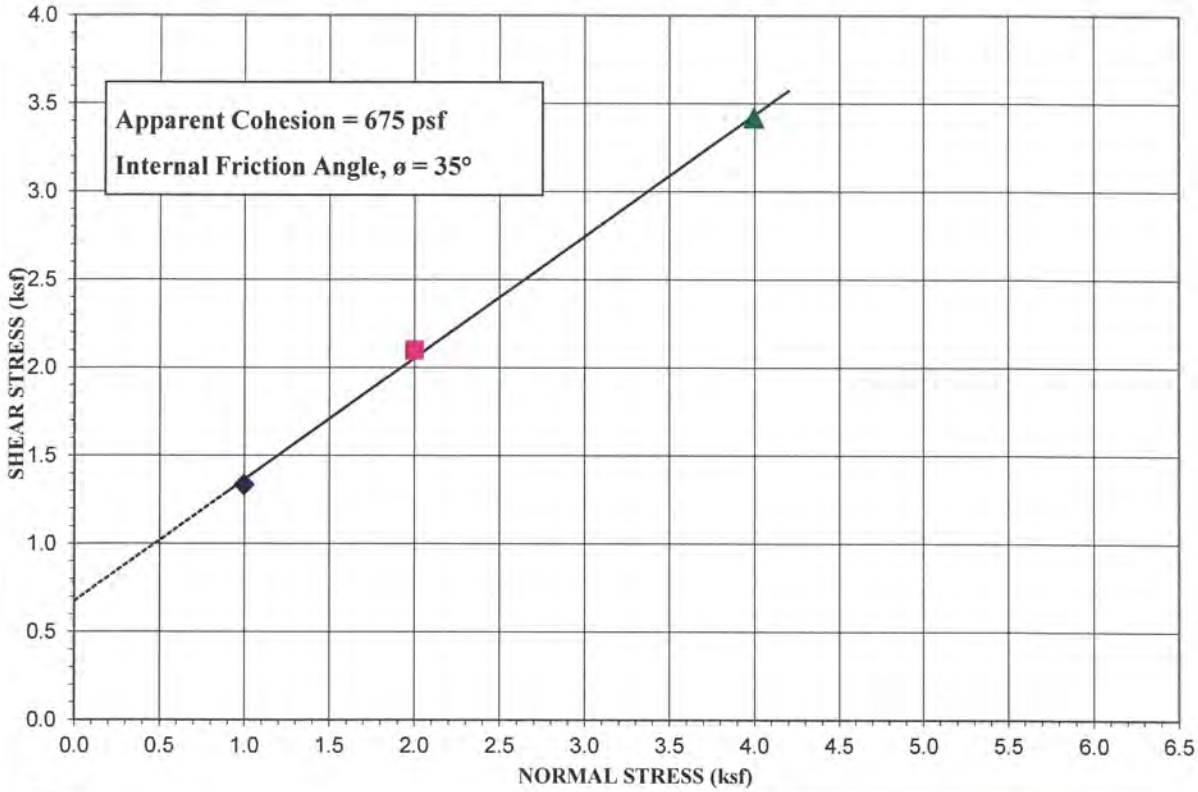
CONSOLIDATION - SWELL TEST

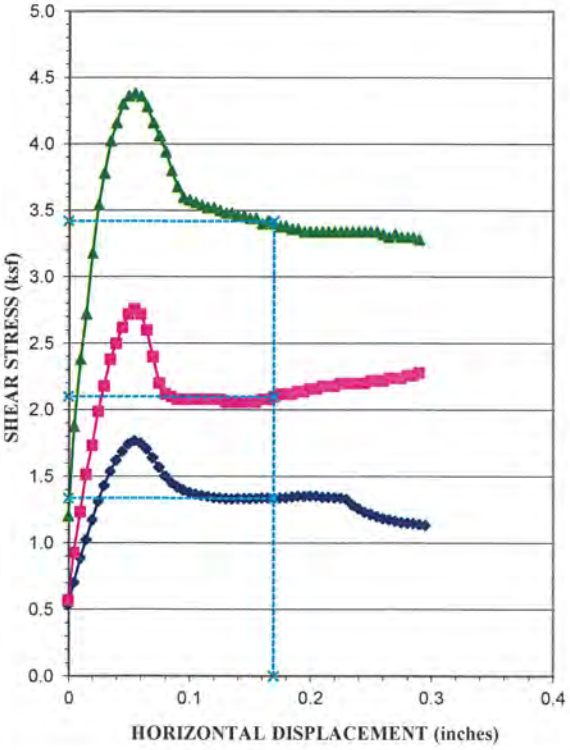


Project:	One O'clock Hill - Geotech
Location:	TP-9
Sample Depth, ft:	6½
Description:	Block
Soil Type:	Sandy Silty Clay (CL-ML)
Natural Moisture, %:	13
Dry Density, pcf:	98
Liquid Limit:	26
Plasticity Index:	4
Water Added at:	1 ksf
Percent Collapse:	0.1

PROJECT NO.: 219074	EARTHTEC ENGINEERING	**FIGURE NO.:** 14

DIRECT SHEAR TEST





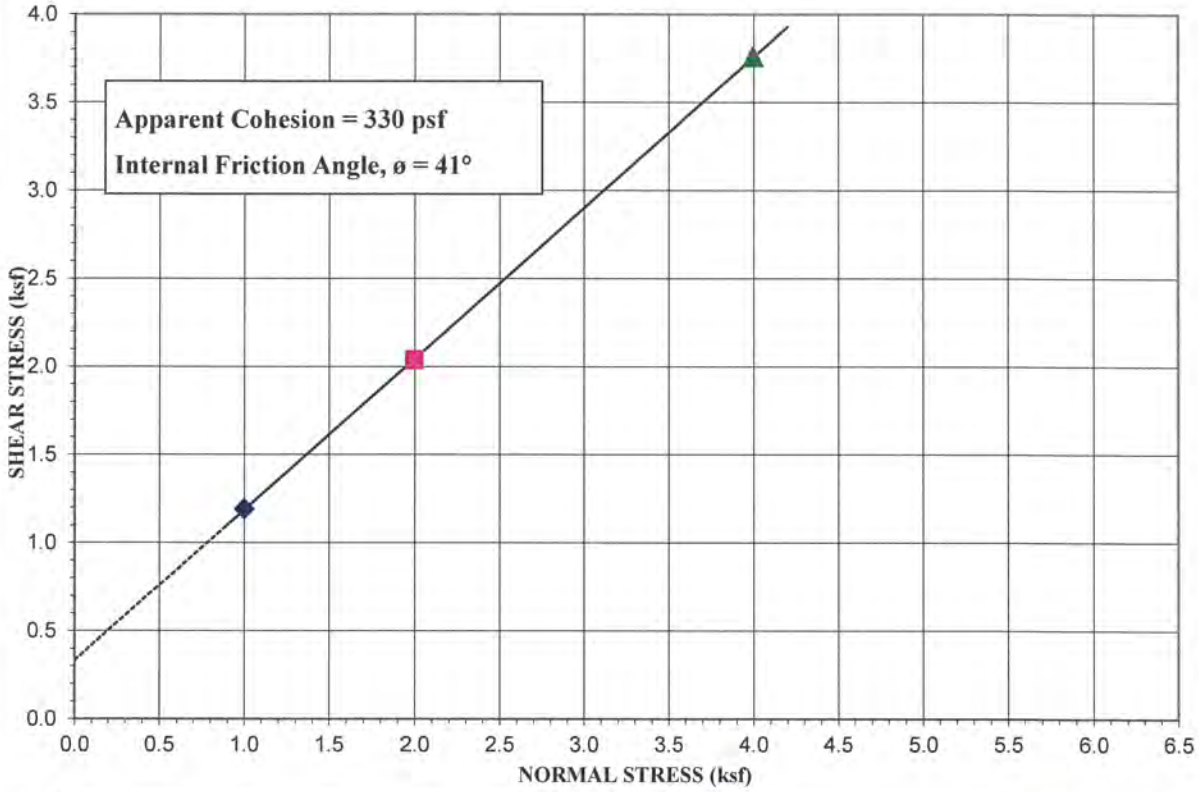
Source: TP-4	Depth: 4.5 FT		
Type of Test:	Consolidated Drained/Saturated		
Test No. (Symbol)	1 (◆)	2 (■)	3 (▲)
Sample Type	Remolded		
Initial Height, in.	1	1	1
Diameter, in.	2.4	2.4	2.4
Dry Density Before, pcf			
Dry Density After, pcf	120.9	122.8	120.2
Moisture % Before			
Moisture % After	13.9	14.1	13.8
Normal Load, ksf	1.0	2.0	4.0
Shear Stress, ksf	1.34	2.10	3.42
Strain Rate	.00008640 IN/SEC		

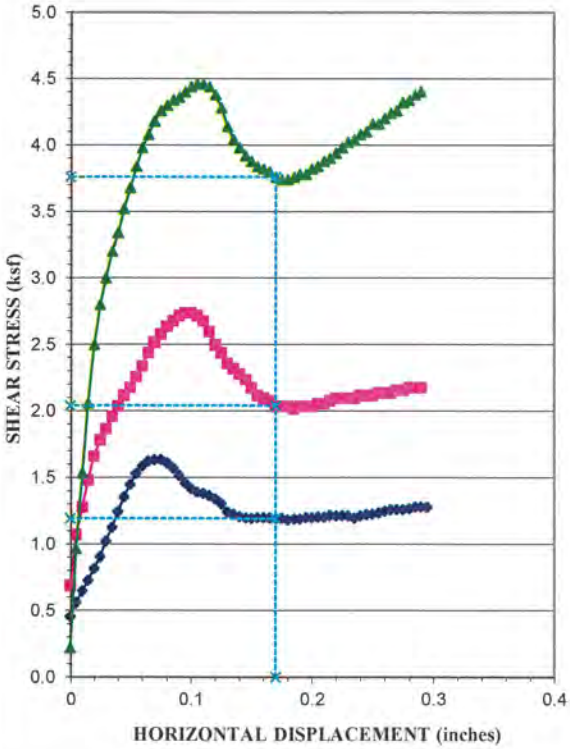
Sample Properties	
Cohesion, psf	675
Friction Angle, ϕ	35
Liquid Limit, %	22
Plasticity Index, %	NP
Percent Gravel	3
Percent Sand	39
Percent Passing No. 200 sieve	58
Classification	ML

PROJECT: One O'clock Hill - Geotech

PROJECT NO.: 219074	Earthtec Engineering	FIGURE NO.: 15

DIRECT SHEAR TEST





Source: TP-9	Depth: 2.5 FT		
Type of Test:	Consolidated Drained/Saturated		
Test No. (Symbol)	1 (◆)	2 (■)	3 (▲)
Sample Type	Remolded		
Initial Height, in.	1	1	1
Diameter, in.	2.4	2.4	2.4
Dry Density Before, pcf			
Dry Density After, pcf	117.0	116.1	118.0
Moisture % Before			
Moisture % After	13.8	14.3	13.8
Normal Load, ksf	1.0	2.0	4.0
Shear Stress, ksf	1.19	2.04	3.76
Strain Rate	.00008640 IN/SEC		

Sample Properties	
Cohesion, psf	330
Friction Angle, ϕ	41
Liquid Limit, %	19
Plasticity Index, %	NP
Percent Gravel	62
Percent Sand	26
Percent Passing No. 200 sieve	12
Classification	GP-GM

PROJECT: One O'clock Hill - Geotech

PROJECT NO.: 219074

Earthtec Engineering

FIGURE NO.: 16

PROJECT NO.: 219074

STABILITY RESULTS

ONE O'CLOCK HILL~SEISMIC

Ten Most Critical Surfaces. 219074AS .OPT Run By: Earthtec 11-01-21

#	FS
1	1.16
2	1.16
3	1.16
4	1.16
5	1.17
6	1.17
7	1.17
8	1.17
9	1.17
10	1.17

Soil No.	TotWt (pcf)	SatWt (pcf)	C (psf)	Phi (deg)	Ru Param	Pore Press	Piez Surf #
1	121.3	138.2	675	35	0	0	1

Pseudostatic Coefficient = 0.099

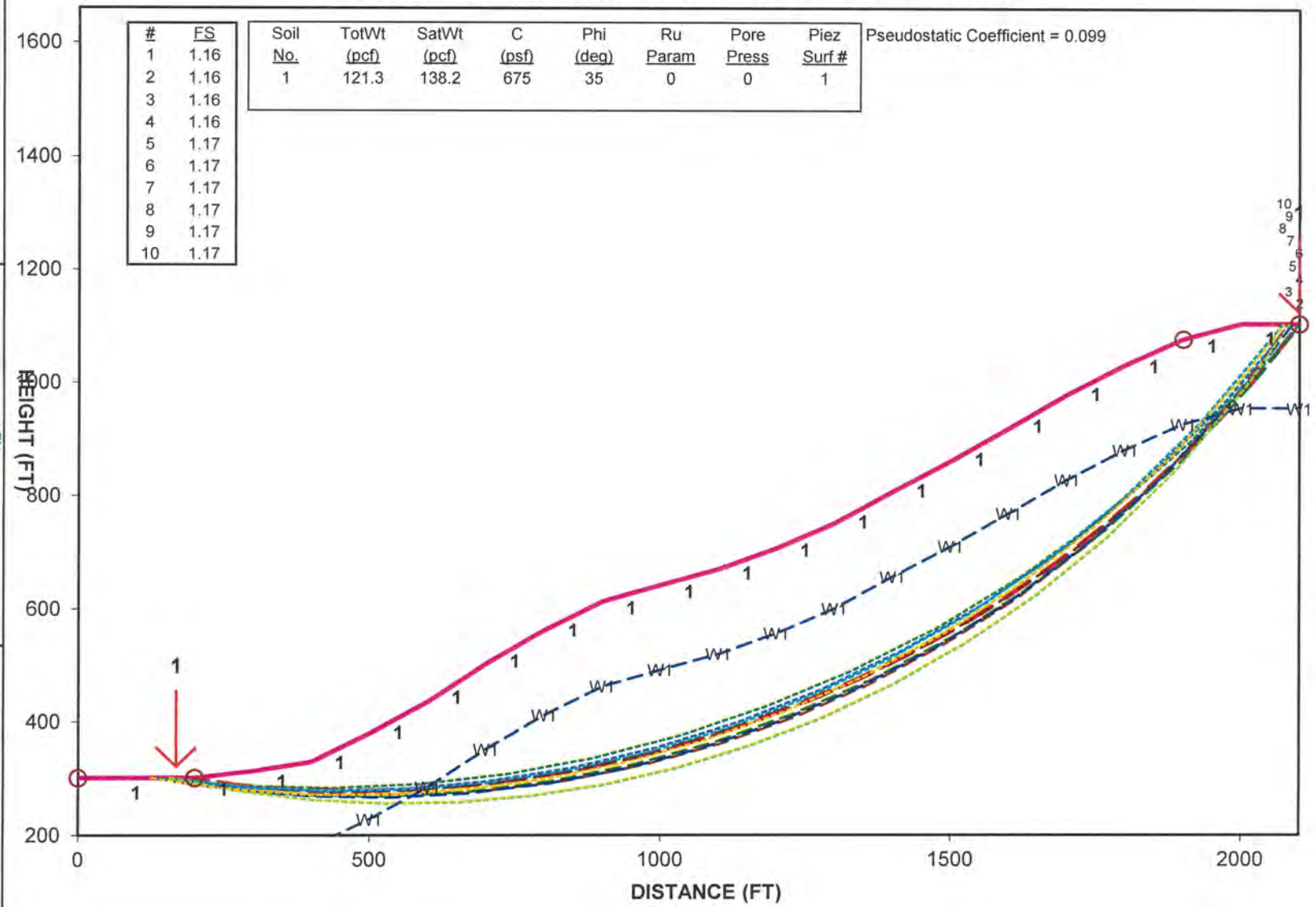


FIGURE NO.: 17

PROJECT NO.: 219074

FIGURE NO.: 18

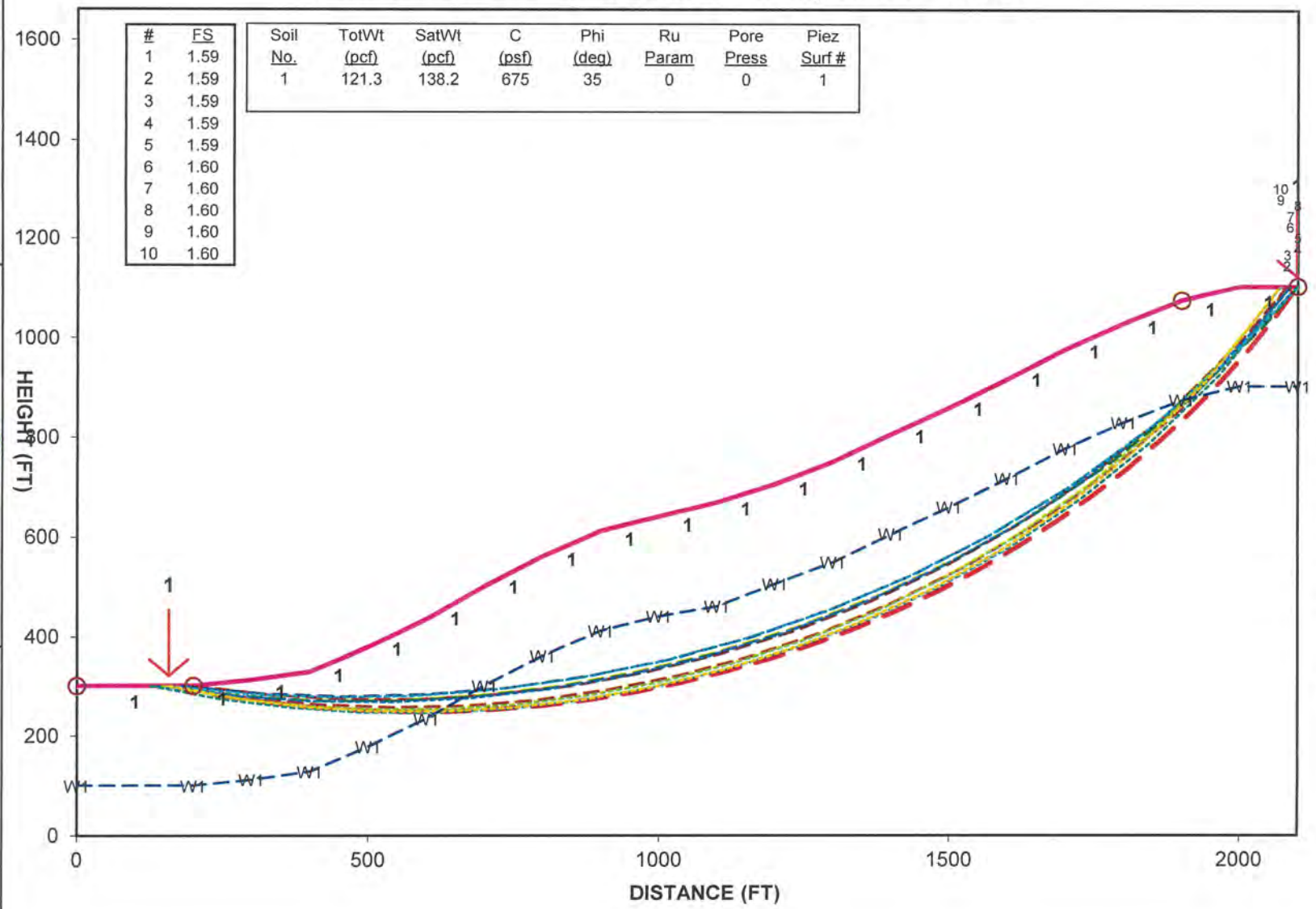
STABILITY RESULTS

ONE O'CLOCK HILL~STATIC

Ten Most Critical Surfaces. 219074AD .OPT Run By: Earthtec 10-22-21

#	FS
1	1.59
2	1.59
3	1.59
4	1.59
5	1.59
6	1.60
7	1.60
8	1.60
9	1.60
10	1.60

Soil No.	TotWt (pcf)	SatWt (pcf)	C (psf)	Phi (deg)	Ru Param	Pore Press	Piez Surf #
1	121.3	138.2	675	35	0	0	1



PROJECT NO.: 219074

FIGURE NO.: 19

STABILITY RESULTS

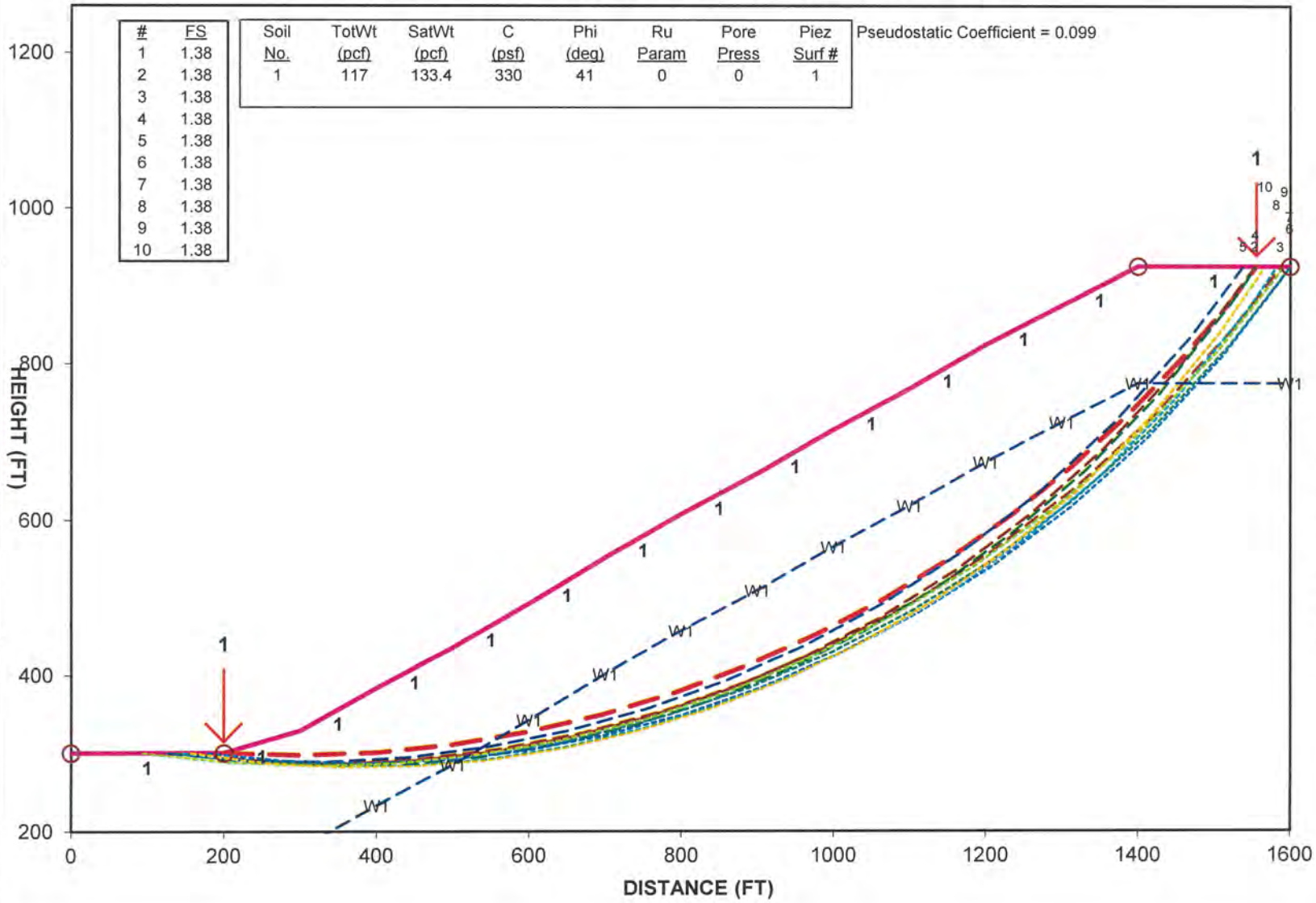
ONE O'CLOCK HILL~BB' SEISMIC

Ten Most Critical Surfaces. 219074BS .OPT Run By: Earthtec 11-01-21

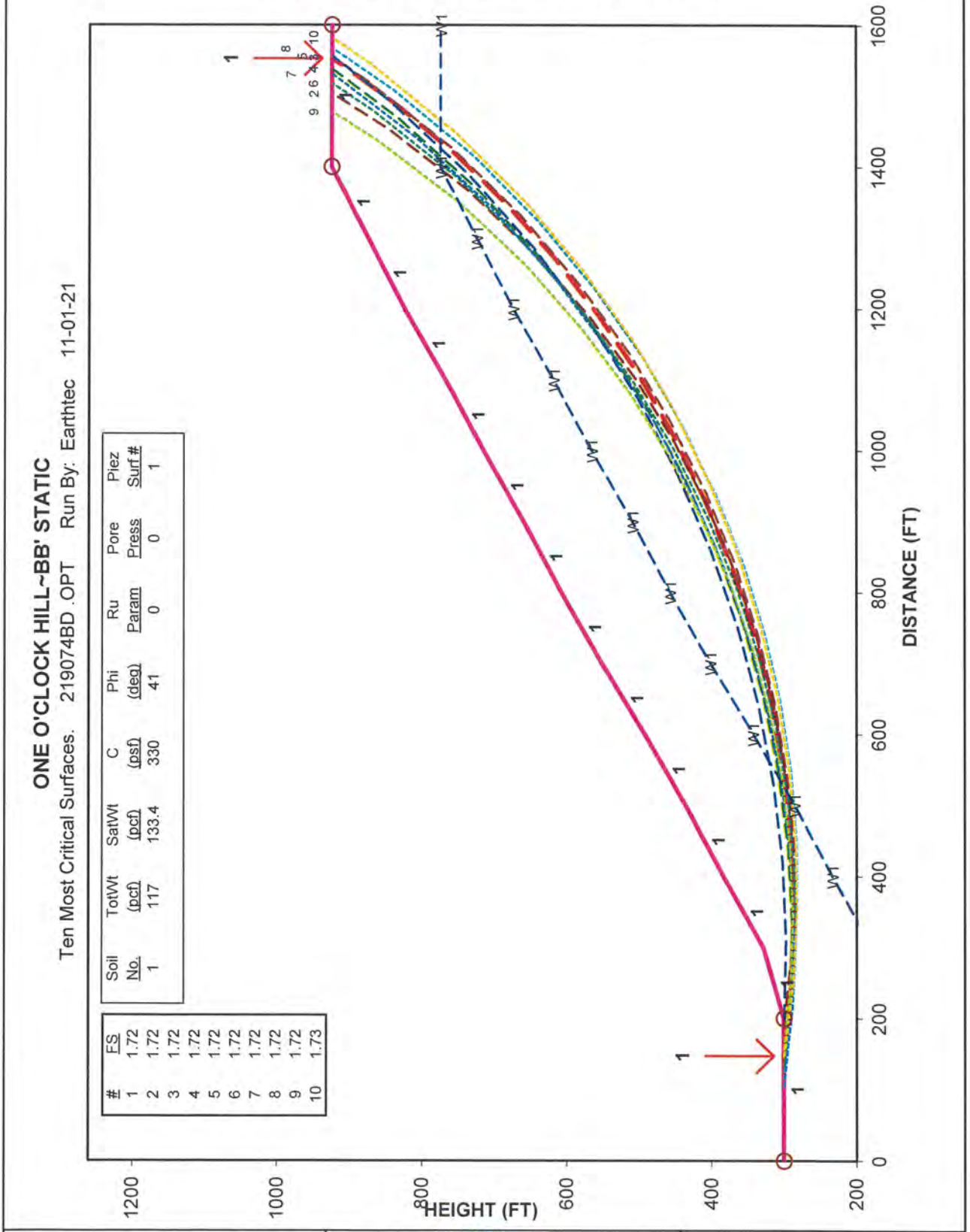
#	FS
1	1.38
2	1.38
3	1.38
4	1.38
5	1.38
6	1.38
7	1.38
8	1.38
9	1.38
10	1.38

Soil No.	TotWt (pcf)	SatWt (pcf)	C (psf)	Phi (deg)	Ru Param	Pore Press	Piez Surf #
1	117	133.4	330	41	0	0	1

Pseudostatic Coefficient = 0.099



STABILITY RESULTS



PROJECT NO.: 219074		FIGURE NO.: 20

APPENDIX A

Timpview Analytical Laboratories
A Chemtech-Ford, Inc. Affiliate
1384 West 130 South Orem, UT 84058 (801) 229-2282

Certificate of Analysis

Earth Tech, LLC (dba Earthtec)
Jeremy Balleck
1497 W 40 S
Lindon, UT 84042
DW System # :

Work Order #: 21I1705
PO# / Project Name: 219074
Receipt: 9/28/21 15:10
Batch Temp °C: 28.6
Date Reported: 10/5/2021

Sample Name: **219074 TP-10 @ 2.5'**
Collected: 9/22/21 15:00 **Matrix:** Solid **Collected By:** M. Schedel

Parameter	Lab ID #	Method	Analysis Date / Time	Result	Units	MRL	Flags
Sulfate, Soluble (IC)	21I1705-01	EPA 300.0	10/4/21	< 10	mg/kg dry	10	
Total Solids	21I1705-01	SM 2540G	9/30/21	97.0	%	0.1	

Comment: One OClock Hill

Reviewed by: Joyce Applegate

Joyce Applegate, Project Manager

Analyses presented in this report were performed in accordance with the National Environmental Laboratory Accreditation Program by a Chemtech-Ford affiliate company, except where otherwise noted.

OSHPD

ONE O'CLOCK HILL - GEOTECH

Latitude, Longitude: 40.512663, -112.310694

Date	10/14/2021, 9:43:59 AM
Design Code Reference Document	ASCE7-16
Risk Category	II
Site Class	D - Default (See Section 11.4.3)

Type	Value	Description
S_S	0.709	MCE_R ground motion. (for 0.2 second period)
S_1	0.257	MCE_R ground motion. (for 1.0s period)
S_{MS}	0.874	Site-modified spectral acceleration value
S_{M1}	null -See Section 11.4.8	Site-modified spectral acceleration value
S_{DS}	0.583	Numeric seismic design value at 0.2 second SA
S_{D1}	null -See Section 11.4.8	Numeric seismic design value at 1.0 second SA

Type	Value	Description
SDC	null -See Section 11.4.8	Seismic design category
F_a	1.233	Site amplification factor at 0.2 second
F_v	null -See Section 11.4.8	Site amplification factor at 1.0 second
PGA	0.299	MCE_G peak ground acceleration
F_{PGA}	1.301	Site amplification factor at PGA
PGA_M	0.389	Site modified peak ground acceleration
T_L	8	Long-period transition period in seconds
SsRT	0.709	Probabilistic risk-targeted ground motion. (0.2 second)
SsUH	0.762	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration
SsD	2.67	Factored deterministic acceleration value. (0.2 second)
S1RT	0.257	Probabilistic risk-targeted ground motion. (1.0 second)
S1UH	0.276	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration.
S1D	1.175	Factored deterministic acceleration value. (1.0 second)
PGAd	1.032	Factored deterministic acceleration value. (Peak Ground Acceleration)
C_{RS}	0.93	Mapped value of the risk coefficient at short periods
C_{R1}	0.933	Mapped value of the risk coefficient at a period of 1 s

DISCLAIMER

While the information presented on this website is believed to be correct, SEAOC /OSHPD and its sponsors and contributors assume no responsibility or liability for its accuracy. The material presented in this web application should not be used or relied upon for any specific application without competent examination and verification of its accuracy, suitability and applicability by engineers or other licensed professionals. SEAOC / OSHPD do not intend that the use of this information replace the sound judgment of such competent professionals, having experience and knowledge in the field of practice, nor to substitute for the standard of care required of such professionals in interpreting and applying the results of the seismic data provided by this website. Users of the information from this website assume all liability arising from such use. Use of the output of this website does not imply approval by the governing building code bodies responsible for building code approval and interpretation for the building site described by latitude/longitude location in the search results of this website.

1497 West 40 South
Lindon, Utah - 84042
Phone (801) 225-5711

840 West 1700 South #10
Salt Lake City, Utah - 84104
Phone (801) 787-9138

1596 W. 2650 S. #108
Ogden, Utah - 84401
Phone (801) 399-9516

SURFACE FAULT RUPTURE HAZARDS STUDY ONE O'CLOCK HILL UT-36 AND SETTLEMENT CANYON ROAD TOOELE, UTAH

Project No. 219075

November 12, 2021

Prepared For:

Tooele 90 LLC
Attention: Mr. Shaun Johnson
6975 Union Park Ave., Ste 600
Cottonwood Heights, UT 84047

Prepared By:

EARTHTEC ENGINEERING
Lindon Office

Frank Namdar, P.G., E.I.T.
Geologist

Michael S. Schedel
Staff Geologist

TABLE OF CONTENTS **Page No.**

FIGURES

APPENDIX A

Statement of Qualification

1.0 INTRODUCTION

This report presents the results of a surface fault rupture hazards study for the subject site located in Tooele, Utah. We understand that a new residential subdivision is planned for construction on the site. The location of the subject site with respect to existing roadways is shown on Figure No. 1, *Vicinity Map*, at the end of this report.

The purposes of this investigation were to assess surface fault rupture and related hazards at the site and to provide recommendations for minimizing fault rupture hazards as warranted. The scope of work completed for this investigation included field reconnaissance, subsurface investigation (trenching), geologic analysis, and the preparation of this report in accordance with the Tooele City Zoning, General Plan & Master Plan Map Amendment Application Packet.

2.0 PROPOSED CONSTRUCTION & SCOPE OF WORK

We understand that the proposed project, as described to us by Mr. Shaun Johnson, consists of developing the approximately 38-acre existing group of parcels with the construction of a new residential subdivision. The proposed structures will consist of conventionally framed, one- to two-story, houses with basements. In addition, we anticipate that utilities will be installed to service the proposed buildings, exterior concrete flatwork will be placed in the form of curb, gutter, sidewalks, and residential streets will be constructed.

In addition to the geotechnical report prepared by Earthtec Engineering, a surface fault rupture hazard study is necessary to assess the potential for fault hazards in the area. According to published USGS geologic maps, a segment of the Oquirrh Fault Zone runs beneath or adjacent to the subject site. The purpose of this report and the field work conducted is to locate any fault traces related to the mapped fault and provide recommendations for hazard mitigation as it would pertain to fault hazards.

3.0 SITE CONDITIONS

At the time of our subsurface exploration the site consisted of three undeveloped parcels vegetated with native grasses, patches of small trees, and sagebrush. Large power line poles run northeast-southwest throughout the property, and a pump house is built on the northern section against the mountain slope with an asphalt driveway leading to it. An emergency two-track road exists running along the central run of powerlines and does not appear to be regularly maintained, according to local residents near the south end of the property. The entire property is fenced off, and the southern section is used as a horse pasture. The ground surface appears to be relatively flat past the edge of the mountain slopes. The lot was bounded on the northwest by UT-36 Highway, on the southeast by open mountainous land, on the southwest by open field, and on the northeast by Settlement Canyon Road.

4.0 GEOLOGIC AND TECTONIC SETTING

The subject property is located in the southeastern portion of Tooele Valley near the western slope of the Oquirrh Mountains. Tooele Valley is a deep, sediment-filled basin that is part of the Basin and Range Physiographic Province. The valley was formed by extensional tectonic processes during the Tertiary and Quaternary geologic time periods. The valley is bordered by the Oquirrh Mountains on the east and the Stansbury Mountains on the west. Much of northwestern Utah, including Tooele Valley, was previously covered by the Pleistocene age Lake Bonneville. The Great Salt Lake, which borders Tooele Valley to the north, is a remnant of this ancient fresh-water lake

The Oquirrh Fault Zone is considered to be an "active" fault zone. An active fault zone is defined as one that has shown evidence of displacement during Holocene time (the past 10,000 years). The Oquirrh Fault Zone is a generally north-trending normal fault along the western base of the Oquirrh Mountains. The Oquirrh Mountains are the easternmost and highest of three distinctive north-south mountain ranges in the Basin and Range west of the high central part of the Wasatch Range. Surficial geology in Tooele Valley to the west is dominated by lake deposits and alluvium. Several buried faults that do not cut surficial deposits are postulated in the vicinity of the Oquirrh fault zone which may be older and not related to the fault zone. One such fault, the Occidental fault, may have been reactivated by Oquirrh fault zone activity (Solomon, 1996)[1].

In addition to the Oquirrh Fault Zone, the area has also been influenced geologically by Lake Bonneville, an ancient fresh-water lake which formerly covered the valleys of western Utah. The shoreline of the lake reached a maximum elevation of approximately 5,180 feet above sea level. Evidence of this shoreline, known as the Bonneville Level, and several others which formed as the lake level fluctuated or dropped, are visible at places along the foothills of the Oquirrh Mountain Range.

The surficial geology of much of the eastern margin of the valley has been mapped by Clark, et al., 2020[2]. A portion of this map, which includes the area of the subject site is attached as Figure No. 2a, *Surficial Geologic Map of the Site*. The surficial geology at the location of the subject site and adjacent properties contains the following geologic units which are mapped as "Younger fan alluvium, post-Lake Bonneville" (Map Unit Qafy), Holocene to Pleistocene "Lacustrine and alluvial deposits, undivided" (Map Unit Qla), "Colluvium and talus, Holocene to upper Pleistocene" (Map Unit Qmct), middle- to upper-Pleistocene "Older fan alluvium, pre-Lake Bonneville" (Map Unit Qafo), and "Oquirrh Group, Bingham Mine Formation. The bed rock units of the site area are upper member" (Map Unit IPobmu) dated from the upper Pennsylvanian, late to middle Eocene "Quartz latite porphyry dikes and sills" (Map Unit

[1] Black, B.D., McDonald, G.N., and Hecker, S., 1999, 2398 Oquirrh Fault Zone
[2] Clark, D.L., Oviatt, C.G., Dinter, D.A., 2020, Geologic Map of the Tooele 30'x60' Quadrangle*, Tooele, Salt Lake, and Davis Counties, Utah*; Utah Geological Survey, Open-File 284DM, Scale 1: 62,500.

Tiqlp), and Upper Pennsylvanian "Oquirrh Group, Bingham Mine Formation" (Map Unit IPobmu). These soil or deposits are described below:

Qafy **Younger fan alluvium, post-Lake Bonneville (Holocene to uppermost Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; deposited by streams, debris flows, and flash floods on alluvial fans and in mountain valleys; merges with unit Qal; includes alluvium and colluvium in canyon and mountain valleys; may include areas of eolian deposits and lacustrine fine-grained deposits below the Bonneville shoreline; includes active and inactive fans younger than Lake Bonneville, but may also include some older deposits above the Bonneville shoreline.

Qmct **Colluvium and talus (Holocene to upper Pleistocene)** – Local accumulations of mixed colluvium and talus throughout the map area; common near Lake Bonneville shorelines; thickness up to 15 feet (5 m).

Qla **Lacustrine and alluvial deposits, undivided (Holocene to upper Pleistocene**) – Sand, gravel, silt, and clay; consist of alluvial deposits reworked by lakes, lacustrine deposits reworked by streams and slopewash, and alluvial and lacustrine deposits that cannot be readily differentiated at map scale.

Qafo **Older fan alluvium, pre-Lake Bonneville (upper to middle? Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; similar to unit Qafy, but forms higher level incised deposits that predate Lake Bonneville; includes fan surfaces of different levels; fans are incised by younger alluvial deposits and locally etched by Lake Bonneville.

Tiqlp **Quartz latite porphyry dikes and sills (late to middle Eocene)** – Medium-brown and light-greenishgray, hornblende-biotite quartz latite porphyry; hornblende is altered to phlogopite and/or chlorite within the Bingham pit area; distinguished from other latitic dikes and sills by the presence of relatively large quartz phenocrysts and higher percentage of aphanitic groundmass; groundmass usually contains considerable hornblende (KUCC, 2009); includes Raddatz porphyry dikes with large K-feldspar phenocrysts (Settlement Canyon area) (see Krahulec, 2005; new geochemical data in Clark and Biek, 2017), and the Andy Dike and apophyses at Bingham mine (KUCC, 2009); 40Ar/39Ar ages of 37.66 ± 0.08 and 37.72 ± 0.09 Ma (Deino and Keith, 1997), and U-Pb zircon age of 37.97 ± 0.11 Ma (von Quadt and others, 2011); also forms some small dikes (unmapped) east of Pass Canyon and near North Oquirrh thrust (Swensen and others, 1991) with K-Ar age of 36.5 ± 1.1 Ma (Moore, 1973); Raddatz dike has 40Ar/39Ar age of 39.4 ± 0.34 Ma (Kennecott in Krahulec, 2005).

IPobmu Oquirrh Group, Bingham Mine Formation, upper member (Upper Pennsylvanian, Virgilian-Missourian) – Light gray to tan, thinly color-banded and locally cross-bedded quartzite with interbedded thin, light- to medium-gray calcareous, fine-grained sandstone, limestone, and siltstone.

Clark & Others (2020) also mapped surface fault rupture segments within the Oquirrh Fault Zone. This implied fault rupture segment is shown on Figure No. 2 as dotted lines with the rod and ball pattern on the down-thrown side of the fault. As shown on Figure No. 2, the fault consists of a single southwest to northeast running implied fault trace which runs parallel to UT-36 at a distance of approximately 150 to 200 feet from the west boundary of the site. This implied fault trace is the only known fault trace in the vicinity and is mapped by Clark & Others (2020). According to the map, the exact location of the fault trace is not known, as no other contiguous line of this splay is mapped. This is extrapolated based on continuous geologic units and the orientation of the mapped normal fault in that area. Another map at Utah Geological Survey (UGS) website shows approximately located normal faults as continuances of the splay within the Oquirrh Fault Zone as close as 100 feet due southeast of the site along the base of the western slope of the Oquirrh Mountains. However, since we could not find the source documentation of these faults, we contacted UGS about the source of these faults. Mr. Don Clark on a phone conversation on November 15, 2021, mentioned that the faults drawn in 1980 map by Edwin Tooker of USGS in "Preliminary Geologic Map of Tooele Quadrangle", USGS OFR 80-623, are not accurate and are not confirmed by the more recent mapping interpretations. Therefore, it is our opinion that the main fault in the area is the implied fault mapped by Clark and others located on the west of the UT-36.

Low Light angle aerial photographs of the Oquirrh Fault Zone produced from 1936 to 1952 (exact date unknown) and 1970 at the location of the subject site and surrounding areas were reviewed as part of this study. The 1936 to 1952 and 1970 aerial photographs are shown in Figure Nos. 4a and 4b, respectively. The reviewed photographs do not show visible or prominent scarps and lineaments (i.e. vegetation lineaments, gullies, vegetation/soil contrasts, aligned springs and seeps, sag ponds, aligned or disrupted drainages, grabens, and/or displaced landforms such as shorelines, geologic units, etc.) adjacent to or on the subject site or its surroundings that correlate well with mapped faults. Hence, no surficial features that might indicate past surface fault rupture and related ground deformation were discernible on the subject site. No surficial features at the location of the short fault segment mapped crossing near the south edge of the subject lot are visible in the reviewed photographs.

In addition, in reviewing a LiDAR image from the area of the site, prominent scarps are not visible on the subject site nor on the adjacent hillslopes. We couldn't clearly see the mapped faults in the LiDAR image due to surface disturbance, drainages, trails, and residential and industrial development to the west of the subject lot where the implied fault trace is mapped. The LiDAR image of the site area is shown in Figure No. 5. *LiDAR Image of the Subject Site Area*.

5.0 EXPLORATION TRENCHING

5.1 Field Methods

To observe the subsurface deposits at the location of the subject site for evidence of past surface rupture and/or other related ground deformation related to faulting, three exploration trenches were excavated on the lot on September 20, 2021 and were observed and logged on September 23, 2021. The trenches were approximately 86 to 104 feet long, stretching 40 to 70 feet southeast of UT-36 pavement, oriented at northwest-southeast. The trenches extended to maximum depths of approximately 5 to 11 feet below the existing ground surface. The location of the exploration trenches on the site are shown on Figure No. 3, *Exploration Trenches & Setback Locations*. The exploration trenches (ET-1, ET-2, and ET-3) were excavated by Blaine Hone Excavating with a CAT 308 track-mounted excavator and were back-filled upon completion of the field work. The northeast wall of each trench was logged by an experienced geologist using standard tools and techniques. A representative log of the trench wall was produced and is included at the end of this report as Figure Nos. 6-8, *Exploration Trench Logs*.

The location and extent of the exploration trench at the site was chosen to provide as much coverage for the proposed structure based on the orientation of the faults in the vicinity of the site with the excavation equipment ability in mind. The active faults (less than 10,000 years old) in the area of the site would be evident in the Lake Bonneville sediments that cover the surficial deposits at the site. Figure No. 2, *Surficial Geologic Map of the Site*, shows the location of the entire run of the implied fault trace.

5.2 Subsurface Conditions

The soils encountered during our subsurface exploration are shown on Figure Nos. 6-8, *Exploration Trench Logs*. The exploration trenches exposed up to 1½ feet of organic rich Topsoil (Unit 1) at the surface. Below Unit 1, massive sand of Lake Bonneville sediments such as Unit 2 in ET-1 and reworking of variable impacts by the lake activities such as alluvium and colluvium of variable degrees as encountered in Unit 2 in ET-2 and ET-3 and in Unit 3 in ET-1 and ET-3. Below the reworked alluvium and colluvium by Lake Bonneville ET-2 exposed weathered bedrock in Unit 3 and Lake Bonneville shoreline sand and near shore fine sediments were exposed in Unit 3A of ET1 and in Unit 4 of ET-3. The detailed unit description can be found in trench logs in Figures 6-8. The age of the sediments

exposed in trenches range from upper Pleistocene to Holocene. Bedrock exposed in ET-1 is most likely of upper Pennsylvanian in age.

No zones or planes of shearing or shifting or deformation that could be indicative of fault rupture were observed. Finer sands and silty clay of near shore Lake Bonneville were observed without any shifting along the entire trench in ET-1 and ET-3.

Based on our observations of the stratigraphic relationships of the soil units exposed in the exploration trenches, as well as the referenced geologic mapping by Clark & Others (2020) logged Unit 3 in ST-1 and Unit 4 in ET-3 are of sufficient age to have recorded any Holocene surface faulting events at the site. No evidence of fault rupture was observed in these soil units exposed in the trench. No other related tectonic or coseismic deformation was observed in the deposits exposed in the exploration trenches at the site. Absence of faulting in the exploration trench relates to the potential fault mapped in the area of the site. No faulting was observed, caused by the Implied fault, at the exploration trench location. Hence, the location of the mapped fault was not discovered at the site and the potential for the presence of the fault or its impact, if it exists, near UT-36, as mapped by Clark & Others (2020), still exists at the site. The impact of the potentially active fault to the structures during an earthquake could however be significant and could cause structural failure.

6.0 SUMMARY OF SURFACE FAULT RUPURE AND RELATED HAZARDS

6.1 Surface Fault Rupture

As discussed in the previous section, no evidence of past surface fault rupture was observed in the exposed deposits of the exploration trenches. The reworked alluvium and lacustrine sand and gravel deposits, and finer Lake Bonneville sediments observed in the trenches are deposits of upper Pleistocene to Holocene in age. Therefore, the exposed deposits are of sufficient age to show Holocene age (active) fault displacement.

As discussed in Section 4.0, implied fault trace has been mapped by Clark & Others (2020) on the Geologic Map of the Tooele Quadrangle near the northwest boundary of the subject lot (Figure No. 2). A LiDAR image of the area of the site was reviewed. An abrupt change of elevation, typically shown in LiDAR images by dark areas, can show location of faults as ground shifting, was not observed. The LiDAR image is shown in Figure No. 5, *LIDAR Image of the Subject Site Area*. The approximate location of the mapped fault is also shown on Figure No. 2, *Surficial Geologic Map of Site*. There are no significant surficial features, other than the ones noted above, on the site that would suggest the presence of the fault near the site, however, such features may have been erased by past development activities or erosion. Based on current guidelines for evaluating surface fault rupture hazards in Utah (Christenson et. al, 2003), it is our opinion that a minimum building setback from the southwest edge of the paved UT-36 road of 91.6 feet, 64.6 feet, 61.6 feet at the location of trench ET-1, ET-2, ET-3, respectively, would be conservatively appropriate. These distances

were calculated by assuming 21.6-foot setback from the northwest end of each trench as shown on Figure No. 3.

According to Bowman and Lund (2016), Chapter 3 Guidelines for Evaluating Surface-Fault-Rupture Hazards in Utah, Fault Setback section, provides the following definition the for variable D to be used in the setback calculation formula: "D = Expected maximum fault displacement per earthquake (maximum vertical displacement) (feet) to be used in the fault setback formula." Bowman and Lund (2016) also states: "Fault displacement is the maximum vertical displacement measured for an individual surface-faulting earthquake at the site (not necessarily the displacement of the most recent surface-faulting event). If a range of displacements is possible (e.g., because of uncertainty in how geologic layers or contacts are correlated or projected into the fault zone), the largest possible displacement value should be used. If per-earthquake displacements cannot be measured on site, the maximum displacement based on paleoseismic data from nearby paleoseismic investigations on the fault or segment may be used. In the absence of nearby data, consult DuRoss (2008) and DuRoss and Hylland (2015) for the range of displacements measured on the central segments of the Wasatch fault zone. Lund (2005) reports limited displacement information for some other Utah Quaternary faults."

Measured net vertical displacement by Susan Olig, et al. (1996)[3] for the Oquirrh Mountain normal fault was 2.2 meter (7.2 feet). A study was also performed by researchers (Morey 1998) at the University of Utah that conducted a 3-D seismic experiment across the Oquirrh fault and was printed at Geophysical Journal International, Volume 138, Issue 1, July 1999, Pages 25–35: "Palaeoseismicity of the Oquirrh fault, Utah from shallow seismic tomography". It concluded that the maximum displacement was 2.04 meters (6.7 feet) by measuring the colluvial wedge to determine the displacement by the fault. As such, it is assumed that the fault is located beyond the southwestern end of the trenches near the southwestern property line. Based on current guidelines for evaluating surface fault rupture hazards in Utah (Christenson and others, 2003) and studies referenced above by Olig (1996, 1999) calculated minimum building setback from the southwestern end of the exploration trenches ET-1, ET-2, and ET-3 of 21.6 feet would be conservatively appropriate. As such, the fault setback distance from the southeast edge of the UT-36 road pavement is located at 91.6 feet, 64.6 feet, and 61.6 feet, at the location of trenches ET-1, EY-2, and ET-3, respectively. The 21.6 feet setback distance from the northwest end of each trench is calculated using the formula below for upthrown block of the fault that applies to the subject lot, provided by Chapter 3 of "Guidelines for investigating geologic hazards and preparing engineering-geology reports, second edition, 2020, Utah Geological Survey Circular 128,":

[3] Olig S.S. Lund W.R. Black B.D. Mayes B.H., 1996 Paleoseismic investigation of the Oquirrh fault zone, Tooele County, Utah, Utah Geol. Surv. Spec. Study, 88, 22– 54

Upthrown block (Footwall): Because the fault setback is measured from the portion of the building closest to the fault, whether subgrade or at grade, the dip of the fault and depth of the subgrade portion of the structure are irrelevant in calculating the fault setback on the upthrown block. The fault setback for the upthrown side of the fault is calculated as:

$$S = U * (2D)$$

S = Fault setback distance within which buildings are not permitted (feet) = 21.6 ft
U = Criticality factor, based on IBC Risk Category (Table 13) = 1.5
D = Expected maximum fault displacement per earthquake (maximum vertical displacement) (feet) = 7.2 ft

A 21.6-foot setback from the southwestern end of each trench is shown on Figure No. 3, *Exploration Trench & Setback Locations*. A buildable area for development is also established by connecting the setback locations, as determined at each trench.

Surface fault rupturing during large magnitude earthquake events generally occurs along existing fault rupture planes. Although it does not appear that any existing faults cross through the subject site at the trench locations, there is always some inherent potential for new surface ruptures to form during future earthquake events in the Fault Zone. Performing a surface-faulting investigation and adherence to the investigation recommendations in these guidelines does not guarantee safety (Lund 2020, c-128). Significant uncertainty often remains due to limited paleoseismic data related to the practical limitations of conducting such investigations (epistemic uncertainty), and natural variability in the location, recurrence, and displacement of successive surface-faulting earthquakes (aleatory variability). Aleatory variability in fault behavior cannot be reduced; therefore, predicting exactly when, where, and how much ground rupture will occur during future surface-faulting earthquakes is not possible. New faults may form, existing faults may propagate beyond their present lengths, elapsed time between individual surface-faulting earthquakes can vary by hundreds or thousands of years and be affected by clustering, triggering, and multi- or partial-segment ruptures.

For those reasons, developing property in the vicinity of hazardous faults will always involve a level of irreducible, inherent risk. Damage to the structures from the vibratory component of ground shaking has typically been considered separately from structural loads resulting from permanent ground deformation in studies of earthquake impacts to structures. Lightly loaded foundations have rotated and developed a large "gap" underneath the foundation due to fault offset in the past and a wider foundation caused the fault movement to be spread throughout the structure and prevented significant fault diversion. A flexible foundation caused less fault diversion to occur (Oettle 2013). In a large earthquake due to nearby faults, a range of scenarios from a catastrophic failure to potential damages

discussed above are possible for the houses and its occupants if on or offset from the fault location. Small deformation along a nearby fault may cause cracks in walls and basement floors.

6.2 Tectonic and Coseismic Deformation

In addition to ground deformation caused by surface fault rupture during a large magnitude earthquake event, other forms of tectonic and/or coseismic ground deformation can occur, especially within the fault zone. These types of deformation can include ground tilting, cracking, soil liquefaction, lateral spreading, subsidence, and slope failure. Based on our field observations as well as the reference geologic mapping reviewed for this study, there is a primary fault located to the northwest of the subject lot along the UT-36 road, as such, ground tilting and other coseismic deformation could impact the subject lot during future earthquake events.

We also recommend that the site-specific seismic design parameters be carefully be implemented in all new construction at the site per recommendations in the related geotechnical study conducted by Earthtec Engineering on the subject lot.

7.0 CONCLUSIONS AND RECOMMENDATIONS

Based on our observations and analyses, the area appears to be suitable for the planned construction from a surface fault rupture hazards perspective, provided the recommendations presented in this report are carefully followed and implemented. We recommend observing all footing excavations prior to installing the concrete footing forms, to verify that no surface rupture faults are located below the planned foundation expansion prior to construction.

As mentioned before, a potentially active fault in a roughly southeast-northwest orientation is mapped parallel to the UT-36 road at southwestern boundary of the lot. However, this fault is currently not in the area of development at the lot. The impact of this fault on the proposed improvement during an earthquake is relatively low.

It must also be understood that the site is located in a geologically/seismically sensitive area where there are inherent risks associated with development. The conclusions and recommendations presented in this report are intended to provide a factor of safety against surface fault rupture and related tectonic and seismic hazards sufficient to reduce the risk to human life. However, potential structural damage due to these natural hazards at the site cannot be totally mitigated due to the limitations and inherent level of uncertainty associated with analyzing and predicting such hazards. Therefore, by choosing to build and/or reside on the subject site, the property owners and/or residents should understand and accept the inherent risks associated with building and living in a geologically and seismically sensitive area.

8.0 LIMITATIONS

A significant limitation in this study precluded the exploration trenches to extend further southwest beyond their final points, as it would have extended into marked utility trenches and into the adjoining road. Also, trench ET-2 could not be excavated deeper due to presence of bedrock. The analysis and recommendations submitted in this report are based on the data obtained from the observation at the site and compilation of known geologic information. This information and the conclusions of this report should not be interpolated to adjacent properties without additional site-specific information. The study was prepared in accordance with the approved scope of work outlined in our proposal for the use and benefit of the Client and the information in this study may not be used by other person or entity without express written permission of Client.

9.0 GENERAL CONDITIONS

The exploratory observations and data presented in this report were collected to provide surface fault rupture hazards analysis for this project. The exploration trench may not be indicative of subsurface conditions outside the study area or between points explored and thus have a limited value in depicting subsurface conditions for contractor bidding. Variations from the conditions portrayed in the exploration trench may occur which may be sufficient to require modifications in the design. If during construction, conditions are different than presented in this report, please advise us so that the appropriate modifications can be made.

The surface fault rupture hazards study as presented in this report was conducted within the limits prescribed by our client and an approved scope of work, with the usual thoroughness and competence of the engineering geology profession in the area. No other warranty or representation, either expressed or implied, is intended in our proposals, contracts or reports.

We appreciate the opportunity of providing our services on this project. If we can answer questions or be of further service, please call.

10.0 REFERENCES CITED

Black, B.D., Lund, W.R., and Mayes, B.H., 1995, *Summary of New Information From the South Fork Dry Creek Site, Salt Lake County, Utah*: Environmental and Engineering Geology of the Wasatch Front Region, edited by W.R. Lund, Utah Geological Association Pub. 24, p. 11-30.

Bryant, B., 1990, *Geologic Map of Salt Lake City 30' x 60' Quadrangle, North-Central Utah, and Uintah County, Wyoming,* UGS Map m-190/Map I-1944

Christenson, G.E., Batatian, L.D., & Nelson, C.V., 2003, *Guidelines for Evaluating Surface-Fault-Rupture Hazards in Utah*; Utah Geological Survey Miscellaneous Publication 03-6.

Clark, D.L., Oviatt, C.G., Dinter, D.A., 2020, Geologic Map of the Tooele 30'x60' Quadrangle, Tooele, Salt Lake, and Davis Counties, Utah, Utah Geological Survey Open-File 284DM, Scale 1: 62,500

DuRoss, C.B, Hylland, M.D, *Synchronous Ruptures along a Major Graben-Forming Fault System: Wasatch and West Valley Fault Zones, Utah*, Bulletin of the Seismological Society of America, Vol. 105, No. 1, pp. 14–37, February 2015, doi: 10.1785/0120140064

Lund, W.R., Schwartz, D.P., Mulvey, W.E., Budding, K.E., and Black, B.D., 1991, *Fault Behavior and Earthquake Recurrence on the Provo Segment of the Wasatch Fault Zone at Mapleton, Utah County, Utah*: Paleoseismology of Utah, Vol. 1, Utah Geological Survey Special Study 75, 41 pp.

Lund, W.R., P.G., Christenson, G.E., P.G. (UGS, retired), Batatian, L.D., P.G. (Terracon, Inc.), and Nelson, C.V., P.G. (Western Geologic, LLC), *Guidelines for investigating geologic hazards and preparing engineering-geology reports, second edition;* CHAPTER 3: GUIDELINES FOR EVALUATING SURFACE-FAULT-RUPTURE HAZARDS IN UTAH, Utah Geological Survey Circular 128, 2020

Machette, M.N., Personius, S.F., Nelson, A.R., Schwartz, D.P., and Lund, W.R., 1991, *Segmentation and History of Holocene Earthquakes, Wasatch Fault Zone, Utah*: Journal of Structural Geology, Vol. 13, p. 137-149.

McCalpin, J.P., and Nishenko, S.P., 1996, *Holocene Paleoseismicity, Temporal Clustering, and Probabilities of Future Large (M > 7) Earthquakes on the Wasatch Fault Zone, Utah*: Journal of Geophysical Research, Vol. 101, No. B3, p. 6233-6253.

Morey, D, Schuster, G.T., Palaeoseismicity of the Oquirrh fault, Utah from shallow seismic tomography, Geophysical Journal International, Volume 138, Issue 1, July 1999, Pages 25 35, https://doi.org/10.1046/j.1365-246x.1999.00814.x

Oettle, N.K., *Earthquake Surface Fault Rupture Interaction with Building Foundations*, A thesis submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in Engineering – Civil and Environmental Engineering in the Graduate Division of the University of California, Berkeley, 2013

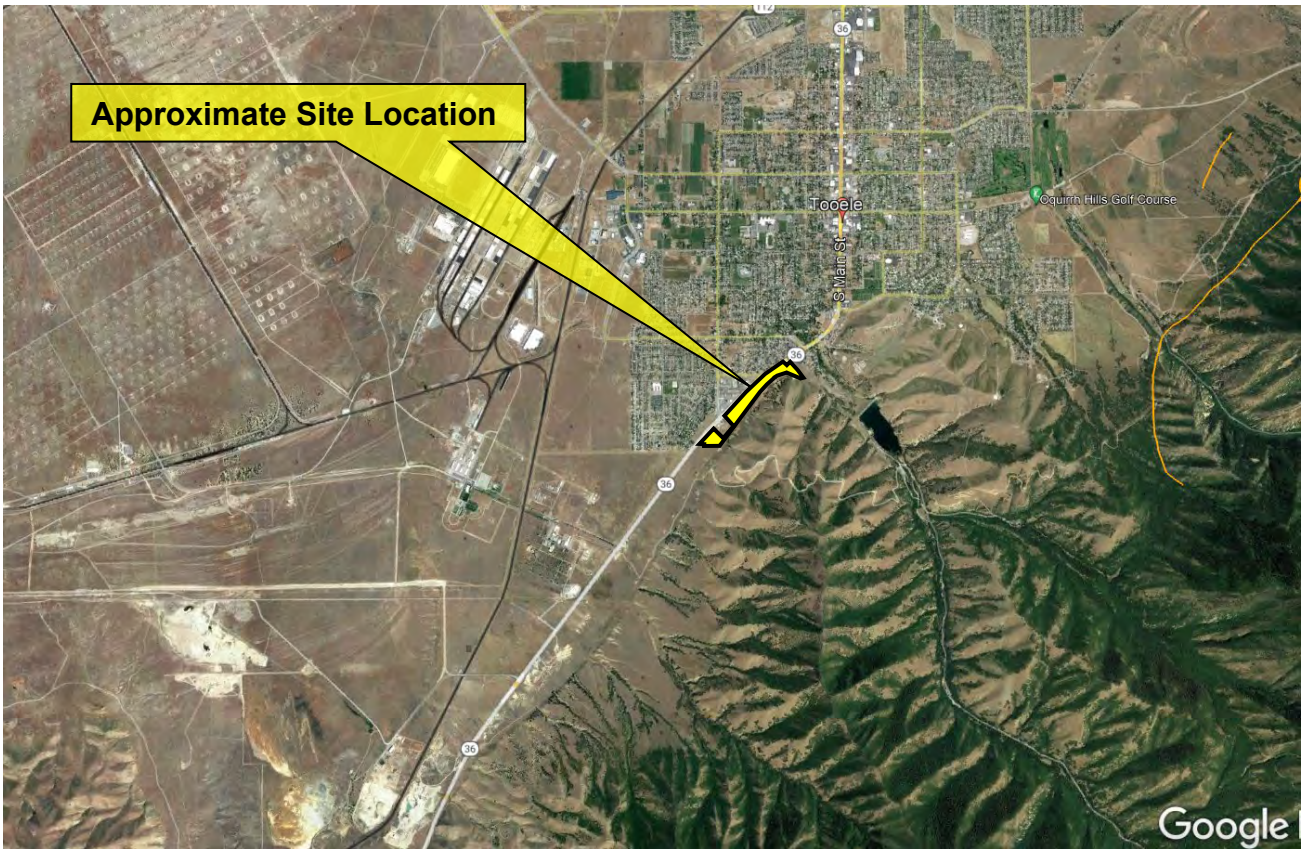
Olig S.S. Lund W.R. Black B.D. Mayes B.H., 1996 Paleoseismic investigation of the Oquirrh fault zone, Tooele County, Utah, Utah Geol. Surv. Spec. Study, 88, 22– 54.

Schwartz, D.P., and Coppersmith, K.J., 1984, *Fault Behavior and Characteristics of Earthquakes-Examples from the Wasatch and San Andreas Fault Zones*: Journal of Geophysical Research, Vol. 89, No. B7, p. 5681-5698.

Swan, F.H., III, Schwartz, D.P., and Cluff, L.S., 1980, *Recurrence of Moderate to Large Magnitude Earthquakes Produced by Surface Faulting on the Wasatch Fault Zone, Utah*: Bulletin Seismological Society of America, Vol. 70, p. 1431-1462.

VICINITY MAP

ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



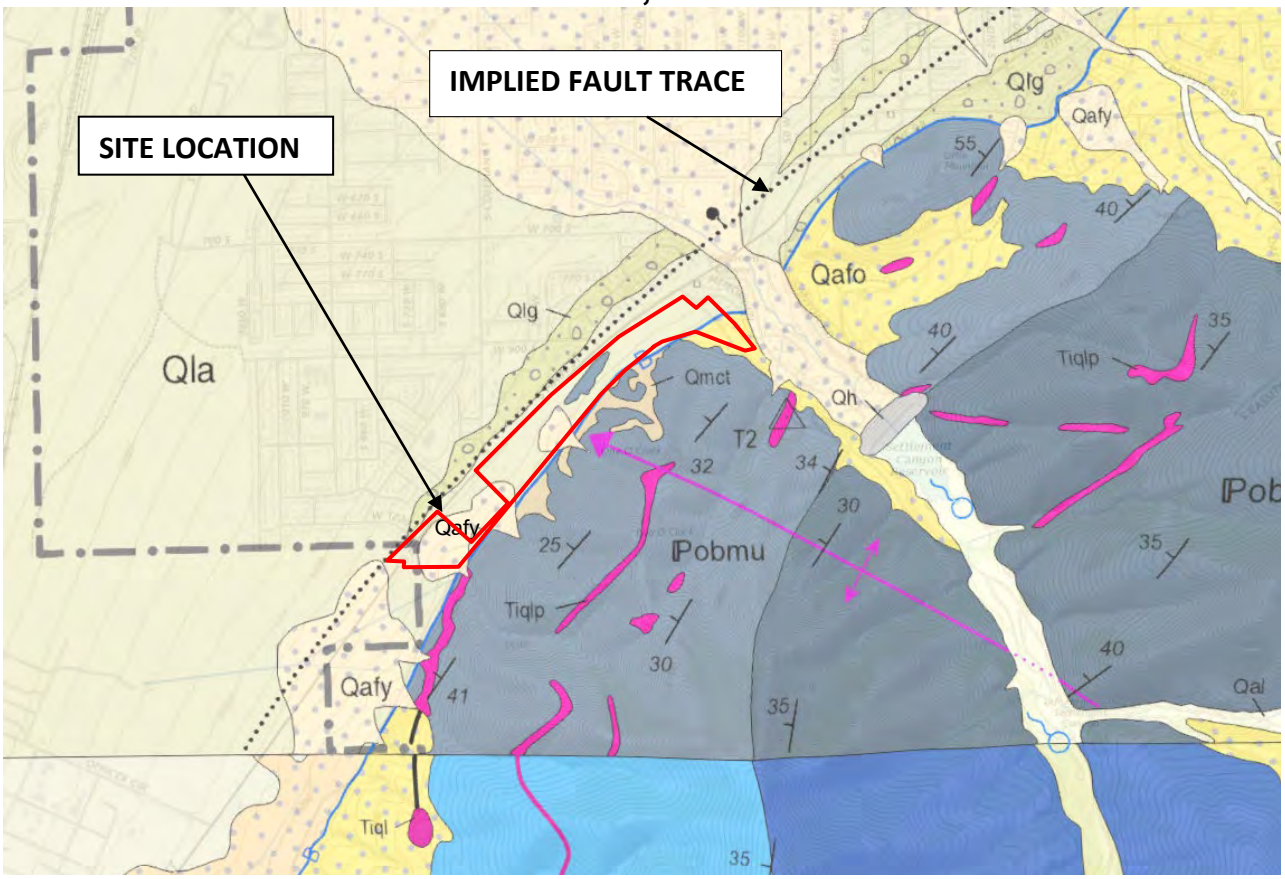
N

Not to Scale

PROJECT NO.: 219075	EARTHTEC ENGINEERING	**FIGURE NO.:** 1

SURFICIAL GEOLOGIC MAP OF THE SITE

ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Geologic Map of the Tooele 30'x60' Quadrangle, *Tooele, Salt Lake, and Davis Counties, Utah*; Utah Geological Survey
Open-File 284DM, Scale 1: 62,500
By
Clark, D.L., Oviatt, C.G., Dinter, D.A., 2020

1 inch = 2200 feet

N

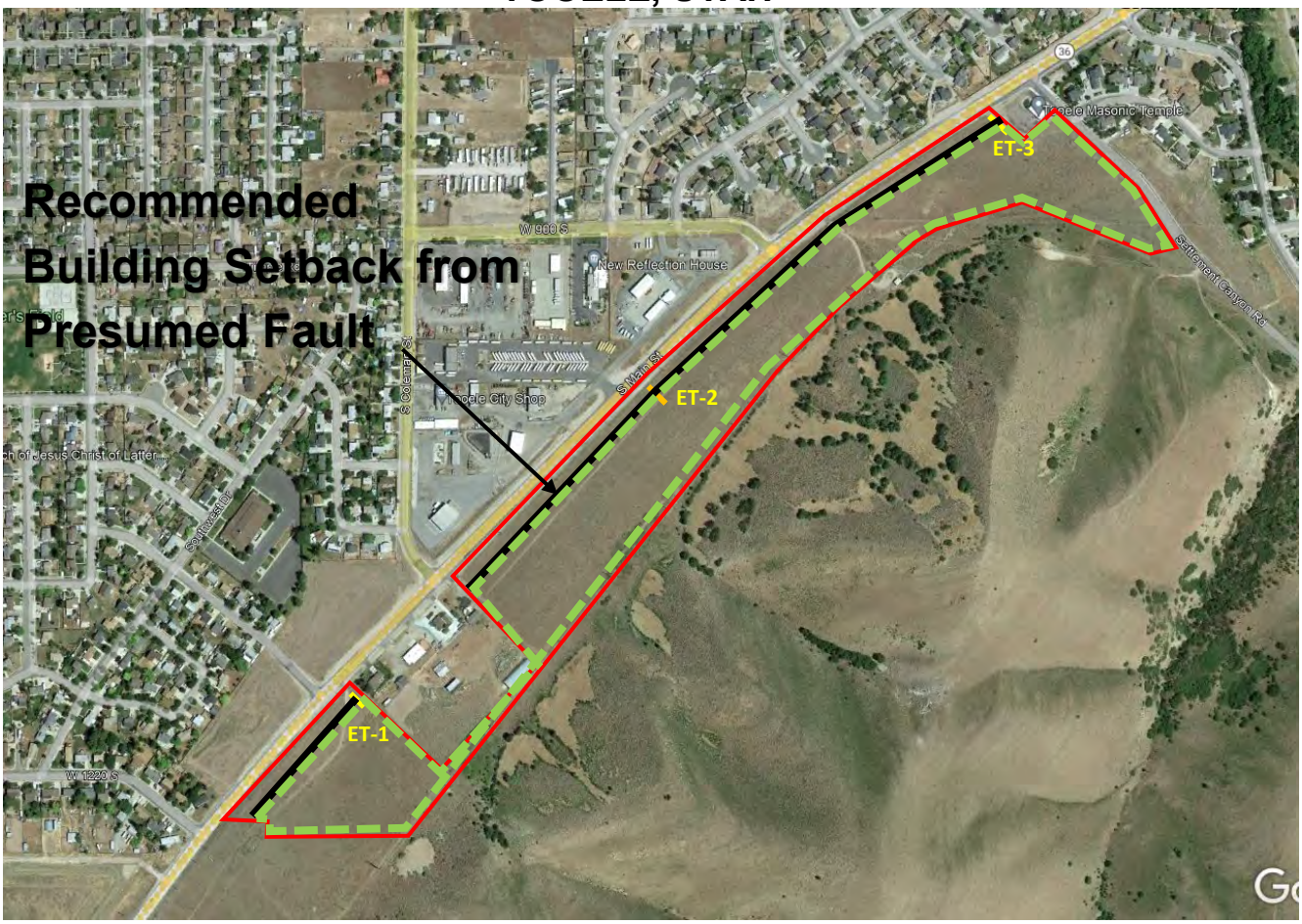
*Refer to text portion of the report for geologic unit's description

Normal Fault with Ball on the Downthrown Side

PROJECT NO.: 219075	EARTH-TEC ENGINEERING	**FIGURE NO.:** 2

AERIAL PHOTOGRAPH SHOWING LOCATION OF FAULT RUPTURE HAZARD STUDY TRENCHES ET-1, 2, 3, FAULT SET BACK

ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



*Aerial Photo by Google

Scale: 1 inch = 830 Feet

Subject Lot Boundaries

Fault Rupture Hazard Study Trenches

Buildable Area

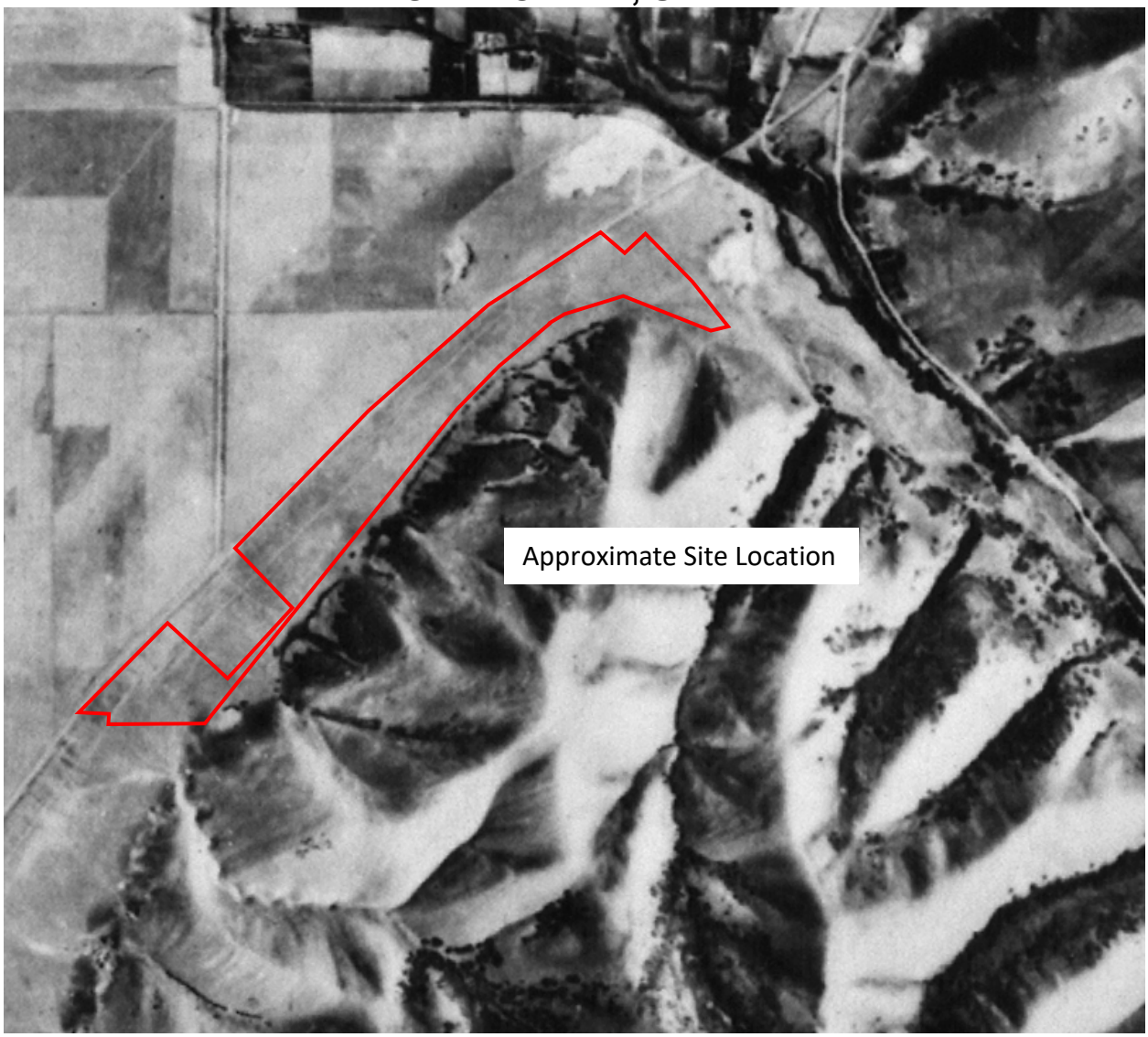
Set Back Line

N

PROJECT NO.: 219075	EARTHTEC ENGINEERING	FIGURE NO.: 3

1936 TO 1952 AERIAL PHOTOGRAPH

ONE O'CLOCK HILL - FRHS
1825 EAST CENTER STREET
SPRINGVILLE, UTAH



Name: SCS Scanned Historical Aerial Photographs from 1936 to 1952
Resolution: UNK
Scale: UNK
Source: UGS Scan

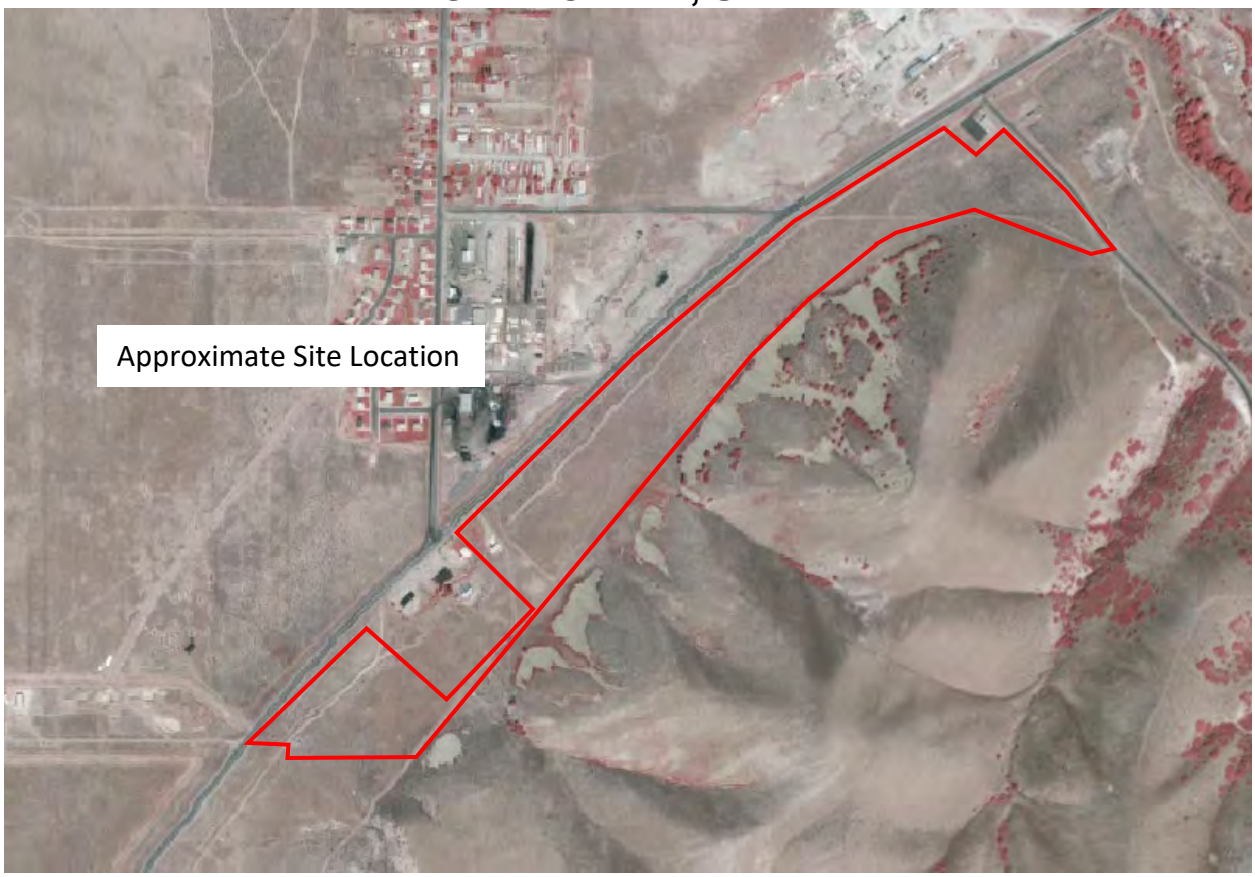
N

Not to Scale

PROJECT NO.: 219075	EARTHTEC ENGINEERING	**FIGURE NO.:** 4a

1970's AERIAL PHOTOGRAPH

ONE O'CLOCK HILL - FRHS
1825 EAST CENTER STREET
SPRINGVILLE, UTAH



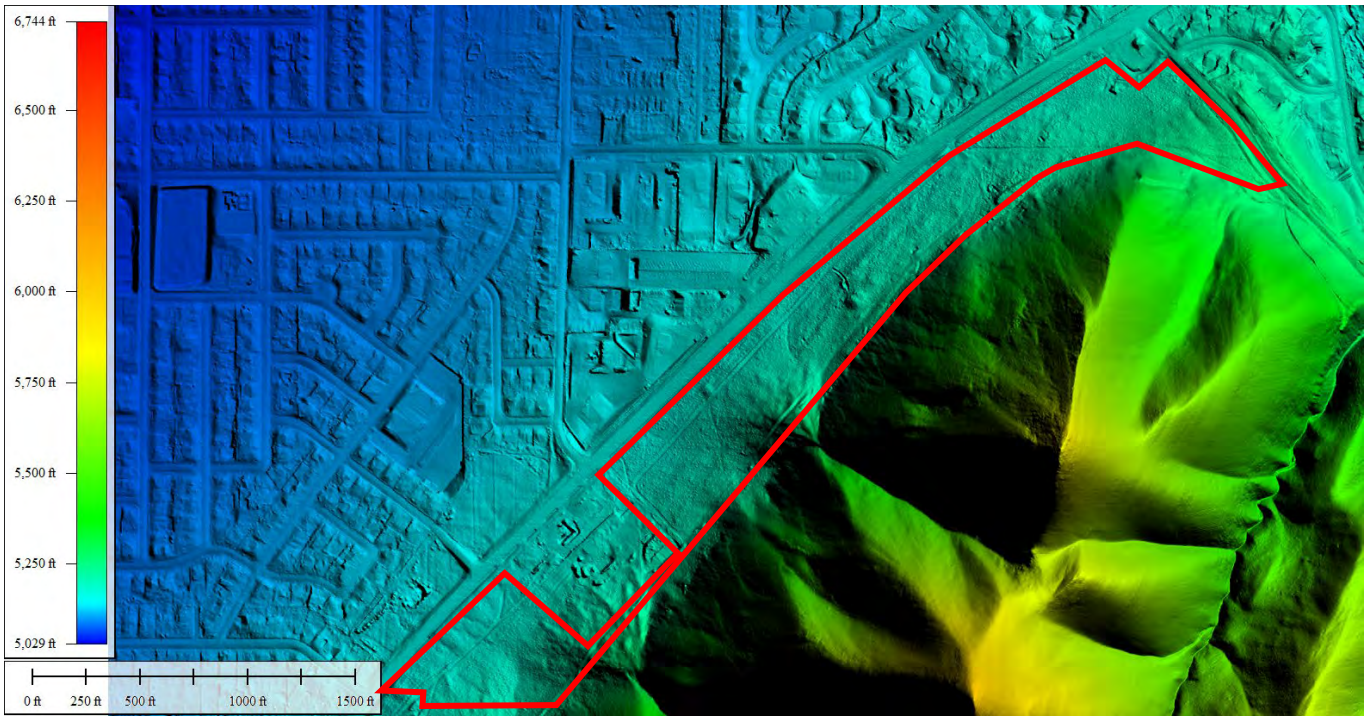
Name: 1 Meter RGB & CIR Digital Orthophotography from the 1970's
Resolution: 1 Meter
Scale: 1:31,760
Year Collected: 1970's
Source: UGS Scan
Note: Stitched together from two photos

N

Not to Scale

PROJECT NO.: 219075	EARTHTEC ENGINEERING	**FIGURE NO.:** 4b

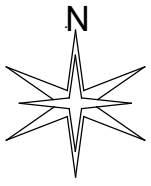
LIDAR IMAGE OF THE SUBJECT SITE AREA
LOT 29 SPRING OAKS - FRHS
1825 EAST CENTER STREET
SPRINGVILLE, UTAH



*Utah AGRC 1 Meter Bare Earth LiDAR DEM / DTM

Scale: 1 inch = 270 feet

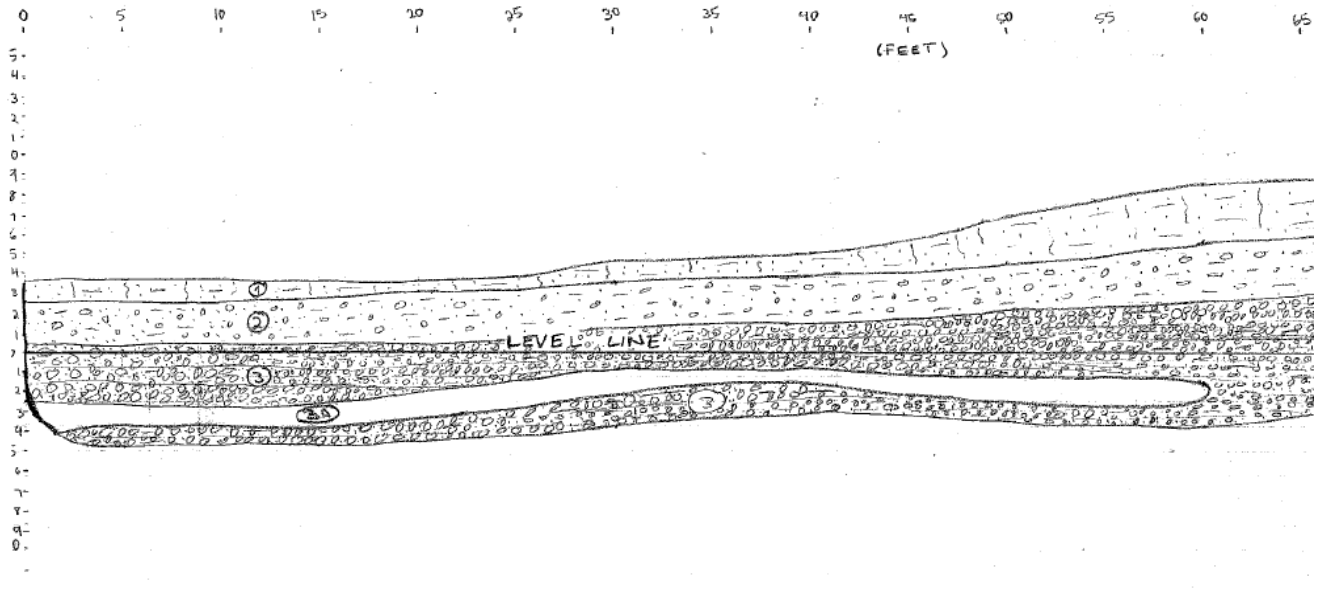
Site Location



Not to Scale

PROJECT NO.: 219026	Earthtec Engineering	**FIGURE NO.: 5**

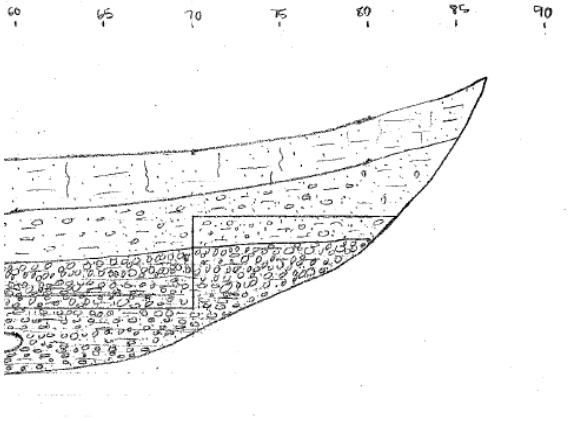
EXPLORATION TRENCH ET-1 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N308°E

PROJECT NO.: 219075	Earthtec Engineering	FIGURE NO.: 6a

EXPLORATION TRENCH ET-1 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N308°E

PROJECT NO.: 219075	Earthtec Engineering	**FIGURE NO.: 6b**

EXPLORATION TRENCH ET-1 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND STTLEMENT CANYON ROAD
TOOELE, UTAH

Unit Descriptions

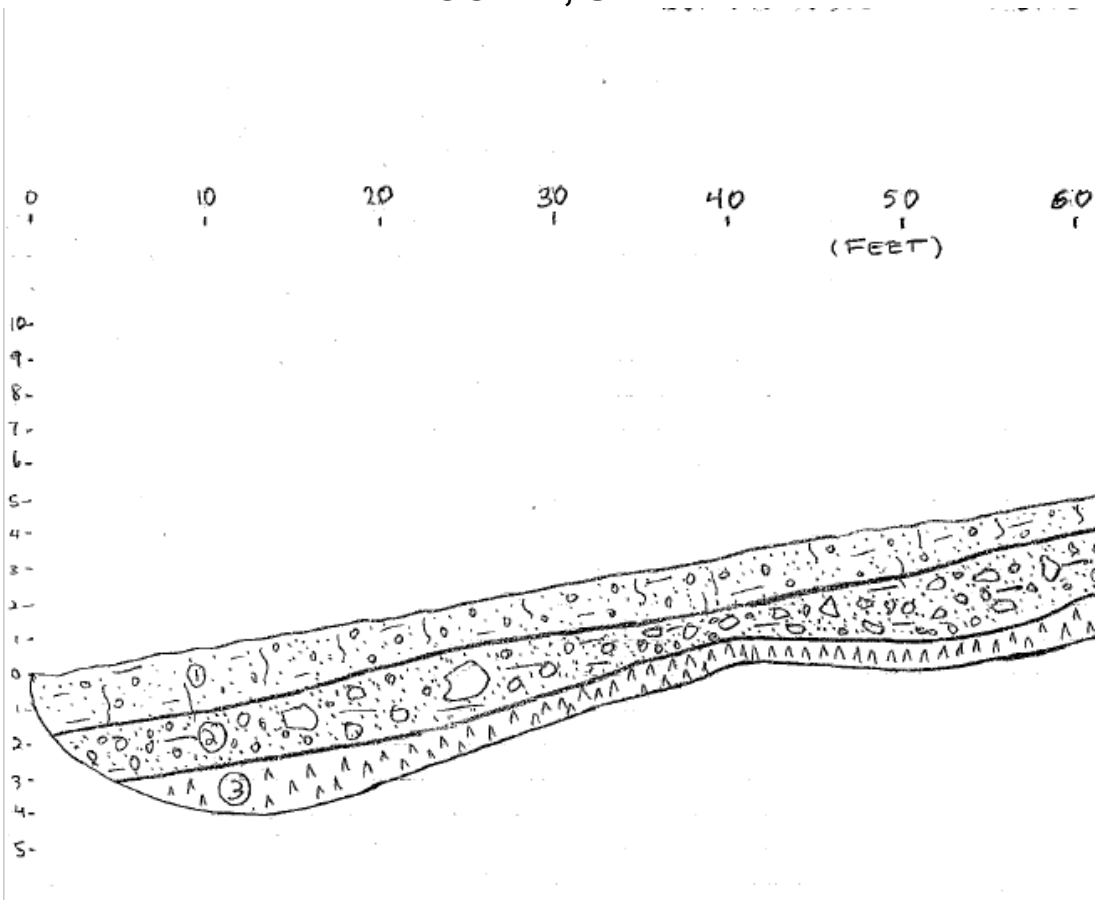
1) **Soil horizon A** – silty sand, brown, roots and organics, pinholes, low moisture

2) **Lake Bonneville Shoreline sand** – silty sand with gravel (SM), massive, sand matrix, 15% to 20% subangular to subrounded gravel, fine to coarse gravel, linear and mild calcite mottling, some roots diminished with depth, light brown to brown, very low moisture, poorly to moderately sorted, pinholes in fine sand pockets

3) **Alluvium Reworked by Lake Bonneville**– poorly graded gravel with silt and sand (GP-GM), massive, gravel matrix, laminar, very fine to coarse, subrounded to rounded gravel, fine to coarse sand, moderately to well sorted, tan to light brown, very low moisture

3A) **Lake Bonneville Near Shore** – poorly graded sand (SP), near shore very fine to fine sand, low energy environment, very well sorted, some ripple marks

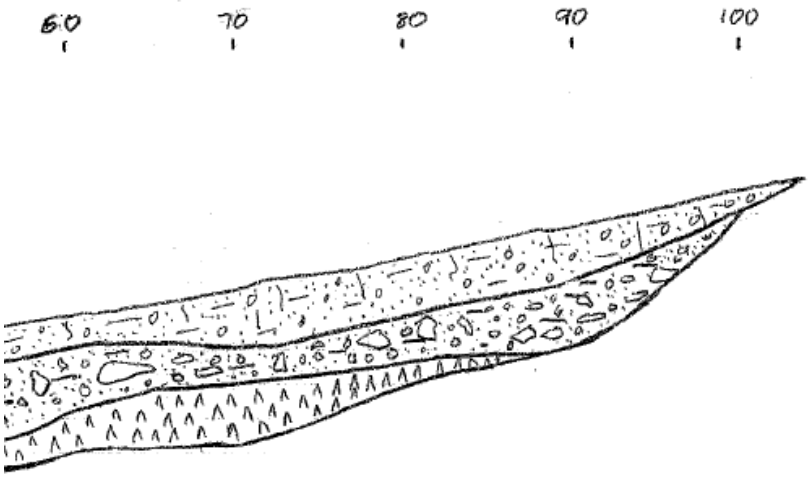
EXPLORATION TRENCH ET-2 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N326°E

PROJECT NO.: 219075	Earthtec Engineering	FIGURE NO.: 7a

EXPLORATION TRENCH ET-2 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N326°E

PROJECT NO.: 219075	Earthtec Engineering	FIGURE NO.: 7b

EXPLORATION TRENCH ET-2 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND STTLEMENT CANYON ROAD
TOOELE, UTAH

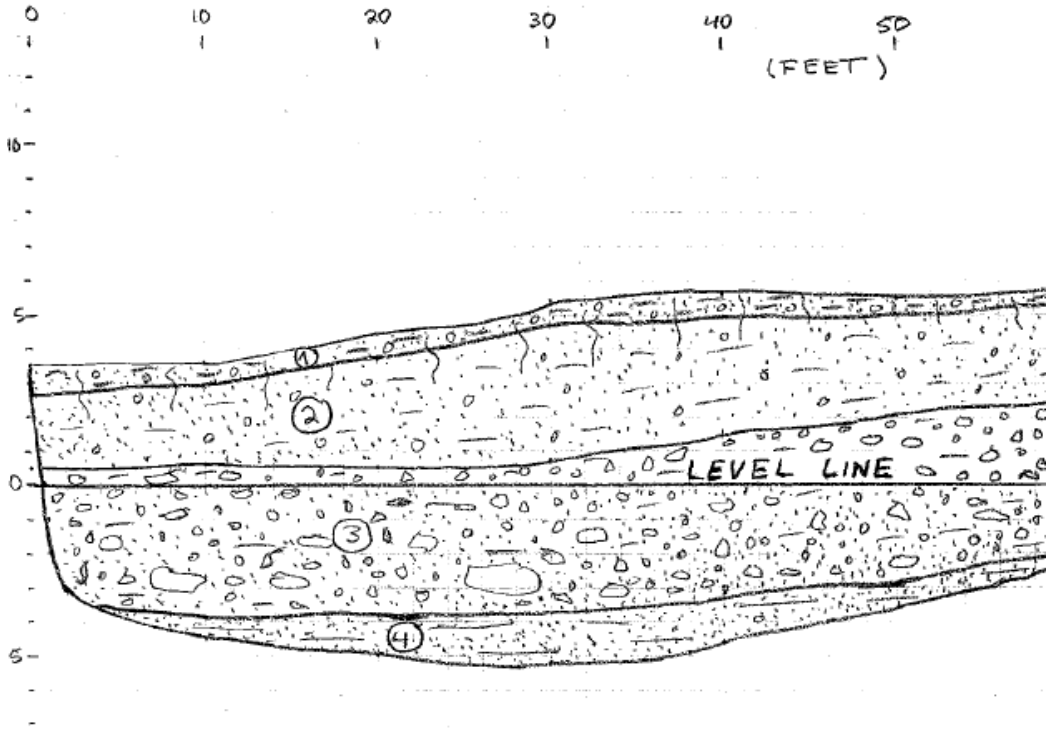
Unit Descriptions

1) **Soil horizon A** – silty sand with gravel, dark brown, roots and organics, pinholes, low moisture

2) **Colluvium** – poorly graded with gravel with sand, silt, cobble and boulder (GM), massive, medium to very coarse, subangular to subrounded gravel, massive, poorly sorted, approximately 75% clast, 25% soil, gravel and cobbles are mostly quartzite, some limestone, light brown to brown, roots diminishing with depth.

3) **Weathered Bedrock** – mainly quartzite, highly fractured, some calcite mottling on top, light tan to tan, difficult to determine the orientation.

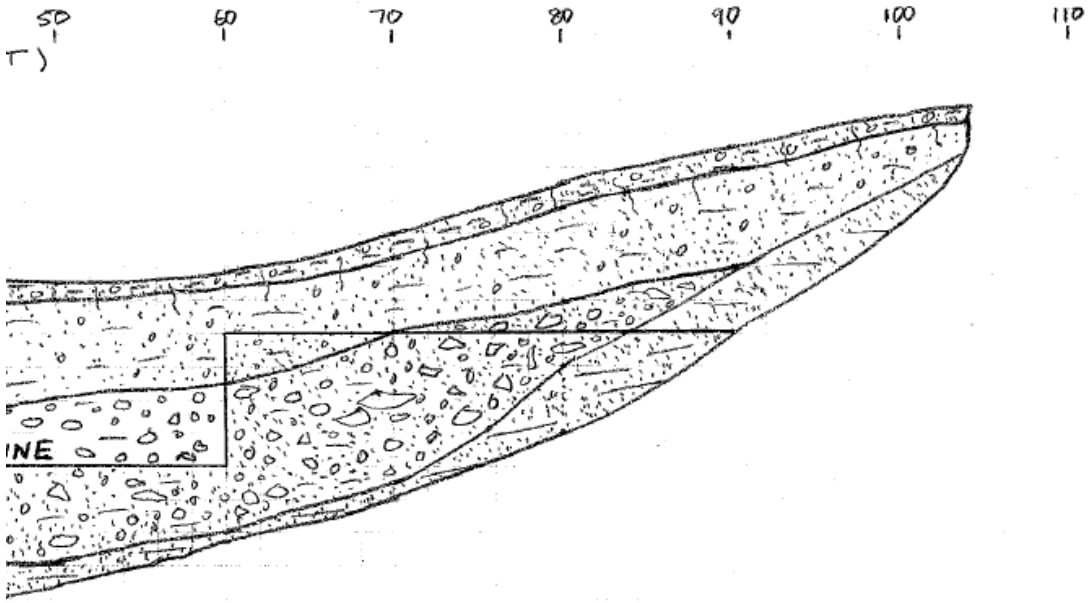
EXPLORATION TRENCH ET-3 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N329°E

PROJECT NO.: 219075	Earthtec Engineering	FIGURE NO.: 8a

EXPLORATION TRENCH ET-3 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND SETTLEMENT CANYON ROAD
TOOELE, UTAH



Scale: 1 inch = 10 feet | Northeast Wall of Trench | Trend: N329°E

PROJECT NO.: 219075	Earthtec Engineering	FIGURE NO.: 8b

EXPLORATION TRENCH ET-3 LOG
ONE O'CLOCK HILL - FRHS
UT-36 AND STTLEMENT CANYON ROAD
TOOELE, UTAH

Unit Descriptions

1) **Soil horizon A** – silty sand with gravel, dark brown, roots and organics, pinholes, low moisture

2) **Alluvium** – silty sand with gravel (SM), potentially reworked by Lake Bonneville activities, massive, 15%-20%, medium to very coarse, subangular to subrounded gravel, massive, poorly sorted, brown, roots diminishing with depth, very low moisture.

3) **Colluvium** – poorly graded with gravel with sand, silt, cobble and sparce boulder (GP-GM), massive, medium to very coarse, angular to subangular gravel with calcite mottling, 70% clast, 30% soil, massive, in sand matrix, moderately sorted, mostly limestone clasts, brown, roots diminishing with depth.

4) **Lacustrine Bonneville Sand (Qla)** – silty clayey sand (SC-SM), massive, some iron oxide stain, very well sorted, brown, moist.

APPENDIX A

Frank F. Namdar, P.G., E.I.T.

Utah DOPL – Professional Geologist	191486-2250
National Assessment Institute – Fundamentals of Engineering	1997

Work Experience-

Project Manager

Earthtec Engineering - Ogden, UT
August 2015 - Present
Geologist, Engineer-

*Prepared Geotechnical Investigation Reports
*Performed Geotechnical Investigations
*Performed Phase I & II Environmental Site Assessments
*Performed Geological Studies & Hazard Evaluations & reporting

Project Manager

Bingham Engineering, Inc. – Salt Lake City, UT
March 2003 - August 2015
Engineer, Geologist-

*Performed Phase I, II Environmental Site Assessments
*Performed Environmental Site Characterizations
*Performed Environmental Remedial Investigation
*Performed Remedial Actions
*Performed Geologic Hazard Studies
*Performed Geotechnical Studies
*Performed Environmental Sampling of indoor/outdoor Air, Soil, Surface and Ground Water
*Prepared Health & Safety Plans
*Performed Landfill Gas Testing
*Prepared NPDES Permit Compliance, reports, SWPPP, SPPP
*Performed Hazardous Materials Survey
*Performed Radiological Sampling, monitoring, Waste Characterizations, Human Health Risk Assessments, RI/FS, Remediations

Project Engineer

Summit Engineering Services – Salt Lake City, UT
March 2001 - February 2003
Engineer, Scientist

*Prepared environmental site assessment, subsurface investigation, quarterly monitoring reports, corrective action plan and feasibility studies on various remediation techniques related to underground storage tanks
*Operated and maintained groundwater and soil remediation systems related to USTs *Observed circular and H pile installation and performed
* Performed geotechnical analysis, design and recommendation, geological hazard evaluations and field explorations.

Project Engineer — Pentacore Resources – Salt Lake City, UT
August 2000 - March 2001
Engineer, Scientist

* Performed environmental engineering analysis, reports, research, field exploration and sampling, inspection, and AUTOCAD drawing for Phase I, Phase II, and RBCA projects
* Managed various environmental and Geotechnical projects
* Performed NPDES permit compliance, reports, site status monitoring reports and hazardous materials survey.
*Prepared Prepared NPDES Permit Compliance, reports, SWPPP, SPPP

Staff Engineer — Terracon – Salt Lake City, UT
May 1998 - August 2000
Engineer, Geologist

* Performed Geotechnical analysis, design and recommendations, geological hazard evaluations, field explorations, and laboratory testing for: commercial buildings along the Wasatch Front; Utilities and communication Towers in Utah, Idaho, and Wyoming; City, County and State Roads; Municipal Structures

Field Engineer — Maxim Technologies – Salt Lake City, UT
August 1993 - May 1998
Engineer, Geologist

*Performed Geotechnical analysis, soil design, field explorations, laboratory testing, and field construction inspections
*Prepared proposals and cost estimates and solicited potential clients for Geotechnical and construction inspections projects
* Performed environmental site assessments, groundwater modeling, field exploration, sampling, and UST removal and installations for various projects

Geologist — Airtech International, Inc. – Newport Beach, CA
October 1992 - December 1992
Environmental Geologist

* Prepared work plan for landfill soil gas sampling, and constructed test holes and monitoring wells for landfill soil gas and ground water sampling

Staff Engineer — Rogers & Associates Engineering Corporation – Salt Lake City, UT
January 1990 - December 1992
Environmental Engineer

*Performed ground water modeling, human health risk assessments
*Performed remediation investigations and feasibility studies

* Performed landfill performance assessments, and remediation and decommissioning for DOE, EPA and NRC projects
*Performed radiological monitoring and sampling to characterize NORM at a natural gas storage and distribution facility
*Performed site suitability and cost analysis, and possible subsurface geophysical options available for site evaluations for low level radioactive waste

Geologist

Sergent, Huskins, and Beckwidth– Salt Lake City, UT
March 1988 - December 1990
Geologist, Engineering Assistant
* Performed geological background documentation, map and aerial photograph research, geologic hazard evaluation, photogeologic study for Kern River Pipeline project. Performed geological mapping, field data and sample collection. Conducted various field and laboratory soils tests, inspected materials for construction projects and prepared daily and weekly reports.

Education-

University of Utah- Salt Lake City, UT
*Bachelor Degree – Geology 1990
University of Utah- Salt Lake City, UT
*Bachelor Degree – Geological Engineering 1992

EARTHTEC ENGINEERING

1497 West 40 South
Lindon, Utah - 84042
Phone (801) 225-5711

840 West 1700 South #10
Salt Lake City, Utah - 84104
Phone (801) 787-9138

1596 W. 2650 S. #108
Ogden, Utah - 84401
Phone (801) 399-9516

November 16, 2021

Tooele 90 LLC
Attention: Mr. Shaun Johnson
6975 Union Park Ave., Ste 600
Cottonwood Heights, UT 84047

Re: Rockfall Hazard Evaluation
One O'clock Hill
Settlement Canyon Road and UT-36
Tooele, Utah
Job No: 219076

Gentlemen:

This letter summarizes the results of Earthtec Engineering's completed Rockfall Hazard Evaluation for the One O'clock Hill project in Tooele, Utah. The subject property is approximately 38 acres and is proposed to be developed with new single-family houses. See Figure No. 1, *Vicinity Map* for the location of the site.

Introduction

The subject site is undeveloped land that consist of three parcels. It is proposed for future development of new single-family houses. The subject site is included in the Utah Geological Survey (UGS) OFR-318[1], Plate 4H map, as a potential rockfall impact site (Appendix A). The steep slopes of Oquirrh Mountains to the south of the site are the subject of this study and these mountains trend from the southwest to the northeast. The geologic units at the site is mapped by Donald L. Clark, Charles G. Oviatt, and David A. Dinter[2] are presented in Figure 2, Geologic Map of the Site, and are described as the following:

Qafy **Younger fan alluvium, post-Lake Bonneville (Holocene to uppermost Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; deposited by streams, debris flows, and flash floods on alluvial fans and in mountain valleys; merges with unit Qal; includes alluvium and colluvium in canyon and mountain valleys; may include areas of eolian deposits and lacustrine fine-grained deposits below the Bonneville shoreline; includes active and inactive fans younger than Lake Bonneville, but may also include some older deposits above the Bonneville shoreline.

Qmct **Colluvium and talus (Holocene to upper Pleistocene)** – Local accumulations of mixed colluvium and talus throughout the map area; common near Lake Bonneville shorelines; thickness up to 15 feet (5 m).

[1] Utah Geological Survey (UGS) open file report 318 Plate 4H: Rock-fall hazard and depth to ground water, Tooele quadrangle, Tooele County, Utah, 1995; Mapped by Kimm M. Harty and Bill D. Black
[2] Utah Geological Survey (UGS) open file report 284DM map: "Interim Geologic Map of the Tooele 30' x 60' Quadrangle, Tooele, Salt Lake, and Davis Counties, Utah, 2020, by Donald L. Clark, Charles G. Oviatt, and David A. Dinter.

Qla **Lacustrine and alluvial deposits, undivided (Holocene to upper Pleistocene)** – Sand, gravel, silt, and clay; consist of alluvial deposits reworked by lakes, lacustrine deposits reworked by streams and slopewash, and alluvial and lacustrine deposits that cannot be readily differentiated at map scale.

Qafo **Older fan alluvium, pre-Lake Bonneville (upper to middle? Pleistocene)** – Poorly sorted gravel, sand, silt, and clay; similar to unit Qafy, but forms higher level incised deposits that predate Lake Bonneville; includes fan surfaces of different levels; fans are incised by younger alluvial deposits and locally etched by Lake Bonneville.

Tiqlp **Quartz latite porphyry dikes and sills (late to middle Eocene)** – Medium-brown and light-greenishgray, hornblende-biotite quartz latite porphyry; hornblende is altered to phlogopite and/or chlorite within the Bingham pit area; distinguished from other latitic dikes and sills by the presence of relatively large quartz phenocrysts and higher percentage of aphanitic groundmass; groundmass usually contains considerable hornblende (KUCC, 2009); includes Raddatz porphyry dikes with large K-feldspar phenocrysts (Settlement Canyon area) (see Krahulec, 2005; new geochemical data in Clark and Biek, 2017), and the Andy Dike and apophyses at Bingham mine (KUCC, 2009); 40Ar/39Ar ages of 37.66 ± 0.08 and 37.72 ± 0.09 Ma (Deino and Keith, 1997), and U-Pb zircon age of 37.97 ± 0.11 Ma (von Quadt and others, 2011); also forms some small dikes (unmapped) east of Pass Canyon and near North Oquirrh thrust (Swensen and others, 1991) with K-Ar age of 36.5 ± 1.1 Ma (Moore, 1973); Raddatz dike has 40Ar/39Ar age of 39.4 ± 0.34 Ma (Kennecott in Krahulec, 2005).

IPobmu **Oquirrh Group, Bingham Mine Formation, upper member (Upper Pennsylvanian, Virgilian-Missourian)** – Light gray to tan, thinly color-banded and locally cross-bedded quartzite with interbedded thin, light- to medium-gray calcareous, fine-grained sandstone, limestone, and siltstone.

Rock Fall Analysis Methodology

This rockfall study is focused on the west and middle parcel of the project (study area). The northeast parcel lacks evidence of past rockfalls and the source to present the potential for rockfalls at this time.

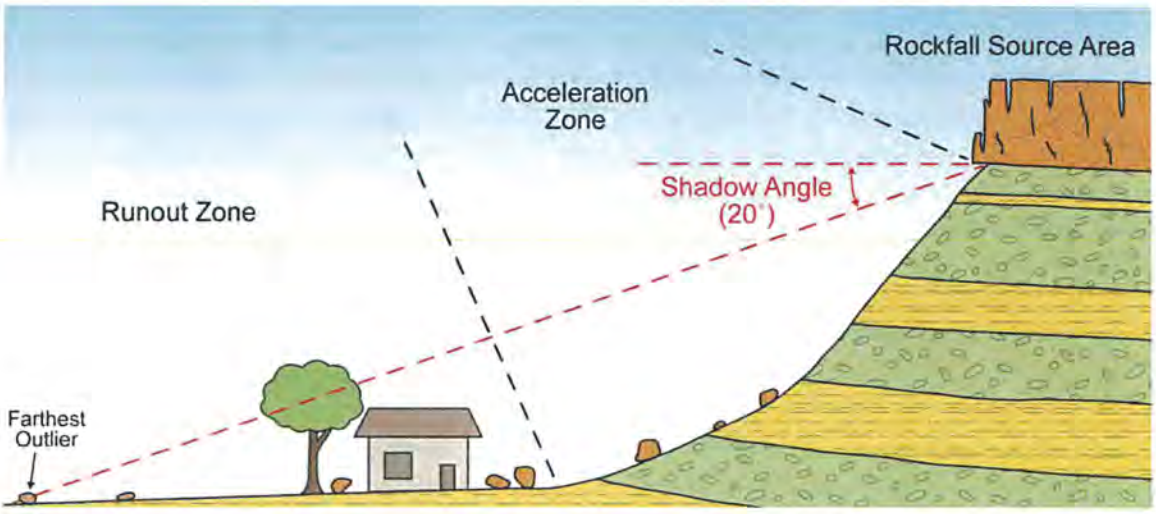
Iron County Code 17.59.030 (3) is being used for the rockfall analysis. Tooele County Code does not provide specific details for conducting a Rock Fall Study, this code was developed in conjunction with the State of Utah Geological Survey (UGS).

As described in Section 1.1 of Iron County Code 17.59.030 (3) for rockfall analysis:

Rock-fall geologic study areas are not mapped in Iron County at this time, but include locations at the base of rock and talus slopes that are susceptible to rock fall—evidence of past rock falls being the primary indictor. A twenty-two-degree shadow angle, extending from the base of the rock-fall source area, as depicted in the following diagram, shall be used to define the extent of a rock-fall geologic study area. (Note: Shadow angle is dependent on the type of rock involved, and the rock-fall hazard area determined by the geologist may be more or less than that captured by the twenty-two-degree shadow angle used to define the study area. However, twenty-two degrees is relatively conservative, and is deemed sufficient to capture most rock-fall hazard situations.)

A rock-fall geologic study area consists of three components: (1) a rock source, in general defined by bedrock geologic units that exhibit relatively consistent patterns of rock-fall susceptibility throughout the study area, (2) an acceleration zone, where rock fall debris detached from the source gain momentum as it travels downslope—this zone often includes a talus slope, which becomes less apparent with decreasing relative hazard and is typically absent where the hazard is low, and finally (3) a runout zone (rock-fall shadow zone), which includes gentler slopes where boulders have rolled or bounced beyond the base of the acceleration zone. (Lund, et al., 2008 in County Code 17.59.030 (3)).

Typical components of a rockfall path profile are presented below (modified from Lund, et al., 2008):



Prior to the start of field investigations, a search of available literature and maps were performed and the published geologic literature and maps relevant to the subject site were reviewed, with particular emphasis on information pertaining to the presence of known rockfall sources and the past history of the rockfalls at or near the subject site. The sources are referred to in this report.

Outcrop Evaluation

A professional geologist from Earthtec Engineering visited the site on October 18, 2021. Several areas of the site were observed to collect information regarding the presence of rockfall hazard

at the site, evidence of past rockfalls, surficial condition and topography of the site. The elevation at the peaks beyond the southeast boundary of the study area ranges from approximately 6,005 feet above sea level (ASL) at the peak of Two O'clock Hill and 5,844 feet ASL at the peak of One O'clock Hill, to approximately 5,200 feet ASL at the base of the mountains.

Several outcrops are visible on the steep slopes southeast of the study area. These outcrops have been mapped on the geologic map and have general northeast-southwest strike and dip 25 to 32 degrees to the northwest (Clark Oviatt, Dinter, 2017). The average slopes on the south portion of the study area and above are approximately 45-50% and consist of mostly fractured quartzite outcrops on the higher elevations (5500 feet to approximately 5,800 feet ASL). Large talus fields are observed across much of the northwest-facing slopes, including the entirety of One O'clock Hill and at elevations of 5,525 to 5,530 feet ASL on Two O'clock Hill. These quartzite taluses are generally angular with weathered surfaces and are less than 18-inches in diameter.

At the approximate high stand of Lake Bonneville elevation (5,200 feet ASL) colluvium, and at shallower portions alluvial sediments are observed. Below the elevation of approximately 5,200 feet ASL numerous boulders of up to 3 feet in diameter were observed. The boulders were comprised mainly of quartzite and were moderately weathered. The geologic unit named IPobmu appears to be the susceptible geologic unit and the source of the rockfall at the site and is evident in the outcrops. Some lichens were observed on most of the boulders. Boulders are concentrated at approximately 200 feet south of UT-36 on the surface of the alluvial field and along the slope of the mountains. Substantial soil deposits were present around the large boulders at the time of our investigation. The surface of the study area is generally covered moderately with grass, sage brush of up to 2 feet in height, and occasional short maple trees with maximum height of 10 feet. Outcrops on the slopes above the site contain boulders approximately 3 feet in diameter with some with soil deposits around them.

A shadow angle is the angle between a horizontal line and a line extending from the base of the rock source to the outer limit of the runout zone as defined by the farthest outlier rockfall debris at a site as shown in the figure above. A site-specific calculation of the shadow angles for One O'clock Hill and Two O'clock Hill were performed. For both, the shadow angle was calculated for outcroppings observed at approximately 5,620 feet ASL. The shadow angle for One O'clock Hill is 20 degrees. The shadow angle for Two O'clock Hill is 18 degrees. These angles are due to a consistently steep acceleration zone and an abruptly flat runout zone that reduces the extent of potential impacts to the development along UT-36.

For One O'clock Hill, the farthest outlier boulder was assumed to reach approximately 330 feet west of the Bonneville Shoreline, at approximately 5,185 feet ASL that appear to be at roughly the same elevation as the location of power line poles at the site. For Two O'clock Hill, the outer limits of the runout zone was assumed to be approximately 390 feet west of the Bonneville Shoreline, at approximately 5,167' ASL. These assumptions are made by observing the approximate location of the larger boulders that are found southeast of UT-36, their distribution, weathering, amount of soil deposited around the boulders and embedding, surface roughness and vegetation at the site. This also assumes undisturbed site conditions and is due to lack of available information regarding the age and frequency of existing boulders and lack of evidence of the farthest outlier clasts due to the development of the UT-36 and to the north of this highway. The location of this group of boulders, as they are lined up to south of the road, could also be the

result of presence of Lake Bonneville as these clasts collide with the lake surface and dramatically reduce speed.

Rock Fall Analysis

This section documents the results of a rockfall analysis for the building areas presented in Figure No. 3, *Shadow Angle Determination*. Several outcrops are visible on both parcels. There are several talus fields below these outcrops. The property falls within the shadow angles of the outcrops.

Topographic (Figure No. 4, *Topographic and Shadow Angle Determination Location*) and visual analyses indicate that the likely trajectory for rock fall emanating from these outcrops would fall to the northwest of the hillslopes which will include the building areas along the southeast side of UT-36. The likelihood of rock fall emanating from these outcrops and impacts to the building areas is moderate as evidenced by the presence of boulders in those areas. While the likelihood of repeated rockfall that reach the development areas is low as evidenced by their age from weathering of some of the large boulders found southwest of the highway on the property, the risk of occasional boulder dislodge from the higher slopes above the site still exists.

Due to deep groundwater elevation, the groundwater does not impact the outcrops and does not contribute to the rockfall hazard at the subject site. The angular and planar nature of the rock fragments reduces the possibility of dislodged rocks from gaining momentum in acceleration zone. The potential for rockslide during an earthquake is also low to moderate due to shape of rock fragments and slope angle above the site, as most of the talus slopes appear to be stabilized by reaching a stable slope near the bottom of the mountains above the site, allowing at-rest position for these rock fragments at even 50% or higher grades. Vegetation established around the these talus slopes show that they are relatively old and currently stable. Slopewash is technically outside of the purview of a Rock Fall Analysis and is not described in the code; the slopes above the proposed building areas were evaluated in the geotechnical study in conjunction with this hazard evaluation. The amount of slopewash at the base of the slope in the relatively flat area of the site near the road is relatively low. This indicates that the slope has stabilized over time. Vegetation coverage on this slope is approximately 60% and includes sagebrush, grasses, and several patches of small maple trees. Presence of soil and vegetation produces surface roughness that reduces the potential of triggering a mass rockslide or dislodging other unstable boulders in the path.

According to Circular 1283 Utah Geological Survey 2020 Guidelines, Chapter 7: Guidelines for investigating geologic hazards and preparing engineering-geology reports:

Rockfall probability: A rockfall investigation, performed as described above, will establish the presence or absence of a rockfall hazard at a site and define a boundary beyond which the risk from future rockfalls is much reduced. However, determining (predicting) the exact timing of future rockfalls is not possible, and is not likely to become possible in the foreseeable future. As a general rule, the more rockfall debris on or at the base of a slope, the more frequent rockfalls are, and the higher the hazard. However, with sufficient data it is possible to estimate the probability

[3] Lund, W.R., P.G., Knudsen, T. R., P.G., Guidelines for investigating geologic hazards and preparing engineering-geology reports, second edition; CHAPTER 7. GUIDELINES FOR EVALUATING ROCKFALL HAZARDS IN UTAH, Utah Geological Survey Circular 128, 2020

(x % chance in y years) of future rockfalls at a site. Conducting a probabilistic analysis requires information on both the number and timing of past rockfalls (Turner, 2012). Only a few areas in Utah have both a high rockfall hazard and a history of rockfall damage to structures to have produced a significant record of historical rockfalls. Rockville, Utah, is one such place, where six large rockfalls have occurred over the past 13 years (figure 48) (Knudsen, 2011; Lund and others, 2014), resulting in an average recurrence interval (average repeat time) for large rockfalls of 2.2 years. The annual probability of a large rockfall in Rockville based on the 13-year record is 46%. Three of the rockfalls struck and damaged inhabited structures, and one of the three caused two fatalities (figure 49). Such well-documented rockfall histories are rare, so in most instances, timing of past rockfalls must be determined by other means. In Yosemite National Park, Stock and others (2012a, 2012b) used cosmogenic beryllium-10 exposure ages to date the surfaces of rockfall boulders exposed to cosmogenic radiation for the first time following the rockfall. They integrated the number of identified rockfall events, rockfall timing data, and computer simulations of rockfall runout to develop a hazard boundary with a 10% probability of exceedance in 50 years for rockfall-susceptible areas of Yosemite Valley. Such detailed probabilistic rockfall-hazard investigations are costly both in terms of time and money and are beyond the scope of most rockfall investigations. However, a probabilistic rockfall investigation may be required when evaluating hazard and risk for high-value infrastructure or for areas of prolonged high human occupancy in rockfall-susceptible areas.

Rock Fall Mitigation

As noted in Circular 128 Utah Geological Survey 2020 Guidelines the Early recognition and avoidance of areas subject to rockfall are the most effective means of mitigating rockfall hazard.

Determining the boundary of the rockfall runout zone and siting all new buildings for human occupancy and IBC Risk Category II, III, and IV facilities (ICC, 2017a) outside that zone will substantially reduce rockfall risk. However, because the boundary of a rockfall runout zone seldom can be established with a high level of precision, the UGS recommends that structures for human occupancy or high-risk facilities be set back an appropriate distance from the runout-zone boundary to provide an additional factor of safety from rockfalls. Rockfall hazard is highly dependent on site geologic and topographic conditions; therefore, the UGS does not make a standard setback recommendation, but rather recommends that the engineering geologist in responsible charge of the rockfall investigation make and justify an appropriate setback based on the results of the site-specific hazard investigation. Where investigation results provide confidence in the runout-zone boundary, additional setback can be minimized. Where the boundary is uncertain, a larger setback is appropriate.

Many techniques are available to mitigate rockfall hazard. Rockfall mitigation is often conducted by specialized design-build manufacturers and/or contractors, often using proprietary techniques and/or materials. Circular 128 indicates that mitigation techniques include, but are not limited to:

- Rock stabilization by manually stabilizing rocks on the slopes above the site.
- Engineered structures to block the rocks that will typically dislodge during the spring-time in Utah due to freeze and thaw in the winter and rain in the spring.
- Modification of at-risk structures. In this case, built-in components in parking garage structures may be used as means of blockage.

Rock-stabilization methods are physical means of reducing the hazard at its source using rock bolts and anchors, steel mesh, scaling, or shotcrete on susceptible outcrops. Engineered catchment or deflection structures such as rockfall fences, berms, swales, or benches can be placed below source areas, or at-risk structures themselves can be designed to stop, deflect, retard, or retain falling rocks. Such methods, however, may increase rockfall hazard if not properly designed and maintained. Detailed information on rockfall mitigation techniques is given in "Part 3: Rockfall Mitigation" of *Rockfall Characterization and Control* (Turner and Schuster, 2012).

General Conditions

The information presented in this letter applies only to the study area defined earlier, on the subject site. It should be noted that site grading activities and changes in conditions at the site such as vibration and other man-made or natural events may produce higher hazard risks. The observations and recommendations presented in this letter were conducted within the limits prescribed by our client, with the usual thoroughness and competence of the engineering profession in this area at this time. No warranty or representation is intended in our proposals, contracts, reports, or letters.

Closure

We appreciate the opportunity of providing our services on this project. If we can answer questions or be of further service, please call.

Respectfully;
EARTHTEC ENGINEERING

Michael S. Schedel
Staff Geologist

LICENSED PROFESSIONAL GEOLOGIST
FARHANG F. NAMDAR
191486-2250
11/16/2021
STATE OF UTAH

Frank N. Namdar, P.G., E.I.T.
Project Geologist

FN/ms

Attached:

Figure No. 1 *Vicinity Map*
Figure No. 2 *Geologic Map*
Figure No. 3 *Shadow Angle Determination*
Figure No. 4 *Topographic Map-Shadow Angle Determination Locations*

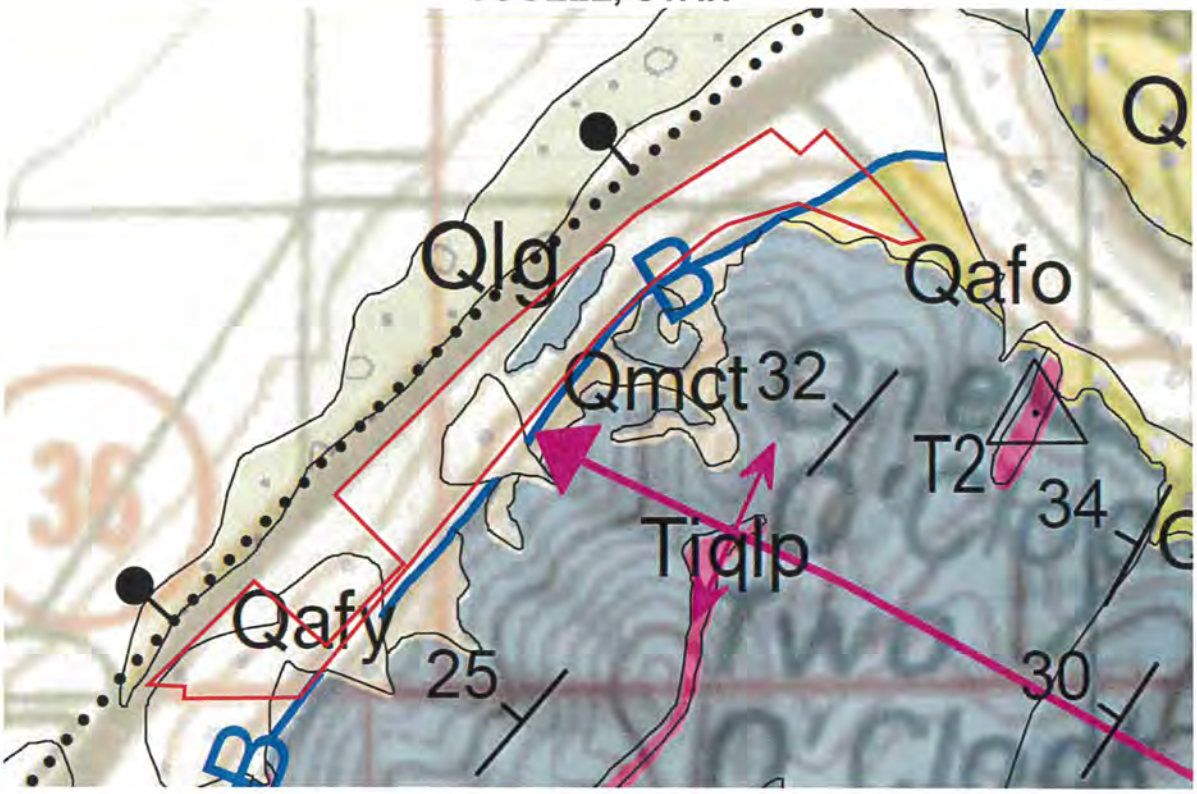
Appendix A Utah Geological Survey (UGS) OFR-318, Plate 4H map

VICINITY MAP

ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH

PROJECT NO.: 219076	EARTHTEC ENGINEERING	FIGURE NO.: 1

GEOLOGIC MAP
ONE O'CLOCK HILL
SETTLEMENT CANYON ROAN AND UT-36
TOOELE, UTAH



Utah Geological Survey (UGS) open file report 669 map: "Interim Geologic Map of the Tooele 30' x 60' Quadrangle, Tooele, Salt Lake, and Davis Counties, Utah, 2017, by Donald L. Clark, Charles G. Oviatt, and David A. Dinter.

IPobmu **Oquirrh Group, Bingham Mine Formation, upper member (Upper Pennsylvanian, Virgilian-Missourian)** -- Light-gray to tan, thinly color-banded and locally cross-bedded quartzite with interbedded thin, light- to medium-gray, calcareous, fine-grained sandstone, limestone, and siltstone; several of the thin calcareous units are locally important as marker beds; upper-lower member contact is placed at base of the Manefay limestone marker bed; unit is very similar to the lower member above the Commercial Limestone (Swensen, 1975); Virgilian and Missourian fusulinids (Triticites) are reported from the Markham Peak section (R.C. Douglass in Tooker and Roberts, 1970), and Welsh and James (1961) reported a Virgilian and Missourian age for the entire formation; 2200 feet (670 m) thick at the Bingham district (Swensen, 1975).

Tiqlp **Quartz latite porphyry dikes and sills (late to middle Eocene) –** Medium-brown and light-greenish-gray, hornblendebiotite quartz latite porphyry; hornblende is altered to phlogopite and/or chlorite within the Bingham pit area; distinguished from other latitic dikes and sills by the presence of relatively large quartz phenocrysts and higher percentage of aphanitic groundmass; groundmass usually contains considerable hornblende (KUCC, 2009); includes Raddatz porphyry dikes with large K-feldspar phenocrysts (Settlement Canyon area) (see Krahulec, 2005; new geochemical data in Clark and Biek, 2017), and the Andy Dike and apophyses at Bingham mine (KUCC, 2009); 40Ar/39Ar ages of 37.66 ± 0.08 and 37.72 ± 0.09 Ma (Deino and Keith, 1997), and U-Pb zircon age of 37.97 ± 0.11 Ma (von Quadt and others, 2011); also forms some small dikes (unmapped) east of Pass Canyon and near North Oquirrh thrust (Swensen and Kennecott staff, 1991) with K-Ar age of 36.5 ± 1.1 Ma (Moore, 1973); Raddatz dike has 40Ar/39Ar age of 39.4 ± 0.34 Ma (Kennecott, unpublished age in Krahulec, 2005).

N

Not to Scale

PROJECT NO.: 219076	EARTHTEC ENGINEERING	FIGURE NO.: 2a

GEOLOGIC MAP
ONE O'CLOCK HILL
SETTLEMENT CANYON ROAN AND UT-36
TOOELE, UTAH

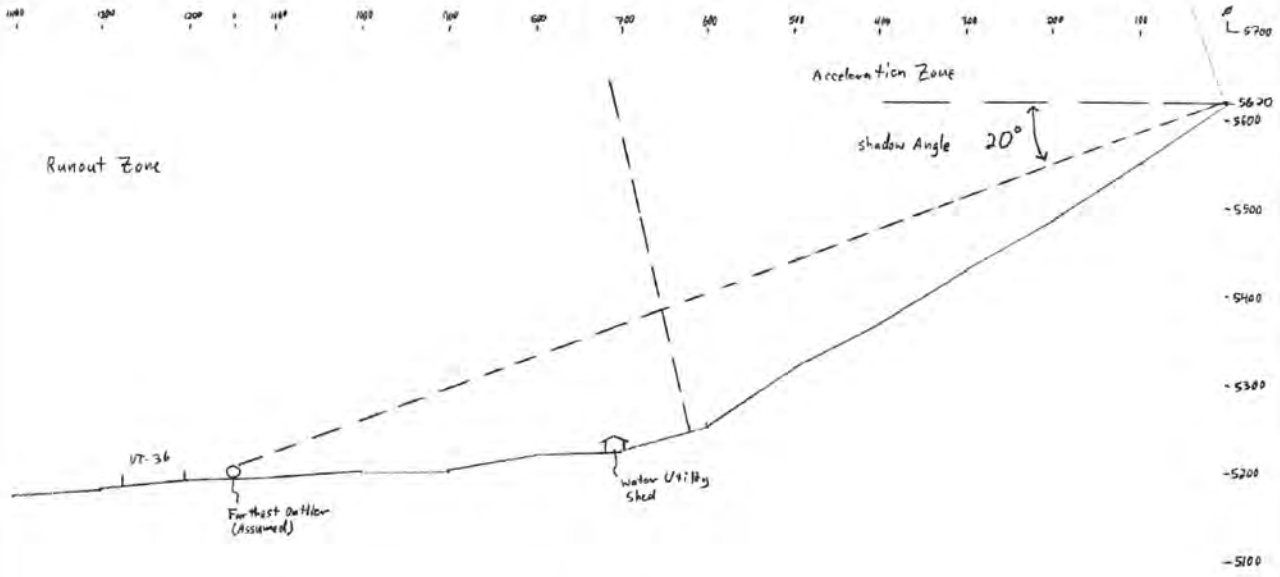
Qafy	**Younger fan alluvium, post-Lake Bonneville (Holocene)** -- Poorly sorted gravel with sand, silt, and clay; deposited by streams, debris flows, and flash floods on alluvial fans and in mountain valleys; merges with unit Qal; includes alluvium and colluvium in canyon and mountain valleys; may include small areas of eolian deposits and lacustrine fine-grained deposits below the Bonneville shoreline; includes active and inactive fans younger than Lake Bonneville, but may also include some older deposits above the Bonneville shoreline; locally, unit Qafy spreads out on lake terraces and, due to limitations of map scale, is shown to abut Lake Bonneville shorelines; Qafy also drapes over, but does not completely conceal shorelines; thickness variable, to 50 feet (15 m) or more.
Qafo	**Older fan alluvium, syn- and pre-Lake Bonneville (upper to middle? Pleistocene)** -- Poorly sorted gravel with sand, silt, and clay; forms higher level deposits that are coeval with and predate Lake Bonneville; includes fan surfaces of different levels; fans are incised by younger alluvial deposits and locally etched by Lake Bonneville; may locally include small areas of lacustrine or eolian deposits, and younger alluvium; thickness variable, to 100 feet (30 m) or more.
Qlg	**Lacustrine gravel (Holocene to upper Pleistocene)** -- Sandy gravel to boulders composed of locally derived rock fragments deposited in shore zones of Great Salt Lake and Lake Bonneville; clasts are typically well rounded and sorted; locally tufa-cemented (especially the Provo shoreline, figure 2) and draped on bedrock; thickness variable, to 100 feet (30 m) or more.
Qla	**Lacustrine and alluvial deposits, undivided (Holocene to upper Pleistocene)** -- Unconsolidated deposits of sand, gravel, silt, and clay; consist of lacustrine deposits reworked by streams and slopewash, alluvial deposits reworked by lakes, and alluvial and lacustrine deposits that cannot be readily differentiated at map scale; thickness locally exceeds 30 feet (10 m).
Qmct	**Colluvium and Talus (Holocene to Upper Pleistocene)** – Local accumulations of mixed colluvium and talus throughout the maps area; common near Lake Bonneville shorelines; thickness up to 15 ft (5 m).

Not to Scale

PROJECT NO.: 219076	EARTHTEC ENGINEERING	**FIGURE NO.:** 2b

SHADOW ANGLE DETERMINATION
ONE O'CLOCK HILL

ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH



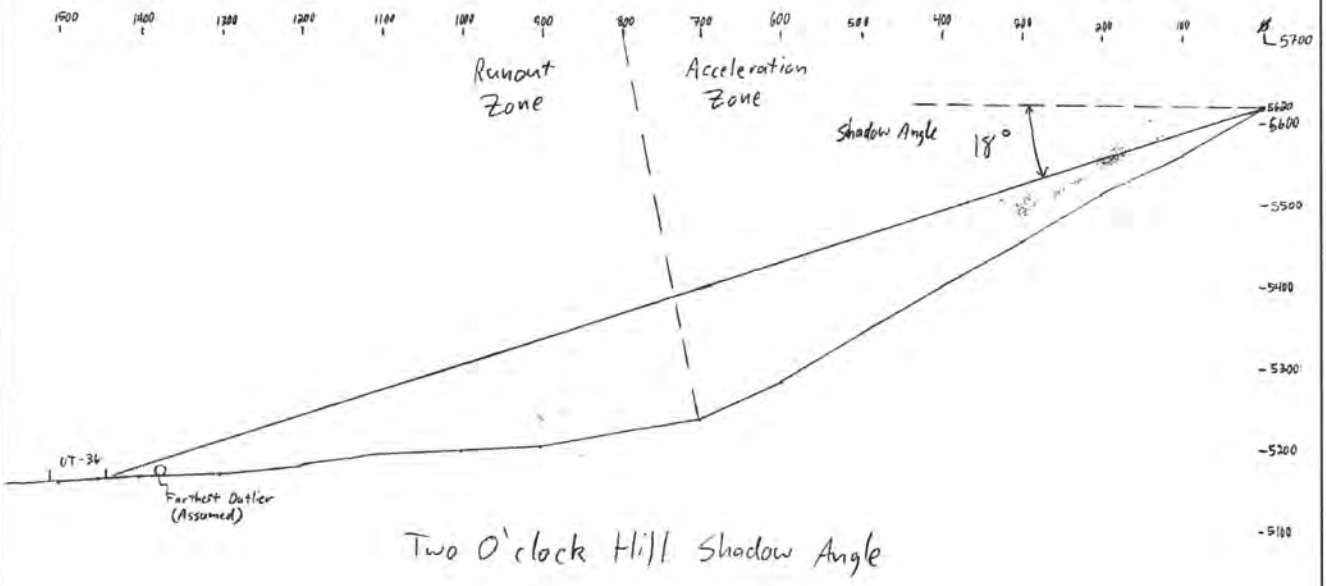
One O'clock Hill Shadow Angle

N

Not to Scale

PROJECT NO.: 219076	EARTHTEC ENGINEERING	FIGURE NO.: 3a

SHADOW ANGLE DETERMINATION
TWO O'CLOCK HILL
ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH



Two O'clock Hill Shadow Angle

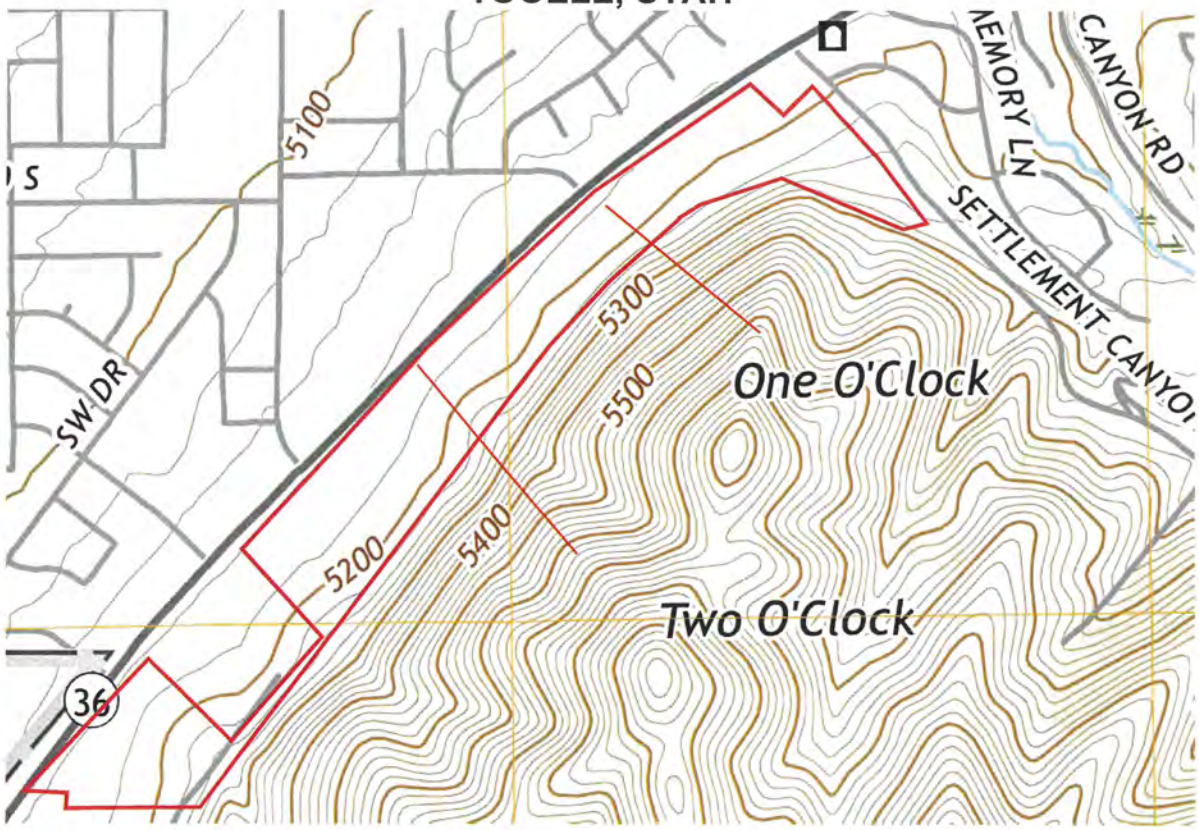
N

Not to Scale

PROJECT NO.: 219076	EARTHTEC ENGINEERING	FIGURE NO.: 3b

TOPOGRAPHIC MAP-SHADOW ANGLE DETERMINATION LOCATIONS

ONE O'CLOCK HILL
SETTLEMENT CANYON ROAD AND UT-36
TOOELE, UTAH



Utah AGRC Topographic Map

Shadow Angle Determination location

N

Not to Scale

PROJECT NO.: 219076	EARTHTEC ENGINEERING	FIGURE NO.: 4

APPENDIX A

ROCKY MOUNTAIN POWER
A PACIFICORP COMPANY

October 12, 2021

Shaun Johnson
SJ Company

Dear Mr. Johnson,

I am writing this letter to confirm our discussions about developing the One O Clock Hill subdivision in Tooele, Utah. Rocky Mountain Power is ok with placing the existing power line in the future park strip using the road and front yard setbacks as the 50 foot wide easement. On the northeast end of the development we would require a 50 foot right of way between the houses or re-align the road to make it part of the park strip also.

If I can be of further assistance feel free to contact me at (801) 220-2212.

Thank You,

Scott C. Burton
Sr. Project Sponsor
Rocky Mountain Power

CIVIL ENGINEERING

11038 N Highland Blvd
Suite 400
Highland Ut. 84003
office (801) 492-1277
cell (801) 616-1677
ken@bergcivil.com

Nov 29th, 2021

To: Tooele City Council

Re: One O'Clock Hill Development

Project Location: UT-36 and Settlement Canyon

Applicant: Tooele 90 LLC

Request: Approval of a Zoning Map Amendment to remove the Sensitive Area Overlay to portions of the proposed development.

Sensitive Areas Overlay

(1) The purpose of the Sensitive Area Overlay is to provide regulatory standards, guidelines, and criteria having the effect of minimizing flooding, erosion, destruction of natural plant and wildlife habitat, alteration of natural drainages, and other environmental hazards, and protecting the natural scenic character of the hillside and mountain areas. In support of this purpose and intent, this overlay recognizes the importance of the unique hillside and mountain areas of Tooele City to the scenic character, heritage, history, and identity of Tooele City and of adjoining areas of unincorporated Tooele County. In support of this purpose and intent, Tooele City finds that it is in the public interest to regulate the development of sensitive areas in a manner so as to minimize the adverse impacts of development on scenic open spaces and on sensitive or vulnerable organic and inorganic systems. (7-12-2.1)

(2) The standards, guidelines, and criteria established by the overlay are intended to support the purpose and intent of the overlay by working to accomplish the following:

a. To protect the public from the natural hazards of storm water runoff, erosion, and landslides. (7-12-2.2)

i. APPLICANT RESPONSE

1. **Storm Water Runoff –** All future development of the subject property is required to comply with city standards to construct facilities to convey and detain the runoff generated from a 25-year storm event with an outflow at a maximum of 0.2 cfs/ac. Additional requirements are to *1) construct facilities to divert surface water away from cut faces or sloping surfaces of fill. 2) protect natural drainage ways. 3) construction of detention basins to minimize peak flows.*

2. **Erosion –** All future development of the subject property is required to comply with city standards to construct facilities to minimized erosion as follows: *1) Construction of the development site to minimize disturbance during the wet times of the year – between Oct 15 and Mar 15. 2) Installation of erosion control measures and best management practices during construction to minimize erosion at the source.*

3. **Landslides, Rockfall Hazard, & Faults–** a Geotechnical Study of the subject property has prepared by Earthtec Engineering (see Appendix for full report). As part of the study, a slope stability analysis was performed for both the static and seismic conditions.

   The results indicated that the slope configuration at the proposed lot analyzed is stable under both modeled conditions.

   All future development of the subject property is required to comply with the recommendations of the geotechnical report with states: *1) if unretained cuts greater than 6 feet on the slope area are planned or retainage walls are required, we recommend that further analysis of the slope be performed.*

   A Rockfall Hazard Evaluation was performed by Earthtec Engineering to determine the hazard level. The report states *"The likelihood of rock fall emanating from these outcrops and impacts to the building area is **moderate** as evidenced by the presence of boulders in those areas. While the likelihood of repeated rockfall that reach the development areas is **low** as evidenced in their age from weathering of some of the large boulders found just south of the road on the property, the risk of an occasional boulder dislodge from the higher slopes above the site still exists."*

   The Surface Fault Rupture Hazard Study was performed by Earthtec to reviewed potential for active faulting and related earthquakes are present for the subject property. The report states *"Based on our observations and analyses, the area to be suitable for the planned construction from a surface fault rupture hazards perspective, provided the recommendations presented in this report are carefully followed and implemented. We recommend observing all footing excavations prior to installing the concrete footing forms, to verify that no surface rupture faults are located below the planned foundation."*

   Refer to Figure 3 that shows the Fault Trenches and setback line for buildable areas.

Recommendations

The geotechnical studies that have been performed for the proposed areas for development support the proposed zone change request to remove the Sensitive Area Overlay to the portion of the property to be developed.

Conclusion

I have reviewed these studies and the recommendations provided. The additional requirements can be included in the proposed development and site layout to mitigate the hazards detailed in the geotechnical studies. Additional plans, details and studies will be provided to the city for review as part of the Subdivision process.

Respectfully,

Ken R. Berg, PE

APPENDIX

Geotechnical Study – Earthtec Engineering Project No. 219074

Surface Fault Rupture Hazard Study - Earthtec Engineering Project No. 219075

Rockfall Hazard Evaluation - Earthtec Engineering Project No. 219076

TOOELE CITY CORPORATION

ORDINANCE 2022-14

AN ORDINANCE OF TOOELE CITY AMENDING TABLE 2 OF CHAPTER 7-16 REGARDING SETBACK REQUIREMENTS IN NONRESIDENTIAL ZONING DISTRICTS.

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

WHEREAS, the various zoning districts of Tooele City are established within Chapter 7-13 of the Tooele City Code; and,

WHEREAS, non-residential land uses in Tooele City, particularly the uses allowed in the various nonresidential zones and property standards are regulated by Tooele City Code Chapter 7-16; and,

WHEREAS, the practice of zoning is a widely accepted and defensible tool for establishing standards for development of differing land uses and areas; and,

WHEREAS, the establishment of zoning within the City Code provides for an even and fair framework for all applications for development and ensures the fundamental fairness in the utilization and enforcement of its provisions; and,

WHEREAS, the terms of municipal codes are intended to contain a certain amount of fluidity whereby those terms can be amended to address new and changing conditions that present themselves and are deemed appropriate; and,

WHEREAS, the establishment of minimum setback requirements are a fundamental part of the establishment of development standards for all zoning districts; and,

WHEREAS, considerations for the establishment of setback requirements include the basic ideals of separation between buildings and property lines for the purpose of access and public safety and various construction considerations from the International Building Code (IBC); and,

WHEREAS, the IBC considerations for setback requirements are based on the construction type and fire rating of buildings; and,

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

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

WHEREAS, the purposes of the proposed City Code amendments include the creation of a more flexible, more effective system for determining setbacks in industrial zoning districts that present

opportunities for more flexible development standards based on the construction type of existing buildings or buildings to be built on properties in those zoning districts while maintaining a base separation requirement; and,

WHEREAS, on March 23, 2022, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit B**); and,

WHEREAS, on April 6, 2022, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Table 2 of Chapter 7-16 of the Tooele City Code is hereby amended as shown in **Exhibit A**;

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 _____, 20___.

TOOELE CITY COUNCIL

(For) (Against)

_____	_____
Justin Brady	Justin Brady
_____	_____
Dave McCall	Dave McCall
_____	_____
Tony Graf	Tony Graf
_____	_____
Ed Hansen	Ed Hansen
_____	_____
Maresa Manzione	Maresa Manzione

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____	_____
Debra E. Winn	Debra E. Winn

(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. City Charter Section 2-05. UCA 10-3-704(11).)

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

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

EXHIBIT A

PROPOSED TEXT AMENDMENT TO TABLE 2 OF CHAPTER 7-16

TABLE 2
DEVELOPMENT STANDARDS

DEVELOPMENT REQUIREMENT	**DISTRICT**									
	Mixed Use **(MU-G) (MU-B)**	Neighborhood Commercial **(NC)**	General Commercial **(GC)**	Regional Commercial **(RC)**	Light Industrial **(LI)**	Industrial Service **(IS)**	Industrial **(I)**	Research & Development **(RD)**	Downtown Overlay **(DO)**	Gateway Overlay **(GO)**
Minimum Side Yard Setback	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 15 feet.	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone Otherwise See Note A~~ *Per Underlying Zoning District*
Minimum Rear Yard Setback	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 20 feet.	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~See Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone. Otherwise See Note A~~ *Per Underlying Zoning District*

Minimum Rear Yard Setback (Corner Lot)	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 20 feet.	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~See Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone. Otherwise See Note A~~ *Per Underlying Zoning District*

NOTES:

A.

1. As allowed by the International Building Code and any required or existing easements. Side yard setbacks measured from a street right-of-way for corner lots in the MU-B zoning district may be reduced to 0 feet upon approval of the Planning Commission as a part of design review in compliance with Title7 Chapter 11 of the Tooele City Code. *Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.*

2. Developments on adjoining lots or parcels that are designed, approved, and constructed as one application or project may have the setback reduced to 0 feet to facilitate a cohesive conjoined development across both properties. Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.

B. The minimum setback requirements of the *adjoining* Residential Zoning District shall apply for all ~~adjoining lots,~~ buildings, parking areas, mechanical equipment, solid waste containers, and all other structures. Side yard setbacks measured from a street right-of-way for corner lots in the MU-B zoning district may be reduced to 0 feet upon approval of the Planning Commission as a part of design review in compliance with Title 7 Chapter 11 of the Tooele City Code. *Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.*

EXHIBIT B

MARCH 23, 2022 PLANNING COMMISSION MINUTES

STAFF REPORT
March 17, 2022

To: Tooele City Planning Commission
Business Date: March 23, 2022

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: **Nonresidential Zoning District Setbacks – City Code Text Amendment Request**
Application No.: P22-273
Applicant: Tooele City
Request: Request for approval of a City Code Text Amendment regarding certain setback requirements in the various nonresidential zoning districts.

BACKGROUND

This application is a request for approval of a City Code Text Amendment to address certain setback requirements within the various nonresidential zoning districts. In August 2021 the City Council approved an amendment to the City Code dealing primarily with setback requirements for the I Industrial zoning district. The intent of that amendment was to reduce the setbacks from 30 feet to a minimum potential setback of 15 feet for side setbacks. At the same time, the side and rear setbacks in the other nonresidential zones, particularly the LI Light Industrial, IS Industrial Service, and RD Research and Development zoning districts, were increased to minimum possibility of 15 feet for side setbacks to create a more uniform provision across the zones. The setback requirement previously was 0 feet. In the time since this provision was changed, there have been applications made that this new setback provision placed a hefty burden upon, even limiting the developability of certain sites. For this reason, this proposed City Code Text Amendment proposes to take a closer look at the setback requirements of the nonresidential zoning districts.

ANALYSIS

City Code. When examining the applicability of certain provisions of the City Code, it is fundamental to first look at the reasons the provision exists in the first place. The principle of a setback is relatively straightforward but can take on some unique aspects based on the uses involved. One such instance was at the heart of the amendment the City Council approved in August 2021. When dealing with uses typically considered heavier, they typically involve activities or materials that present some of the highest potential for a negative impact on adjacent properties. In such cases it makes sense to create a separation between those potential hazards or impacts and the neighboring properties. There is also the question of lesser impacts onto neighboring properties. This could come in the form of storm water runoff from structures imposing onto adjacent properties or the ability to maintain buildings on a site without having to encroach onto the neighboring property, among others. Through examining these aspects in light of the subject amendment, the zoning districts at issue, although still industrial in nature, are not districts that carry those heaviest uses or present the highest risk of the hazards or potential impacts for adjacent properties. As such, it is considered prudent to examine a more appropriate setback requirement that balances the needs of the separation requirements with that of the developability and reasonability of the provisions. For that reason, the staff has been examining the uses and provisions of these lesser intense nonresidential zoning districts to see if a better

balance can be struck. As a result, this request proposes to amend certain setback provisions within some of the nonresidential zoning districts to better strike this balance. In addition, this request also proposes to amend certain notations tied to those requirements to provide better clarity and to address the ability and circumstances whereby there can be no setback requirement when development proposals are to construct across property lines jointly. The proposed language for the subject City Code Text Amendment request can be found in Exhibit "A" to this report.

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

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

REVIEWS

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

1. The proposed text amendment will provide for a better balance between regulation and developability.
2. The proposed text amendment will provide for better clarity in the City Code.

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

1. The proposed text amendment maintains an allowance for site development while addressing site needs such as storm water runoff and building maintenance.

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

1. The proposed text amendment allows for building construction within the requirements and allowances of the Building Code.

Noticing. The applicant has expressed their desire to revise the terms of the City Code and do so in a manner

which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

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

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Nonresidential Zoning District Setbacks City Code Text Amendment Request by Tooele City, application number P22-273, based on the following findings:"

1. List findings …

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Nonresidential Zoning District Setbacks City Code Text Amendment Request by Tooele City, application number P22-273, based on the following findings:"

1. List findings …

EXHIBIT A

PROPOSED REVISIONS TO TABLE 2 OF CHAPTER 7-16
OF THE TOOELE CITY CODE TEXT

TABLE 2
DEVELOPMENT STANDARDS

DEVELOPMENT REQUIREMENT	DISTRICT									
	Mixed Use **(MU-G) (MU-B)**	Neighborhood Commercial **(NC)**	General Commercial **(GC)**	Regional Commercial **(RC)**	Light Industrial **(LI)**	Industrial Service **(IS)**	Industrial **(I)**	Research & Development **(RD)**	Downtown Overlay **(DO)**	Gateway Overlay **(GO)**
Minimum Side Yard Setback	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 15 feet.	As Allowed by Building Code but not less than ~~1~~5 feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone Otherwise See Note A~~ *Per Underlying Zoning District*
Minimum Rear Yard Setback	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 20 feet.	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~See Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone. Otherwise See Note A~~ *Per Underlying Zoning District*

Minimum Rear Yard Setback (Corner Lot)	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	Note B when adjoining a Residential Zone. Otherwise See Note A*1*	30 Feet	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	As Allowed by Building Code but not less than 20 feet.	As Allowed by Building Code but not less than ~~20~~ *10* feet *with Note A2*. Note B when adjoining a Residential Zone ~~Otherwise See Note A~~	~~See Note A~~ *Per Underlying Zoning District*	~~Note B when adjoining a Residential Zone. Otherwise See Note A~~ *Per Underlying Zoning District*

NOTES:

A.

1. As allowed by the International Building Code and any required or existing easements. Side yard setbacks measured from a street right-of-way for corner lots in the MU-B zoning district may be reduced to 0 feet upon approval of the Planning Commission as a part of design review in compliance with Title7 Chapter 11 of the Tooele City Code. *Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.*

2. Developments on adjoining lots or parcels that are designed, approved, and constructed as one application or project may have the setback reduced to 0 feet to facilitate a cohesive conjoined development across both properties. Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.

B. The minimum setback requirements of the *adjoining* Residential Zoning District shall apply for all ~~adjoining lots,~~ buildings, parking areas, mechanical equipment, solid waste containers, and all other structures. Side yard setbacks measured from a street right-of-way for corner lots in the MU-B zoning district may be reduced to 0 feet upon approval of the Planning Commission as a part of design review in compliance with Title 7 Chapter 11 of the Tooele City Code. *Structures shall not be allowed to be constructed within an existing or proposed easement or right-of-way.*

TOOELE CITY CORPORATION

ORDINANCE 2022-15

AN ORDINANCE OF THE TOOELE CITY COUNCIL VACATING A DEDICATED PUBLIC UTILITY EASEMENT ON LOT 4 OF THE TOOELE ESTATES SUBDIVISION, PHASE 1.

WHEREAS, Donald Torrey (the "property owner") has petitioned the City to vacate a certain public utility easements (the "PUE") located along the existing west rear lot line and north interior lot line of parcel 12-068-0-0004, also known as lot 4, in the Tooele Estates Subdivision, Phase 1; and,

WHEREAS, the petition satisfies the requirements of U.C.A. §10-9a-609.5 (the petition, attached as Exhibit A, together with the subdivision plat including the PUE, attached as Exhibit C); and,

WHEREAS, the property owner has notified, and has received the signatures on an amended subdivision plat from, Questar Gas, Rocky Mountain Power, CenturyLink, and Comcast (see Petition); and,

WHEREAS, the property owner has represented, consistent with the utility company signatures, that there are currently no utilities in the PUE; and,

WHEREAS, no Tooele City utilities are located, or contemplated to be located, within the portions of the PUE to be vacated; and,

WHEREAS, the City Council convened a duly-noticed public hearing on the vacation petition on April 6, 2022; and,

WHEREAS, good cause exists for the vacation, and the vacation is not anticipated to materially injure the public interest or any private person, inasmuch as:

- the property is under single ownership
- the property owner has petitioned for the vacation
- the current lot lines and PUE interior to the Property will serve no public or private purpose
- no public or private utilities are located or contemplated to be located within the PUE
- the above-referenced utility companies have agreed to the vacation
- the public hearing identified no reason why the vacation should not be approved; and,

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that the petition to vacate the public utility and drainage easement located on the property's west interior lot line, as depicted in the Tooele Estates Subdivision, Phase 1 plat, shown in Exhibit C, is hereby approved; and,

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City 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 _____, 20___.

TOOELE CITY COUNCIL

(For) (Against)

_____	_____
Justin Brady	Justin Brady
_____	_____
Dave McCall	Dave McCall
_____	_____
Tony Graf	Tony Graf
_____	_____
Ed Hansen	Ed Hansen
_____	_____
Maresa Manzione	Maresa Manzione

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____	_____
Debra E. Winn	Debra E. Winn

(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. City Charter Section 2-05. UCA 10-3-704(11).)

ATTEST:

_____
Michelle Pitt, City Recorder

S E A L

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

EXHIBIT A

VACATION PETITION

PETITION REQUESTING VACATION

DON TORREY
801-835-3362
959 NORTH 310 EAST
TOOELE , UTAH 84074
LOT # 4
TOOELE ESTATES
PHASE 1 SUBDIVISION

We have received grants of permission from Tooele City Public Works, Comcast, Questar Gas Company, Lumen (CenturyLink) to have a detached garage / storage shed built in the North West rear corner of this lot.

The home already has an attached garage, which houses the vehicles. We are in need of additional storage space for our ATV'S , lawn equipment, etc.

With the lot being as small as it is, a small shed will not be sufficient enough to store our additional items.

The North West easements on the property are being requested for vacation.

EXHIBIT B

UTILITY SIGNATURES

Date: 2/4/2022

RE LOT:
959 N 310 E
TOOELE, UT 84074

To Whom It May Concern,

As you requested, CenturyLink hereby consents to KONG SHEDS, an encroachment of the existing MTN STATES TELEPHONE & TELEGRAPH CO ROW ESMT, along the north and west property lines at 959 N 310 E in Tooele, Utah, for the placement of a detached garage.

However, this consent does not waive or relinquish any rights necessary to the operation, maintenance, renewal, construction, repair, or removal of CenturyLink lines, conduit, or other communication facilities, which are or may be located on said easement. Also, all clearances must be maintained from CenturyLink lines.

It has been determined that there are no existing CenturyLink cables in this existing easement.

As consideration for CenturyLink granting you permission to encroach upon said easement, it will be necessary for you to hold CenturyLink harmless from any and all claims for personal injuries or damages to property when such injuries or damages, directly or indirectly, arise out of the existence, construction, installation, maintenance, condition, use or presence of your structures upon said easement. CenturyLink shall not be responsible for any damages to structures or property located on said easement.

Sincerely,

David Sloan
385-315-6586
david.sloan2@centurylink.com
Sr Network Implementation Engineer
Lumen

Comcast Cable Communications, Inc.
1350 E. Miller Ave.
Salt Lake City, Utah 84106
801-401-3041 Tel
801-255-2711 Fax

January 18, 2022

Kong Sheds
959 N 310 E
Tooele, UT 84074

To whom it may concern,

Comcast of Utah II grants permission to encroach upon the easement, which exists along the North-west line of the property located at 959 N 310 E, Tooele, UT 84074. As long as it does not interfere with or deny access to our existing facilities (Poles, cable, conduits, pedestal, electronics). Three feet of clearance must be maintained around all pedestals.

If you need our facilities to be moved, it can be done at your expense. If any damage is incurred to our facilities due to your encroachment, repairs will be done at your expense. Be sure to contact Blue Stakes to locate all utility services at least 48 hours before digging.

Sincerely,

Samantha Murray

Samantha Murray
Authorized Representative

Space above for County Recorder's use
PARCEL I.D.# 12-068-0-0004

DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Dominion Energy Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Tooele County, Utah, to-wit:

> All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 4, Tooele Estates Phase 1 Subdivision, located in the Northwest quarter of Section 22, Township 3 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah; said Subdivision recorded in the Office of the County Recorder for Tooele County, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on January 18, 2022.

QUESTAR GAS COMPANY
Dba Dominion Energy Utah

By: Richard A Hellstrom
Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On January 18, 2022, personally appeared before me Richard A. Hellstrom, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Dominion Energy Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.

Pauline Caraveo
Notary Public

PAULINE CARAVEO
Notary Public State of Utah
My Commission Expires on:
February 16, 2025
Comm. Number: 716795

ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP

555 North Main
Tooele, Utah 84074

February 4, 2022

Teri Torrey
959 N 310 E
Tooele, UT 84074

Dear Teri,

As you requested, Rocky Mountain Power hereby consents to an encroachment into the utility easements on the northwest corner of the property located at 959 N 310 E, Tooele, UT to build a detached garage.

However, this consent does not waive or relinquish any rights necessary to the operation, maintenance, renewal, construction, repair, or removal of Power Company lines, conduit, or other power facilities, which are or may be located on said easement. Also, all clearances must be maintained from Power Company lines.

As consideration for the Power Company granting you permission to encroach upon said easement, it will be necessary for you to hold the Power company harmless from any and all claims for personal injuries or damages to property when such injuries or damages, directly or indirectly, arise out of the existence, construction, installation, maintenance, condition, use or presence of your structures upon said easement. Rocky Mountain Power shall not be responsible for any damages to structures or property located on said easement.

Sincerely,

Pamela Neilson

Pamela Neilson
Journeyman Estimator
435-833-7926

Public Works Department
90 N Main St. Suite 101
Tooele, Utah 84074
Phone: 435.843.2130

Tooele City

February 25, 2022

Kong Sheds
959 N 310 E
Tooele, UT 84074

To whom it may concern:

Tooele City Public Works Department has no water, wastewater or storm drain utilities that are within the easement that need to have protection at this time.

Please feel free to contact me or Tiffany Day in my office if additional information is needed.

Sincerely,

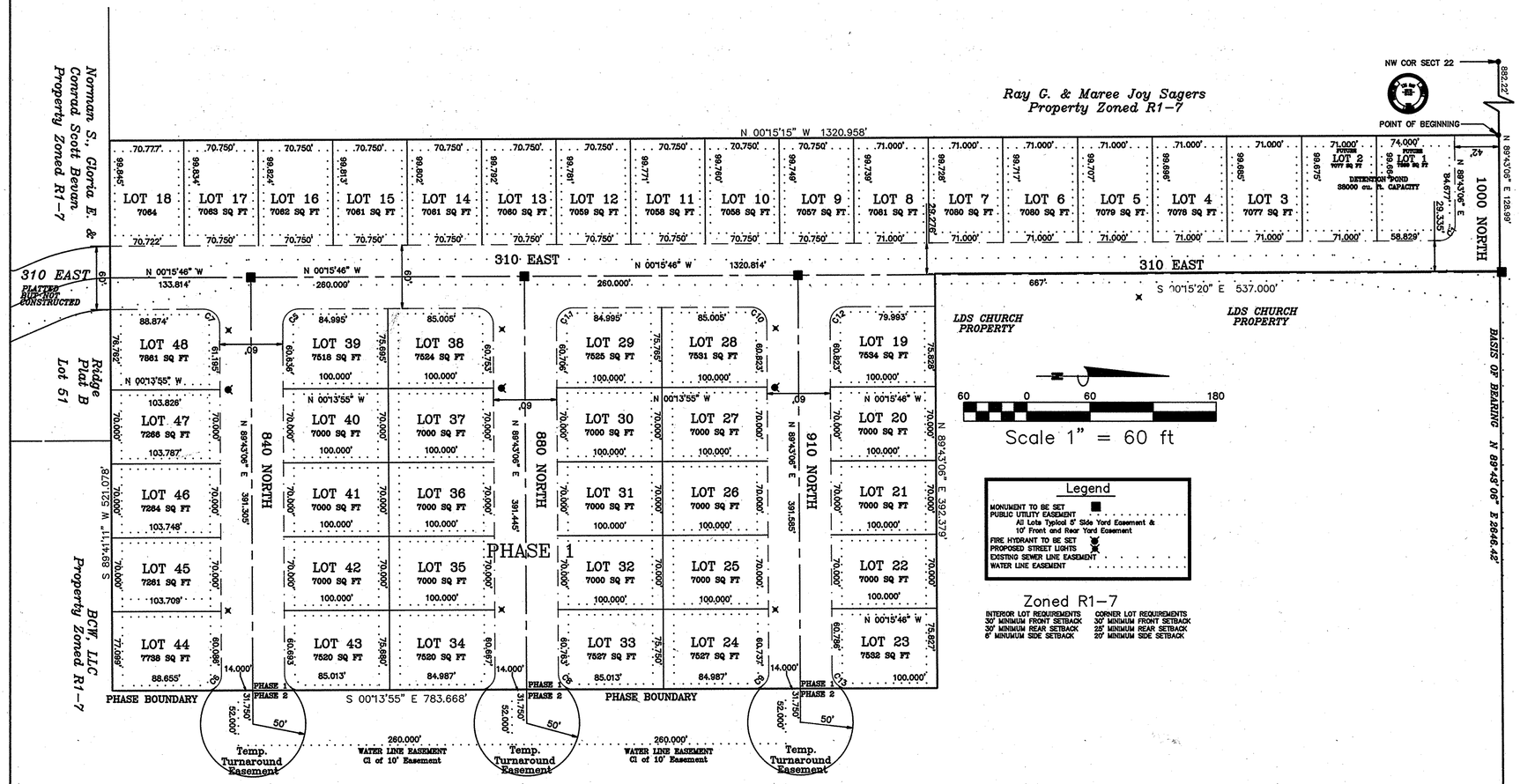
Jamie Grandpre
Public Works Director

EXHIBIT C

SUBDIVISION MAPS

TOOELE ESTATES

A Subdivision in the Northwest Quarter of Section 22
Township 3 South, Range 4 West



NUMBER	lc	CD	T FT	R FT	'	LC FT
C1	89°54'23"	N 45°12'57" W	14.975	15.000	23.537	21.196
C2	89°57'01"	N 44°44'35" E	14.987	15.000	23.549	21.204
C3	90°02'59"	N 45°15'24" W	15.013	15.000	23.575	21.222
C4	89°58'52"	S 44°43'40" W	14.995	15.000	23.557	21.210
C5	90°01'08"	S 45°16'20" E	15.005	15.000	23.567	21.217
C6	90°02'59"	N 45°15'24" W	15.013	15.000	23.575	21.222
C7	89°58'52"	S 44°43'40" W	14.995	15.000	23.557	21.210
C8	89°57'01"	N 44°44'36" E	14.987	15.000	23.549	21.204
C9	90°02'59"	N 45°15'25" W	15.013	15.000	23.575	21.222
C10	89°58'52"	S 44°43'40" W	14.995	15.000	23.557	21.210
C11	90°01'08"	S 45°16'20" E	15.005	15.000	23.567	21.217
C12	90°01'08"	S 45°16'20" E	15.005	15.000	23.567	21.217
C13	89°57'01"	N 44°44'36" E	14.987	15.000	23.549	21.204

Lot #	Street	Number
1	985 North	310 East
or	306 East	1000 North
2	977 North	310 East
3	967 North	310 East
4	959 North	310 East
5	949 North	310 East
6	941 North	310 East
7	931 North	310 East
8	923 North	310 East
9	913 North	310 East
10	905 North	310 East
11	895 North	310 East
12	887 North	310 East
13	877 North	310 East
14	869 North	310 East
15	859 North	310 East
16	851 North	310 East
17	841 North	310 East
18	833 North	310 East
19	313 East	910 North
or	922 North	310 East

Lot #	Street	Number
20	321 East	910 North
21	331 East	910 North
22	337 East	910 North
23	345 East	910 North
or	923 North	Broadway
24	346 East	910 North
or	903 North	Broadway
25	338 East	910 North
26	332 East	910 North
27	322 East	910 North
28	314 East	910 North
or	904 North	310 East
29	313 East	880 North
or	892 North	310 East
30	321 East	880 North
31	331 East	880 North
32	337 East	880 North
33	345 East	880 North
or	893 North	Broadway
34	346 East	880 North
or	863 North	Broadway

Lot #	Street	Number
35	338 East	880 North
36	332 East	880 North
37	322 East	880 North
38	314 East	880 North
or	864 North	310 East
39	313 East	840 North
or	856 North	310 East
40	321 East	840 North
41	331 East	840 North
42	337 East	840 North
43	345 East	840 North
or	853 North	Broadway
44	346 East	840 North
or	833 North	Broadway
45	338 East	840 North
46	332 East	840 North
47	322 East	840 North
48	314 East	840 North
or	836 North	310 East

SURVEYOR'S CERTIFICATE

I, L. MARK NEFF, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172065 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY 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, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

PROFESSIONAL ENGINEER AND LAND SURVEYOR
L. MARK NEFF
P.E. #180254
L.S. #172065
STATE OF UTAH

BOUNDARY DESCRIPTION

Beginning at a point North 89 degrees 43 minutes 06 seconds East along the section line 882.220 feet from the Northwest corner of Section 22 Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running thence North 89 degrees 43 minutes 06 seconds East 128.890 feet; thence South 00 degrees 15 minutes 20 seconds East 537.000 feet; thence North 89 degrees 43 minutes 06 seconds East 392.379 feet; thence South 00 degrees 13 minutes 55 seconds East 783.668 feet; thence South 89 degrees 41 minutes 11 seconds West 521.078 feet; thence North 00 degrees 15 minutes 15 seconds West 1320.958 feet to the point of beginning.
Containing 477818 square feet or 10.969 acres.

Feb 24, 1998
DATE

L. MARK NEFF

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT , THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS HEREOF _____ HAVE HEREUNTO SET OUR HANDS THIS____ DAY OF _____, A.D. _____.

BRUCE WILSON CONST, L.L.C.
A UTAH LIMITED LIABILITY COMPANY
By: Bruce Wilson

INMC MORTGAGE HOLDINGS, INC, a Delaware Corporation dba CONSTRUCTION LENDING CORPORATION OF AMERICA
By: Matt C. Brown
Vice President

ACKNOWLEDGMENT

STATE OF UTAH }S.S.
COUNTY OF TOOELE SALT LAKE

ON THE 10th DAY OF April, A.D. 1998 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 4/14/2001

NOTARY'S FULL NAME Leesa Blodgett

Leesa Blodgett
NOTARY PUBLIC
COMMISSION IN UTAH

LEESA BLODGETT
Notary Public
State of Utah
My Commission Expires Apr. 14, 2001
310 E. 4500 S., S.L.C. UT 84107

PREPARED BY	CITY ATTORNEY	CITY ENGINEER	LAND USE TECHNICIAN	TOOELE CITY PLANNING COMMISION	TOOELE CITY COUNCIL
NEFF ENGINEERING 4659 South 2300 East SLC, Utah (801) 272-8341	APPROVAL AS TO FORM ON THIS 9th DAY OF April, A.D. 1998 TOOELE CITY ATTORNEY	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. 4/10/98 DATE TOOELE CITY ENGINEER	APPROVED THIS 25TH DAY OF February, A.D. 1998. TOOELE CITY LAND USE TECHNICIAN	APPROVED THIS 25 DAY OF Feb., A.D. 1998 CHAIRMAN, PLANNING COMMISSION.	APPROVED THIS 4th DAY OF March, A.D. 19 98 ATTEST: RECORDER CHAIRMAN, CITY COUNCIL
OWNER / DEVELOPER BILL HAFEMAN 2141 S. Main SLC, Utah 84115 (801) 487-0636					

RECORDED # 109813
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF Bruce Wilson Construction LLC
DATE April 10 1998 TIME 4:26 BOOK 500 PAGE 766
19.00 FEE $
Linda M Orr
TOOELE COUNTY RECORDER

neff ENGINEERING INC.
ENGINEERS
LAND SURVEYORS
PLANNERS
4659 SOUTH 2300 EAST SUITE 104
SALT LAKE CITY UTAH 84117
tel. (801) 272-8341
fax (801) 272-8348

CLIENT:
WILLIAM C. HAFEMAN
ADDRESS:
2141 S. MAIN
SLC, UTAH
84115
487-0636

FINAL PLAT
TOOELE ESTATES
PHASE 1
TOOELE, UTAH

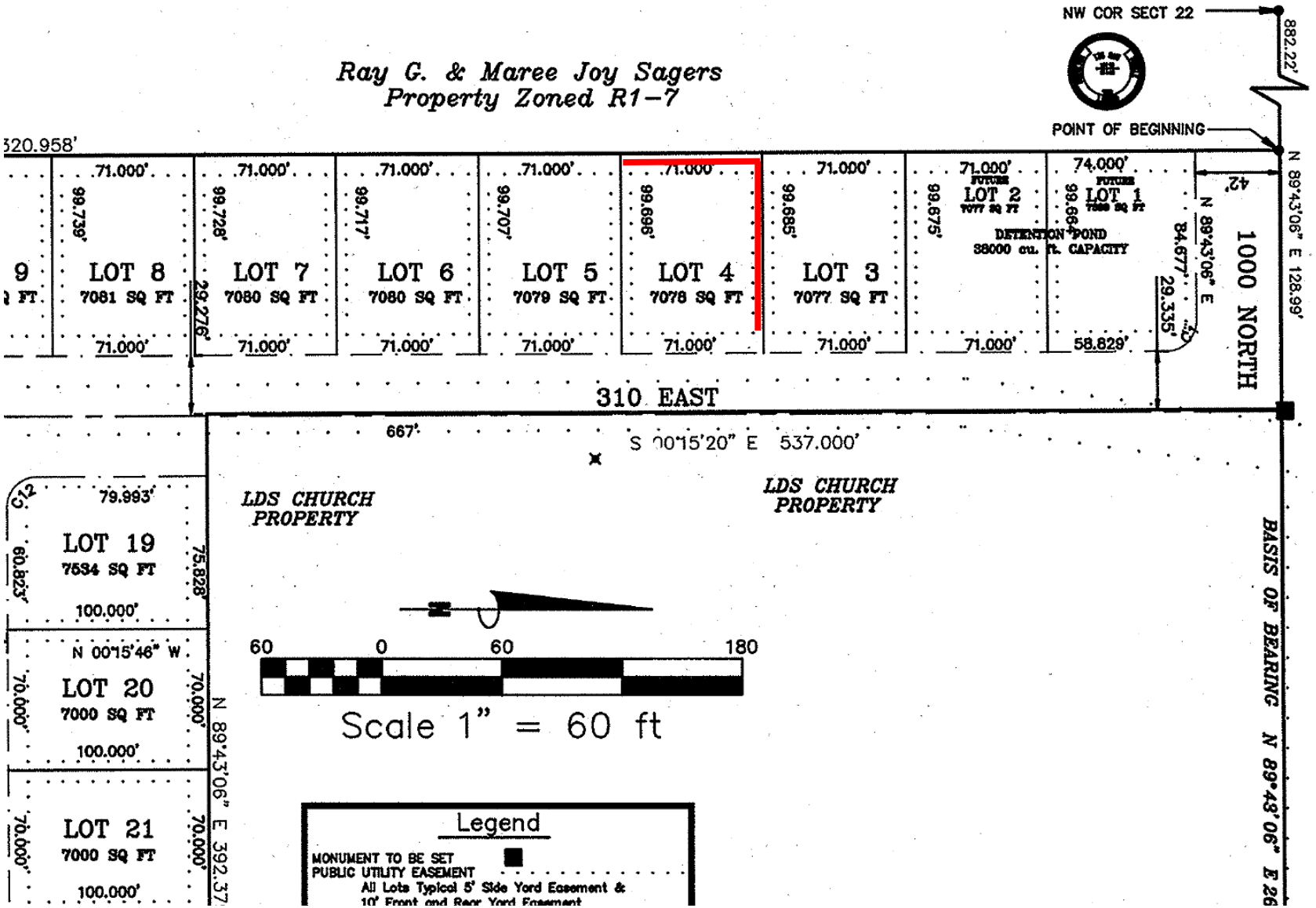
SURVEY LOCATION
22
T.3S., R.4W.
SALT LAKE BASE & MERIDIAN

REVISION:

DATE	

DRAWING BY: GSD
CHECKED BY: LMN
COMPUTER FILE: C:\DWG\1568 1568
DATE: JANUARY 14, 1998
FILE NO. 1568

SHEET NO.
PLAT


Ray G. & Maree Joy Sagers
Property Zoned R1-7
NW COR SECT 22
882.22'
POINT OF BEGINNING
N 89°43'06" E 128.99'
320.958'
71.000'
99.739'
99.728'
99.717'
99.707'
99.696'
99.685'
99.675'
LOT 8
7081 SQ FT
LOT 7
7080 SQ FT
LOT 6
7080 SQ FT
LOT 5
7079 SQ FT
LOT 4
7078 SQ FT
LOT 3
7077 SQ FT
LOT 2
7077 SQ FT
FUTURE
LOT 1
7080 SQ FT
FUTURE
74.000'
DETENTION POND
38000 cu. ft. CAPACITY
42'
N 89°43'06" E
84.677'
29.335'
29.276'
58.829'
1000 NORTH
310 EAST
667'
S 00°15'20" E 537.000'
LDS CHURCH PROPERTY
LDS CHURCH PROPERTY
79.993'
LOT 19
7534 SQ FT
100.000'
60.823'
75.828'
N 00°15'46" W
LOT 20
7000 SQ FT
100.000'
70.000'
LOT 21
7000 SQ FT
100.000'
N 89°43'06" E 392.37'
BASIS OF BEARING N 89°43'06" E
60 0 60 180
Scale 1" = 60 ft
Legend
MONUMENT TO BE SET
PUBLIC UTILITY EASEMENT
All Lots Typical 5' Side Yard Easement &
10' Front and Rear Yard Easement

TOOELE CITY CORPORATION

RESOLUTION 2022-21

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN AMENDMENT TO THE 2019 CELL TOWER LEASE AGREEMENT WITH ECO-SITE II, LLC.

WHEREAS, on May 4, 2011, the City Council approved Resolution 2011-12, which authorized a Site Lease with Option and other agreements ("Lease") with T-Mobile for a cell tower site in Elton Park, and T-Mobile eventually allowed the lease to expire; and,

WHEREAS, on December 4, 2019, the City Council approved Resolution 2019-79, which authorized a new Lease Agreement ("New Lease") for the cell tower site in Elton Park with Eco-Site II, LLC; and,

WHEREAS, pursuant to letter dated February 18, 2020, Eco-Site exercised its right, pursuant to the terms of the New Lease, to extend the Initial Testing Period for one year, that year becoming the Renewal Testing Period, ending February 13, 2022, and the Renewal Testing Period thereafter expired; and,

WHEREAS, by email dated February 28, 2022, Eco-Site's consultant asked the City to sign an amendment to the New Lease to allow an addition year for the Testing Period; and,

WHEREAS, the City Administration, including the Parks and Recreation Department, recommended approval of the New Lease, and found that the Tower and associated facilities, in the location and configuration approved by Resolution 2019-79, would not interfere with, conflict with, or detract from the use and nature of Elton Park as a free and open public park, and continues its recommendation and finding today; and,

WHEREAS, upon commencement, following the expiration of the additional Testing Period contemplated by this Resolution, the New Lease will result in new revenue to the City general fund in the amount of $15,000 annually (or $1,250 monthly), plus 1% annual escalations, for a period of 20 years or more; and,

WHEREAS, the proposed New Lease amendment is attached hereto as Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the New Lease amendment, attached as Exhibit A, is hereby approved and that the Mayor is hereby authorized to sign the New Lease amendment on behalf of the City.

This Resolution is in the best interest of the welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

New Lease Amendment

(Above 3" Space for Recorder's Use Only)

This Document Prepared By and After Recording, Return To:
Eco-Site, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, Florida 33487
Attn: Daniel Marinberg

Cross Reference:

Instrument No. 541131
Recorder's Office
Tooele County, Utah

Commitment Number: 01-21034826

FIRST AMENDMENT TO LEASE AGREEMENT AND FIRST AMENDMENT TO MEMORANDUM OF LEASE

This First Amendment to Lease Agreement and First Amendment to Memorandum of Lease (this "**Amendment**") is entered into and made effective as of February 13, 2022 and is by and between **Tooele City Corporation**, a municipal corporation ("**Landlord**"), and **Eco-Site, LLC**, a Delaware limited liability company, successor by merger to Eco-Site II, LLC ("**Tenant**"). Landlord and Tenant may be referred to herein as "**Party**" or jointly as "**Parties**."

W I T N E S S E T H:

A. Landlord and Tenant entered into that certain Lease Agreement dated February 14, 2020 (the "**Lease**") and Memorandum of Lease dated February 14, 2020 (the "**Memorandum**") recorded in Tooele County, Utah, on April 12, 2021 at Instrument No. 541131 (collectively, the Lease and the Memorandum shall be referred to herein as the "**Agreement**").

B. Landlord and Tenant desire to amend the Agreement, as set forth below, to extend the Testing Period Renewal Term set forth in Section 2 of the Agreement.

NOW, THEREFORE, in consideration of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the Landlord and Tenant agree as follows:

1. **Recitals, Definitions**. The recitals set forth above are accurate and hereby incorporated into the Agreement and Memorandum by reference thereto. All capitalized terms not defined herein shall have the same meaning set forth in the Agreement or Memorandum, as applicable.

2. **Amendment**.

(a) Previously, the Parties by agreement or otherwise extended the Testing Period through to and including February 13, 2022 The Agreement and Memorandum are now hereby amended by extending the Testing Period for the period beginning on February 14, 2022 through to and including February 13, 2023.

(b) Tenant's notice information and address set forth in Section 1.1 of the Agreement is hereby deleted and replaced with the following:

Eco-Site, LLC
750 Park of Commerce Drive
Suite 200
Boca Raton, Florida 33487
Attn: General Counsel
Site No./Name: US-UT-5040 / North 5th Street

3. **Ratification**. Except as amended herein, all of the terms and conditions of the Agreement are hereby ratified and confirmed in all respects and shall remain unchanged and continue in full force and effect.

4. **Conflict**. In the event of any conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall govern and supersede those set forth in the Agreement.

5. **Successors and Assigns**. This Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

6. **Binding Effect**. This Amendment shall be binding upon the heirs, legal representatives, successors and assigns of the parties. The parties shall execute and deliver such further and additional instruments, agreements and other documents as may be necessary to evidence or carry out the provisions of this Amendment.

7. **Representations and Warranties**. To the extent applicable, each party hereby represents and warrants to the other party that such party has full right and authority to execute and enter into this Amendment and to perform the obligations imposed upon such party without the consent of any other party or person. Further, each of the persons executing this Amendment on behalf of such party hereby represents and warrants that such person is authorized to do so.

8. **Entire Agreement**. This and any attachments, which are hereby incorporated into and made a part of this Amendment, set forth the entire agreement between the parties with respect to the matters set forth herein. There have been no additional oral or written representations or agreements.

9. **Authority to Sign**. Each signatory of this Amendment represents hereby that he or she has the authority to execute and deliver the same on behalf of the party hereto for which such signatory is acting.

10. **Counterparts**. This Amendment may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

[signatures on the following pages]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the day and year first above-written.

WITNESSES:

_____
Name:_____

_____
Name:_____

LANDLORD:

Tooele City Corporation,
a municipal corporation

By:_____

Name: _____

Title: _____

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 20_____, by _____ as _____ of Tooele City Corporation, a municipal corporation.

_____
Signature of Notary Public

_____
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

[Tenant's Signature Page]

WITNESSES:

TENANT:

Eco-Site, LLC
a Delaware limited liability company

_____
Name:_____

_____
Name:_____

By: _____
Name:_____
Title:_____
Date:_____

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 20_____, by _____ as _____ of Eco-Site, LLC, a Delaware limited liability company.

_____
Signature of Notary Public

_____
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

TOOELE CITY CORPORATION

RESOLUTION 2022-22

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A MODIFICATION TO THE THIRD-PARTY PUBLIC IMPROVEMENT INSPECTION REQUIREMENT FOR OVERLAKE 2A PHASE 2.

WHEREAS, Tooele City and the Developer Parties executed a Settlement Agreement, effective August 6, 2014, to end protracted litigation between the parties; and,

WHEREAS, Section 8 of the Settlement Agreement requires the City to allow, and the Developer Parties to utilize, the services of third-parties to inspect public improvements construction in all Overlake developments constructed by the Developer Parties; and,

WHEREAS, Perry Homes is in the process of obtaining approval for its Overlake 2A phase 2 subdivision, and has requested the opportunity to waive Section 8 for the limited purpose of this subdivision and for City inspectors to perform their normal inspection function, and including the payment of the City's public improvement inspection fees; and,

WHEREAS, the proposed Limited Waiver agreement is attached as Exhibit A; and,

WHEREAS, the City Administration recommends approval of the Limited Waiver inasmuch as it will allow City inspectors to verify the proper installation and construction of all Overlake 2A phase 2 public improvements for City ownership and long-term maintenance:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Limited Waiver document attached as Exhibit A is hereby approved as being in the best interest of the City, and that the Mayor is hereby authorized to execute the same.

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

Passed this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For) (Against)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

Limited Waiver

WAIVER OF SECTION 8 OF OVERLAKE LITIGATION SETTLEMENT AGREEMENT

WITH RESPECT TO PHASE 2 OF OVERLAKE PHASE 2A

This Limited Waiver of Settlement Agreement (this "Limited Waiver") is entered into as of the 15 day of March, 2022 by and among L.H. Perry Investments, LLC and Perry Homes, Inc. (the "Waiving Parties") and Tooele City (the "City"). All defined terms not otherwise defined herein shall have the meanings ascribed thereto in that certain Settlement Agreement related to the Overlake Development dated August 6, 2014 to which the Waiving Parties and the City are parties (the "Settlement Agreement").

WHEREAS the City and the Waiving Parties desire by this Limited Waiver to waive the applicability of Section 8 of the Settlement Agreement to that certain real property planned to be developed by the Waiving Parties and commonly known as Phase 2 of Overlake 2A as is further defined on EXHIBIT A, attached hereto (the "2A Phase 2 Property").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Waiving Parties and the City agree as follows:

1. Paragraph 8 of the Settlement Agreement shall be inapplicable to the 2A Phase 2 Property. Instead, the inspections of all public improvements installed by the Waving Parties at the 2A Phase 2 Property shall be subject to the regular public improvement inspection regime (including the payment of public improvement inspection fees) established by the City. There shall be no third-party inspections of the public improvements installed at the 2A Phase 2 Property.

2. Except for the waiver of Paragraph 8 of the Settlement Agreement with respect to the 2A Phase 2 Property, the Settlement Agreement remains in full force and effect. In the event of a conflict between the Settlement Agreement and this Limited Waiver, the provisions of this Limited Waiver shall govern.

IN WITNESS WHEREOF, the Parties have executed this Limited Waiver effective as the date first written above.

PERRY HOMES, INC.

By:_____
William O. Perry, IV, Legal Counsel

L.H. PERRY INVESTMENTS, LLC

By:_____
William O. Perry, IV, Manager

TOOELE CITY

By:_____
Name:
Title:

_____
ATTEST: City Recorder

EXHIBIT A
THE PROPERTY

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES SOUTH 89°40'06" WEST 42.00 FEET AND NORTH 00°22'25" WEST 246.21 FEET FROM THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE NORTHEAST CORNER OF THE OVERLAKE ESTATES 2A PHASE 1 SUBDIVISION; THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES: (1) SOUTH 89°40'06" WEST 124.82 FEET, (2) NORTH 00°19'54" WEST 66.31 FEET, (3) SOUTH 89°40'06" WEST 440.00 FEET; THENCE NORTH 00°22'25" WEST 1119.62 FEET; THENCE NORTH 89°37'35" EAST 440.00 FEET; THENCE SOUTH 00°22'25" EAST 30.72 FEET; THENCE NORTH 89°37'35" EAST 124.77 FEET TO A POINT ALONG THE WESTERLY RIGHT OF WAY OF 400 WEST; THENCE ALONG SAID RIGHT OF WAY SOUTH 00°22'25" EAST 1155.63 FEET TO THE POINT OF BEGINNING.

CONTAINS 636908 SQ. FT. OR 14.62 ACRES MORE OR LESS, 47 LOTS.

TOOELE CITY CORPORATION

RESOLUTION 2022-23

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING THE TOOELE CITY PURCHASING AGENT TO DISPOSE OF SURPLUS PERSONAL PROPERTY

WHEREAS, Section III.1.g. of the Tooele City Purchasing Policy, Guidelines, and Procedure ("Policy")[1] provides that "When goods are deemed surplus, outdated, or no longer needed by a department, and are valued at $100 or more, the Purchasing Agent will recommend the transfer or disposal of the goods. If the Purchasing Agent is recommending disposal, he/she will present a list of all goods valued at $100 or more to the City Council for approval of disposal"; and,

WHEREAS, Policy Section V.1.a.(13) defines "goods" to mean "supplies, materials, equipment, wares, merchandise, and similar items"; and,

WHEREAS, the Police Department is in possession of a 2013 Dodge Journey and a 1999 Dodge Stratus, and the Parks Department is in possession of a 1996 Ford F-150 ("Goods") which they deem to be surplus to the needs of Tooele City, detailed more fully in the attached Exhibit A, and request the assistance of the Purchasing Agent to dispose of those Goods by resolution presented to the City Council; and,

WHEREAS, the Goods are not evidence in a criminal prosecution, disposed of under UCA Chapter 24-3, and are not lost or mislaid property in the possession of the police department, disposed of under UCA Chapter 77-24a:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the City Council hereby declares the Goods to be surplus to the needs of Tooele City, and hereby authorizes the Purchasing Agent and the City Administration to dispose of the goods through live auction.

This Resolution shall take effect upon passage.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

[1] Adopted by Ordinance 2019-19 on August 7, 2019.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING:_____

MAYOR OF TOOELE CITY

(For) (Against)

_____ _____

Debra E. Winn Debra E. Winn

ATTEST:

_____

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____

Roger Evans Baker, City Attorney

EXHIBIT A

List of Surplus Goods

2013 Dodge Journey, Serial #3C4PDCAB5DT671600 (Police),
1999 Dodge Stratus, Serial #1B3EJ46X5XN603099 (Police), and
1996 Ford F-150, Serial #1FTEF15Y9TNA09005, mileage 128,675, used at the Oquirrh Hills Golf Course.

TOOELE CITY CORPORATION

RESOLUTION 2022-24

A RESOLUTION OF THE TOOELE CITY COUNCIL DECLARING SURPLUS CERTAIN TECHNOLOGY-RELATED EQUIPMENT, AND AUTHORIZING ITS DISPOSAL

WHEREAS, the Information Technology Department has identified a number of technology-related equipment items that are no longer capable of meeting Tooele City's technology needs (see list of equipment attached as Exhibit A); and,

WHEREAS, the City Administration implemented a written policy, effective August 6, 2013, for the disposal of surplus technology-related equipment (see policy attached as Exhibit B); and,

WHEREAS, it is in the City's interest to make full use of technology-related equipment and then to dispose of, pursuant to policy, whatever equipment no longer serves the public interest; and,

WHEREAS, wherever possible, the City disposes of technology-related equipment by recycling it with a reputable local recycling company to minimize waste and environmental contamination:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the equipment listed in Exhibit A is hereby declared surplus and authorized for disposal pursuant to the policy attached as Exhibit B.

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

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

Debra E. Winn Debra E. Winn

ATTEST:

_____

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____

Roger Evans Baker, City Attorney

Exhibit A

List of Surplus Equipment

Device	Model	Serial Number
PhoneMaster	PhoneMaster	VB628094
HP Desktop	Prodesk	MXL4393P7X
Dell Desktop	Optiplex	416257
HP Desktop	Compaq	MXL202258S
Toro Desktop	TORO	117-0439S
HP Laptop	Probook	N/A
LG Monitor	Flatron	L192WS
NEC Monitor	Accusync	65160794na
HP Monitor	Compaq	4CU1500RJ
Viewsonic Monitor	LED	TEQ150662183
Bosch Recorder	DIVAR	N/A
HP Printer	Officejet 6600	CN32R6QGHZ
HP Printer	Laserjet m220fdw	CNB8H3249Q
HP Printer	Officejet 5252	TH8C37C186
HP Printer	Laserjet 2430dtn	CNGKB06167
Sharp Projector	Notevision	002912107
Sharp Projector	Notevision	001911465
Lapt Battery	N/A	N/A
HP Laptop	Probook	CNU0094GM5

Exhibit B

Disposal of Surplus Technology-Related Equipment Policy

Disposal of Technology-Related Equipment Procedure

1. As employees get new technology-related equipment/items or no longer need certain equipment/items, they will give the old or unwanted equipment/items to the Information Systems (I.S.) Department;
2. The I.S. Department will keep the equipment/items intact for minimum of 3 months in case employees need to retrieve files or other information from it;
3. After the appropriate time has passed, the I.S. Department will determine if there are parts that can be salvaged from the equipment/items;
4. If parts can be salvaged from the equipment/items, the I.S. Department will tear down the equipment/items, take and store the parts;
5. The I.S. Department will make a list of the equipment/items to be disposed (after parts have been salvaged), by description, model, make, part number, or any other identifying names and/or numbers;
6. The list will be taken to the City Council by Resolution to be declared surplus, along with a recommendation of the desired method of disposal;
7. Equipment/items do not need to be presented to City Council individually, rather a listing of multiple equipment/items and types may be taken at the same time to the City Council to be declared surplus through a single Resolution;
8. The equipment/items will be disposed of, sold, donated, or recycled according to the method declared in the Resolution;
9. Any proceeds from the sale of, or recycling of, equipment/items will be returned to the Tooele City Finance Department;
10. After the equipment/items have been declared surplus, the I.S. Department will erase all data contained in the equipment/item(s) so that information cannot be retrieved from the equipment/item(s), and following procedure will be followed:
    a. If equipment/items are deemed completely unusable, or the worth is determined to be under $100, they may be disposed of.
    b. If equipment/items are to be sold:
        i. The sale of surplus equipment/items will be properly noticed;
        ii. Sealed bids will be received;
        iii. Equipment/item will be sold as is to the highest bidder;
        iv. The highest bidder must make payment in cash within 24 hours to the Finance Department prior to receiving any equipment/items. Otherwise the next-high bid will be accepted.
    c. If the equipment/items are to be donated:
        i. The donation of surplus equipment/items will be properly noticed;
        ii. Equipment/items will be donated as is to another state agency or non-profit agency with a written agreement between the two entities.
        iii. If equipment/items are to be recycled, the equipment/items will be recycled through a local recycling center or a center near and economically feasible to the city.

11. After equipment/items have been disposed of, through one of the means described above, the I.S. Department will retain records of said disposal for 3 years.
12. At no time will any equipment/item(s) be given to an employee, unless an employee is the highest bidder in the sale process listed in Item #10(b) above. Notwithstanding the previous statement, at no time may a member of the IS Department, or any other employee involved in the decision making process that declared the property as surplus, bid for or purchase equipment that was declared surplus by the Department.

Dated this 6th day of August, 2013,

Michelle Y. Pitt
Tooele City Recorder

TOOELE CITY CORPORATION

RESOLUTION 2022-26

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN AGREEMENT WITH ELITE GROUNDS L.C. FOR LANDSCAPING MAINTENANCE AT CITY BUILDINGS AND PARKS.

WHEREAS, the City Administration has found resource efficiencies in outsourcing landscaping maintenance at various City building and park locations; and,

WHEREAS, the Parks and Recreation Department solicited bids in compliance with City procurement policies and procedures; and,

WHEREAS, Elite Grounds L.C. submitted the low bid, with a total bid amount of $69,640.22 (see the bid result tabulation attached as Exhibit A, and the itemized bid attached as Exhibit B); and,

WHEREAS, the proposed agreement with Elite Grounds is attached as Exhibit C:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL the City Council hereby approves an agreement (Exhibit C) with Elite Grounds L.C. for parks landscaping maintenance, in the amount of $69,640.22, and hereby authorizes the Mayor to execute the agreement.

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

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this_____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____

Roger Evans Baker, Tooele City Attorney

Exhibit A

Bid Results Tabulation

Exhibit B

Elite Grounds Itemized Bid

Exhibit C

Elite Grounds Agreement

2022 Landscape Maintenance Project, Bid Results

CONTRACTOR	TOTAL BID AMOUNT
Jensen Family Landscaping	$224,250.00
American Maintenance	$87,880.00
Elite Grounds	$69,640.22
Brightview Landscape	$84,114.00

PART 2 PRICE SCHEDULES

2.1 **BID**

NO.	LOCATION	AREA* (ACRES)	MAINTENANCE (PER WEEK)	TOTAL ANNUAL COST (26 Weeks)
1	Elton Park	10.22	$ 626.11	$ 16,278.86
2	City Park & Soft Ball Fields	4.03	$ 246.89	$ 6,419.14
3	Red Del Papa Ball Field	3.90	$ 238.93	$ 6,212.18
4	England Acres	6.28	$ 384.73	$ 10,002.98
5	Rancho / Spencer Field	6.00	$ 367.58	$ 9,557.08
6	Dow James Park / Ball Fields	8.58	$ 525.64	$ 13,666.64
7	City Hall	0.37	$ 22.67	$ 589.42
8	Main Street Park Strips	0.75	$ 45.95	$ 1,194.70
9	Veterans Park	0.87	$ 53.30	$ 1,385.80
10	Library	0.91	$ 55.75	$ 1,449.50
11	Fire Station #2	0.20	$ 12.26	$ 318.76
12	700 S 900 W Well House	0.10	$ 6.13	$ 159.38
13	530 S 525 W Detention Basin	0.20	$ 12.26	$ 318.76
14	1430 E 270 S Detention Basin	0.45	$ 27.57	$ 716.82
15	520 E Kings Landing Detention Basin	0.36	$ 22.06	$ 573.56
16	Aaron Dr & Berra Blvd Detention Basin	0.50	$ 30.64	$ 796.64
			Total Bid	$ 69,640.22

Note: * *The acreage shown is for relative information only and may not be relied upon.* ***BIDDERS are responsible to verify the actual area measurements and to base their Bid upon the actual site conditions and area at each of the separate project locations.***

RETURN WITH BID DOCUMENTS

Tooele City
Est. 1853

AGREEMENT

TOOELE CITY CORPORATION, a municipal corporation of the State of Utah, (hereinafter "City"), and ELITE GROUNDS, LC of 754 West 700 South, Pleasant Grove, Utah 84062, a Limited Liability Company, (hereinafter "Contractor") enter into this Agreement on the _____ day of _____, 2022 (the "Effective Date").

Now, therefore, in consideration of the promises contained in this Agreement, the City and the Contractor agree to the following:

1. Services (Scope of Work). The Contractor shall provide the following services to the City:

   The Project consists of providing lawn mowing and maintenance services on park and public space properties owned by Tooele City Corporation, as shown on attached Exhibit A – 2022 Landscape maintenance Project - Project Locations.

2. Disclaimer of Right of Control. Contractor shall perform its duties competently. The City disclaims any right to control the Contractor's performance of the Services.

3. Compensation.
   a. Rate. The City shall pay the Contractor the sum of **Sixty-Nine Thousand Six Hundred Forty** Dollars and **Twenty-Two** Cents (**$69,640.22**) for fully performing the Services, pursuant to invoice per the project Bid Schedule.
   b. Total Cost Contract. This Agreement is a "Total Cost Contract." The contract Rate includes all costs and expenses associated with the provision of the Services.
   c. No Benefits. The parties specifically agree that as an independent contractor, Contractor neither claims nor is entitled to benefits accorded City employees.

4. Term of Agreement. Contractor shall fully perform the Services for Maintenance Year 2022. By mutual agreement the parties may extend the terms of this Agreement for an additional two years.

5. Termination. The City may terminate this Agreement at any time. Should the City terminate this Agreement prior to the Services being fully performed, the City shall pay for those Services performed.

6. Indemnification and Insurance.
   a. Contractor Liability Insurance. Contractor shall obtain and maintain liability insurance in the amount of at least $250,000.
   b. Contractor Indemnification. Contractor shall indemnify and hold the City and its agents harmless from all claims of liability for injury or damage caused by any act or omission of Contractor or its agents in performance of this Agreement.
   c. Contractor Workers Compensation Insurance. Contractor shall purchase and maintain workers compensation insurance for all of its employees. If Contractor is a sole proprietor, Contractor shall purchase and maintain workers compensation insurance or obtain an exclusion from Workers Compensation Fund of Utah.

d. Evidence of Contractor Insurance. Contractor shall provide written evidence of liability insurance and workers compensation insurance or exclusion to the City within ten (10) days of the Effective Date. The City will not make any payments under this Agreement until it receives from Contractor the evidence of insurance.

e. Status Verification Indemnification. Contractor shall indemnify and hold the City and its agents harmless from all claims resulting from any violation of immigration status verification obligations contained in U.C.A. §63G-11-103 et seq.

f. Post-Retirement Release. Contractor shall release the City from all claims related to any alleged violation of State of Utah post-retirement employment rules, and shall complete and return to the City the attached certification and release.

7. Business License. Contractor shall obtain a Tooele City business license as required by Tooele City Code §5-1-1 *et seq.*

8. Complete Agreement. This Agreement is the only agreement or understanding between the parties, and may be modified or amended only by a written document signed by both parties.

9. Waiver of Jury Trial. The Parties irrevocably waive any and all right to trial by jury in any legal proceeding arising out of or relating to this contract and the transactions contemplated.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

OWNER

TOOELE CITY CORPORATION

_____
Debra E. Winn, Tooele City Mayor

Attest:

_____
Michelle Y. Pitt, Tooele City Recorder

SEAL

Approved as to form:

_____
Roger Evans Baker, Tooele City Attorney

CONTRACTOR

ELITE GROUNDS, LC

_____
Signature
Print Name/Title:_____
_____

Tooele City
Est. 1853

UTAH RETIREMENT SYSTEMS
POST-EMPLOYMENT/POST-RETIREMENT
RESTRICTIONS ACT CERTIFICATION & RELEASE

Tooele City is a Utah Retirement System (URS) participating agency. As a participating agency, post-retirement employment/vendor/contractor rules apply. Post-retirement employment means returning to work either on our payroll or as a vendor/contractor for a URS participating employer following your retirement date with the Utah Retirement Systems. Different standards apply depending on whether you return to work within one year or after one year from your retirement date with URS.

You must separate from employment (including part-time and vendor/contractor arrangements) with any participating employer for one year following your retirement date with URS, unless eligible exclusions apply.

You are responsible for understanding post-retirement employment rules and ensuring there is no violation of such rules by providing services to Tooele City Corporation. **If you have any questions, call the URS office at 801-366-7770 or 800-695-4877 before you begin any work for or provide any services to Tooele City.**

CHECK APPLICABLE BOX:

□ Contractor (a sole proprietor) certifies that he or she is NOT a Utah State Retirement Systems (URS) retiree and acknowledges that should he/she retire from the URS system in the future, he/she assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and/or penalties that may occur at any time in the future.

□ Contractor (on behalf of a partnership, LLC, company, or corporation) certifies that NO officer or principal is a Utah State Retirement Systems (URS) retiree and acknowledges that should he/she retire from the URS system in the future, he/she assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and/or penalties that may occur at any time in the future.

□ Contractor certifies that following contractor(s), officer(s) or principal(s) of the business ARE Utah State Retirement Systems (URS) retiree(s). Contractor further certifies that the URS office has been properly notified of post-retirement reemployment of such individuals. Contractor assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and or/penalties that may occur at any time in the future if found to be in violation. URS Retirees:

Name: _____ Social Security Number: _____

Name: _____ Social Security Number: _____
[State law requires that the City, through Human Resources, provide such information to URS.]

As a condition of doing business with Tooele City, you hereby accept responsibility and waive all claims of joint liability against Tooele City for any violations of the URS post-retirement re-employment/ vendor/contractor rules.

_____ _____

Contractor Signature Date

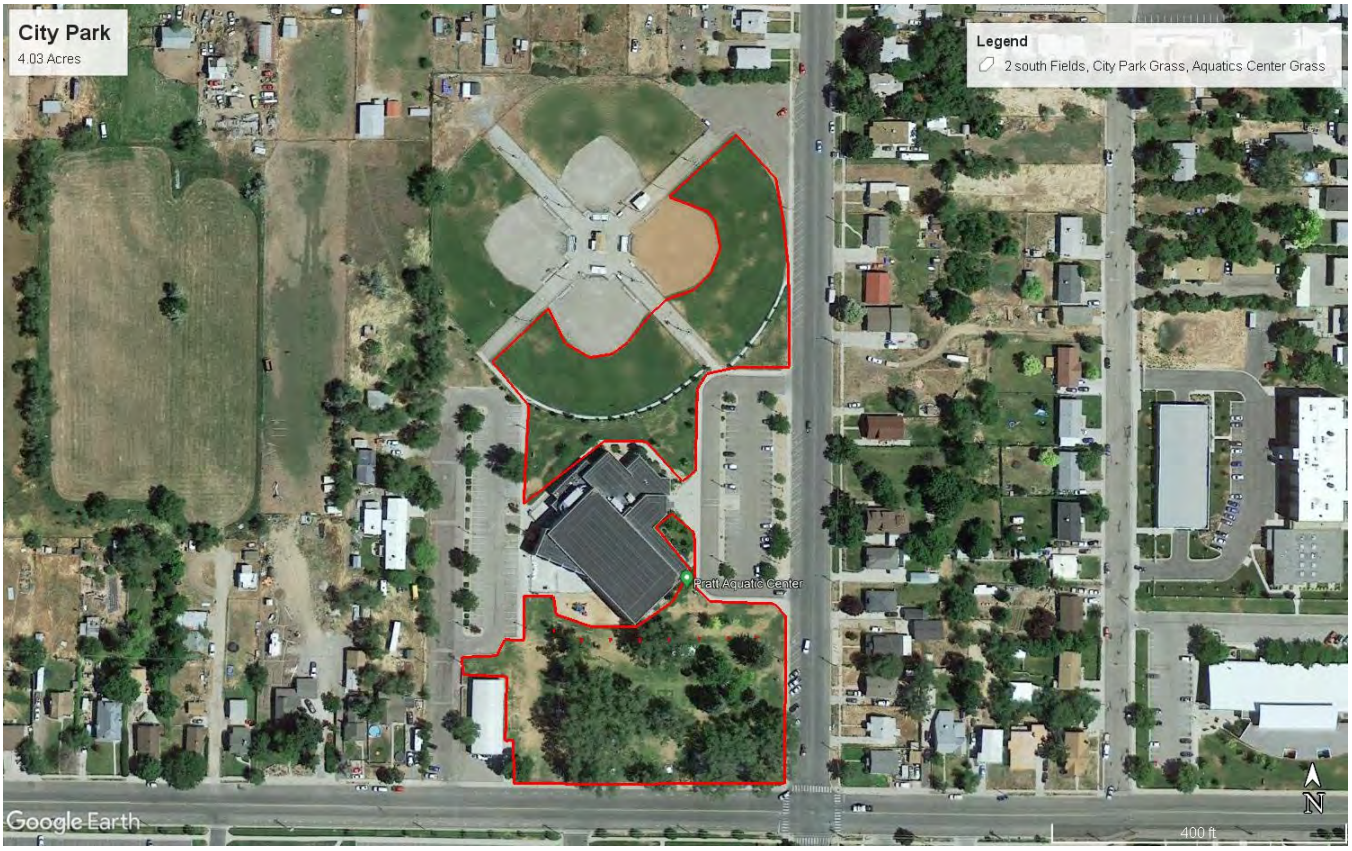
N.T.S.

NO.	LOCATION
1	Elton Park
2	City Park & Soft Ball Fields
3	Red Del Papa Ball Field
4	England Acres
5	Rancho / Spencer Field
6	Dow James Park / Ball Field
7	City Hall
8	Main Street Park Strips

NO.	LOCATION
9	Veterans Park
10	Library
11	Fire Station #2
12	700 S 900 W Pump Station
13	530 S 525 W Detention Basin
14	1430 E 270 S Detention Basin
15	520 E Kings Landing Detention Basin
16	Aaron Dr & Berra Blvd Detention Basin

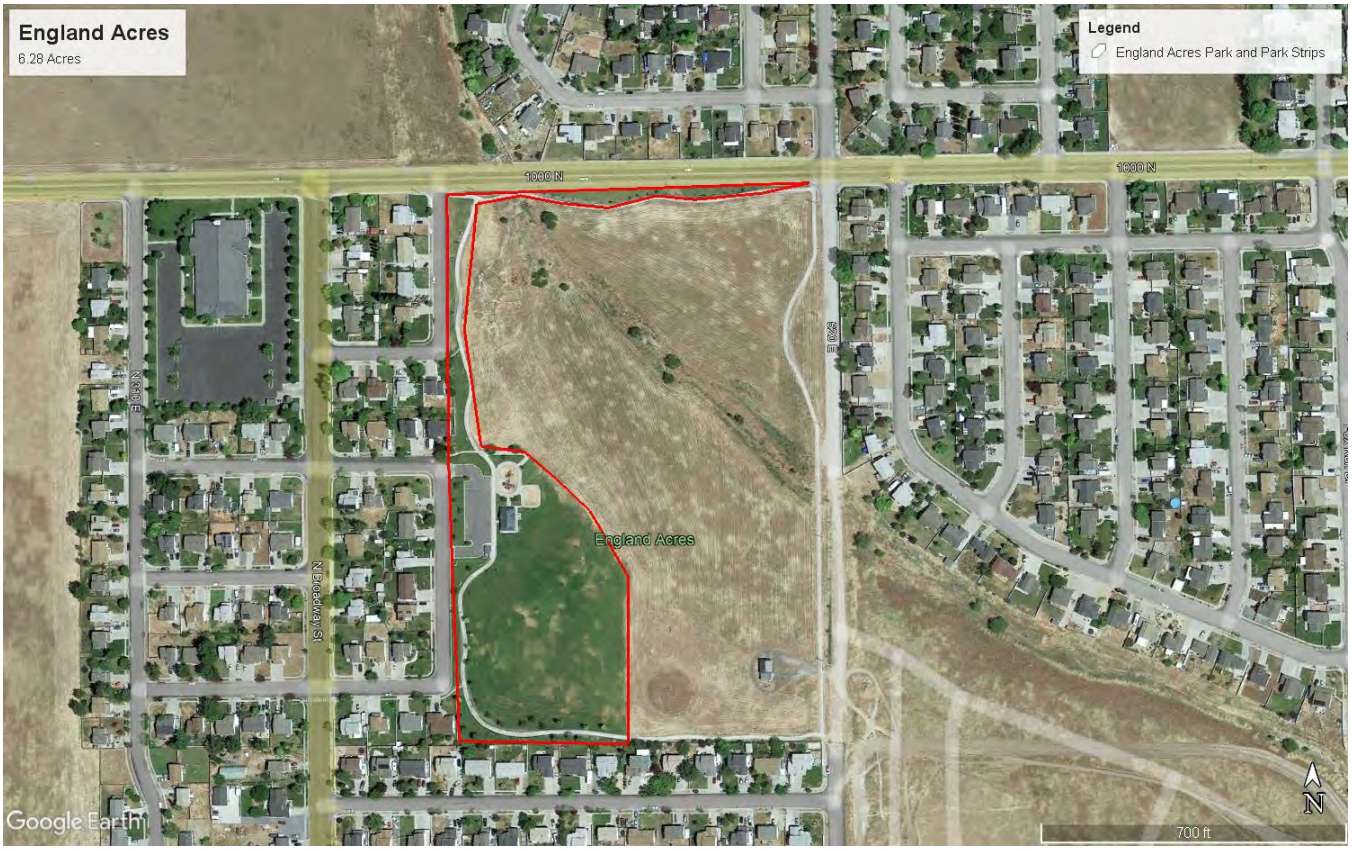
EXHIBIT A
2022 LANDSCAPE MAINTENANCE PROJECT
PROJECT LOCATIONS

Location No. 1 — Elton Park



Location No. 2 — City Park and Soft Ball Fields

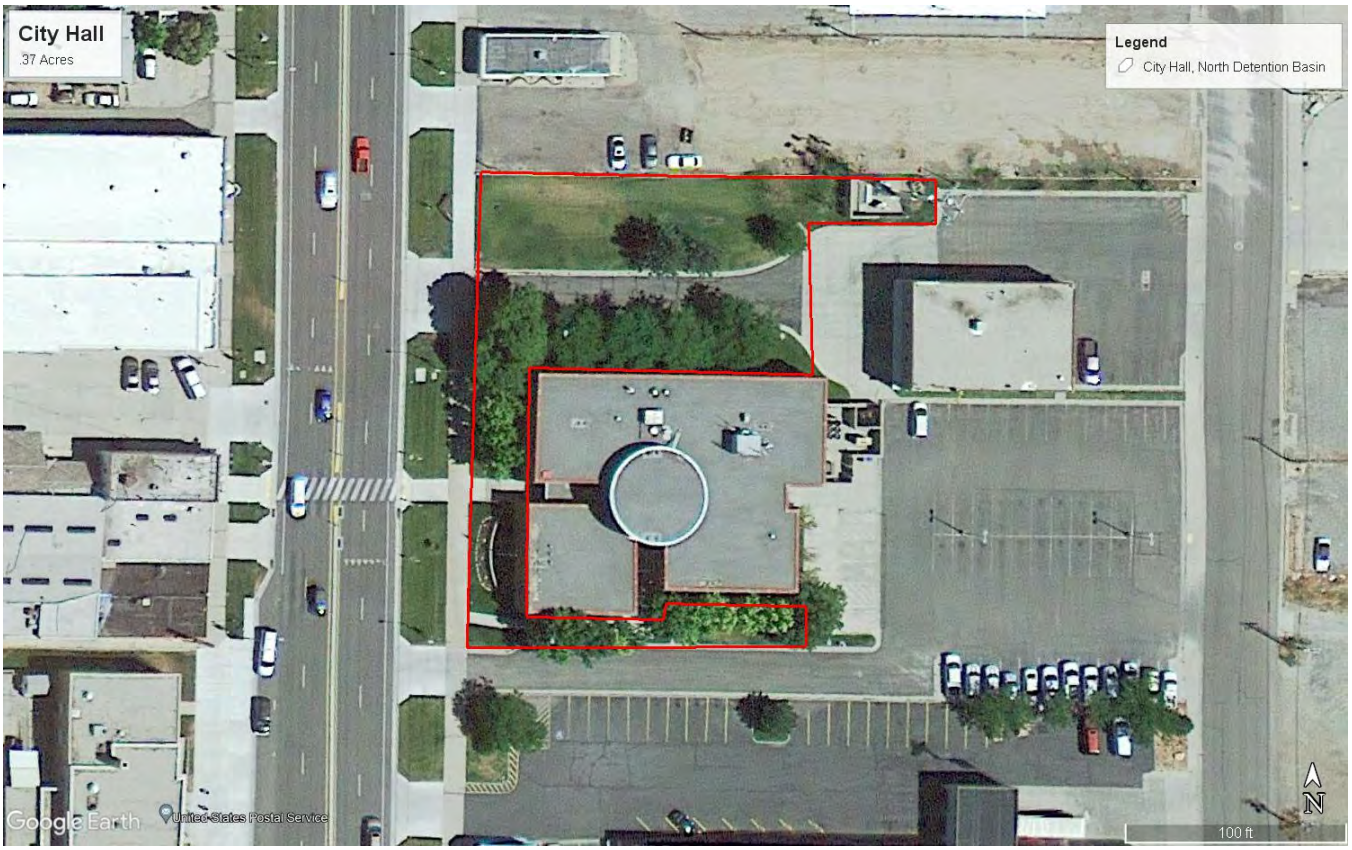
Location No. 3 - Red Del Papa Ball Field



Location No. 4 - England Acres

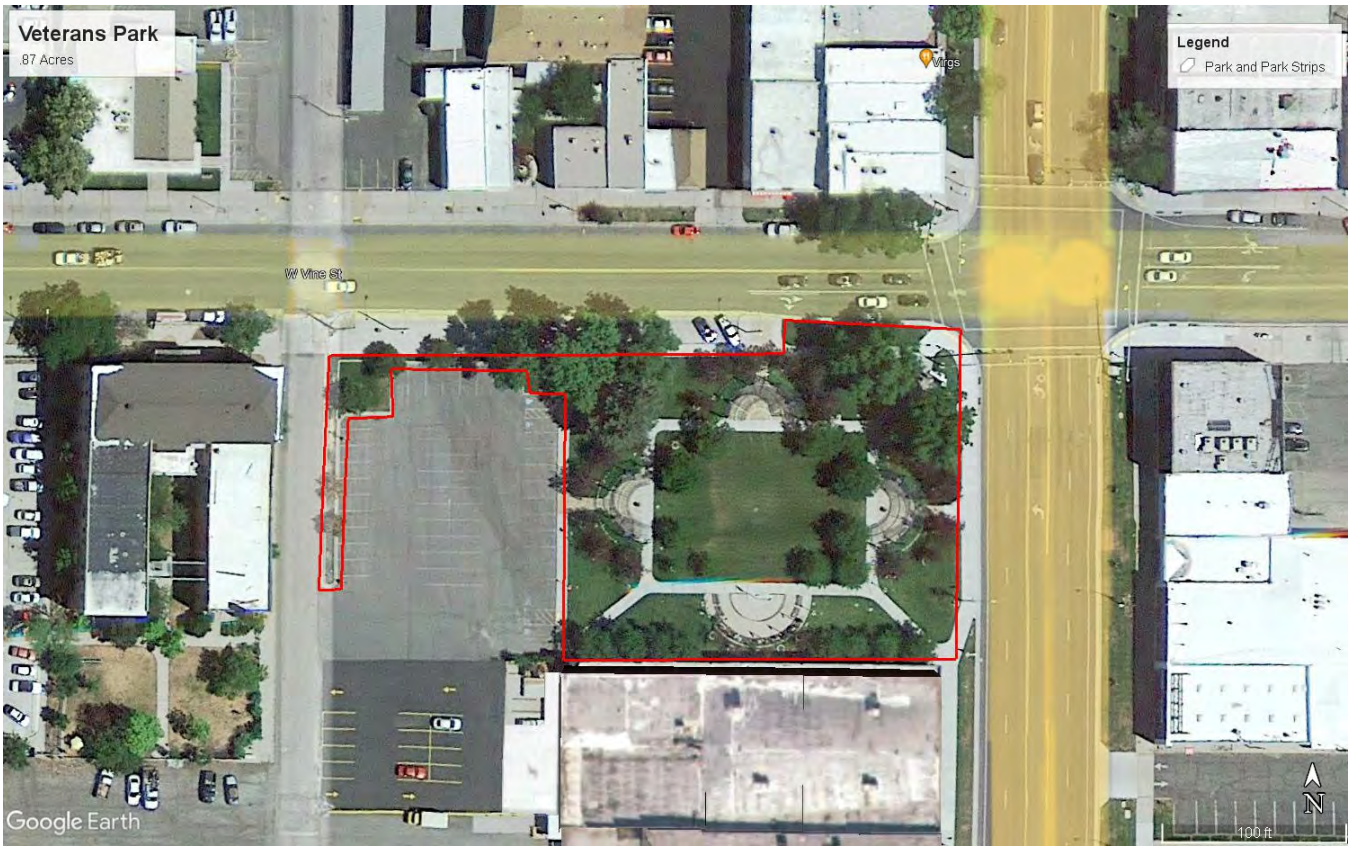
Location No. 5 - Rancho / Spencer Field

Location No. 6 - Dow James Park / Ball Field



Location No. 7 - City Hall

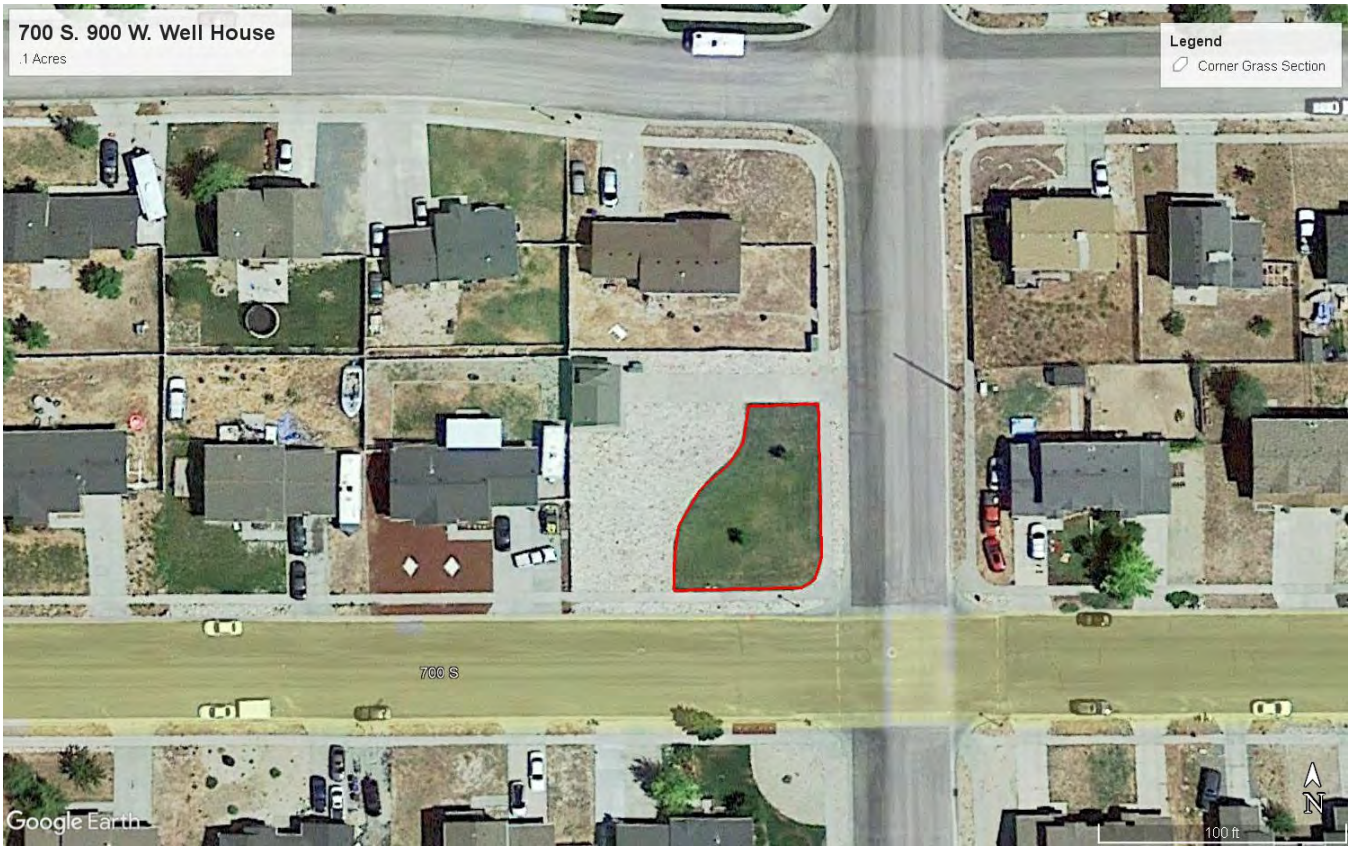
Location No. 8 - Main Street Park Strips



Location No. 9 - Veterans Park

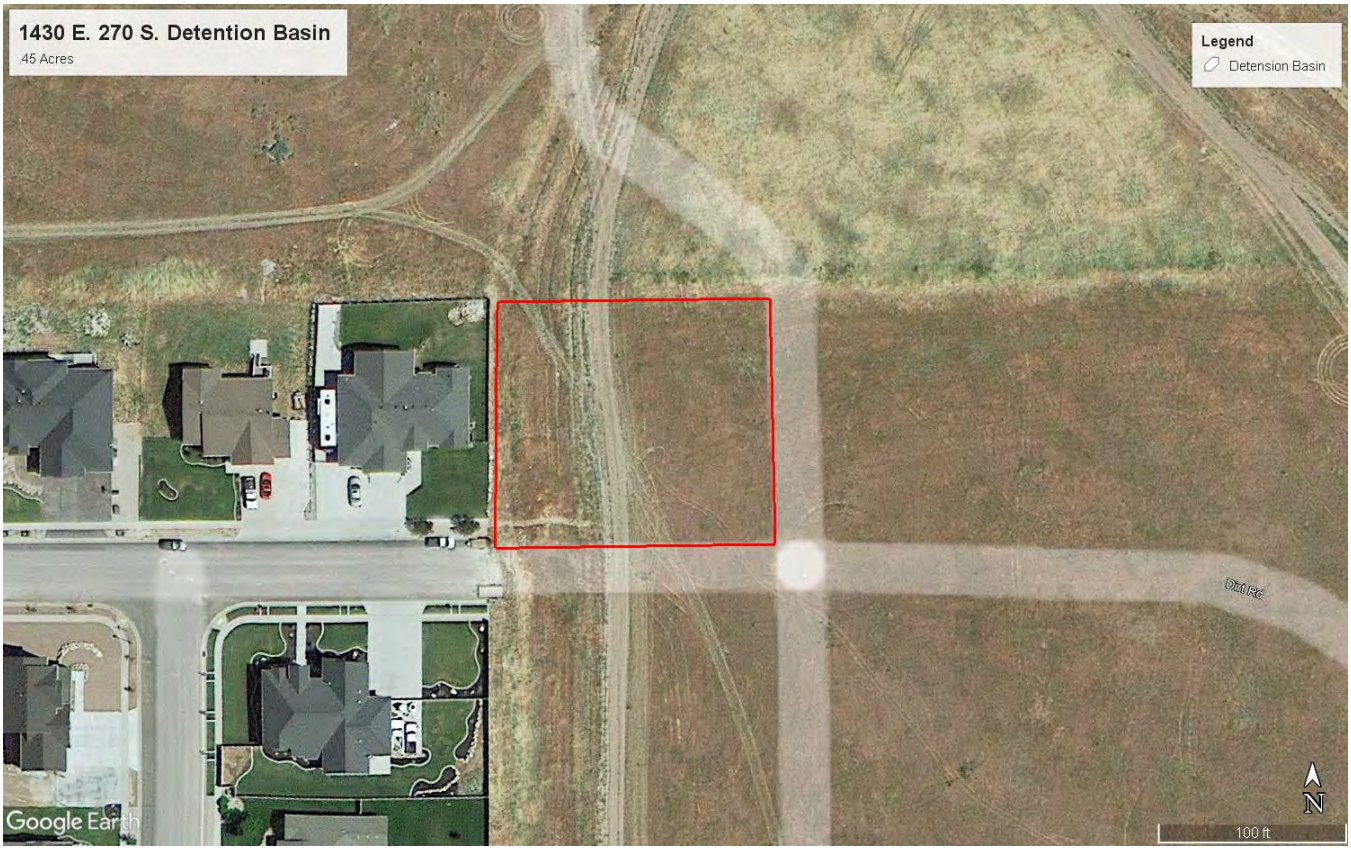
Location No. 10 - Library

Location No. 11 - Fire Station No. 2



Location No. 12 - 700 South 900 West Pump Station

Location No. 13 - 530 South 525 West Detention Basin



Location No. 14 - 1430 East 270 South Detention Basin

Location No. 15 - 520 East Kings Landing Detention Basin

Location No. 16 - Aaron Drive & Berra Blvd. Detention Basin

TOOELE CITY CORPORATION

RESOLUTION 2022-27

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR COPPER CANYON PUD BETWEEN TOOELE CITY AND PHOENIX OF COPPER CANYON, LLC.

WHEREAS, Tooele City ("City") previously entered into a "Development Agreement for Copper Canyon P.U.D." ("Agreement") with Phoenix of Copper Canyon, LLC ("Developer"), dated April 13, 2012, as approved by the City, and expiring April 12, 2022; and,

WHEREAS, the Developer and the City have been in negotiations concerning the Development Agreement and the Copper Canyon PUD for some time, and are currently close to reaching an agreement on an amendment to the Development Agreement; and,

WHEREAS, because the Agreement is about to expire, the Developer is requesting that an Amendment be approved to the Development Agreement, extending the term of the Agreement for an additional six (6) months, in order to finalize the terms of this negotiated amendment, in a form acceptable to both parties; and,

WHEREAS, the City Administration believes the Amendment for extending the Development Agreement term by six months is in the best interest of Tooele City, and recommends its approval (see the Amendment attached as Exhibit A):

NOW THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Mayor is hereby authorized to execute a First Amendment to the Development Agreement for Copper Canyon PUD. between the City and the Developer, as shown in Exhibit A.

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

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

First Amendment to Development Agreement

FIRST AMENDMENT TO
DEVELOPMENT AGREEMENT FOR COPPER CANYON P.U.D.

This First Amendment to the Development Agreement for Copper Canyon P.U.D. is entered into between Phoenix of Copper Canyon, LLC, a Utah limited liability company ("Developer"), and Tooele City Corporation, a charter city, municipal corporation, and political subdivision of the State of Utah (hereinafter "City"), located in Tooele County, Utah, which hereby agree as follows:

RECITALS

WHEREAS, on April 13, 2012, the parties entered into the Development Agreement of Copper Canyon P.U.D. ("Agreement"); and

WHEREAS, the Developer and the City have been in negotiations concerning the development of Copper Canyon P.U.D. for some time and are currently close to reaching an agreement on an amendment to the Agreement; and

WHEREAS, because the Agreement is about to expire, the parties are agreeing to extend the term of the Agreement for an additional six (6) months, in order to finalize the terms of this negotiated amendment, in a form acceptable to both parties:

AGREEMENT

NOW THEREFORE, by and in consideration of the terms and conditions of the Agreement, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to the following:

1. RECITALS. The above Recitals are true and correct and are hereby incorporated herein.

2. AMENDMENT.

    a. The second sentence of Section 5 of the Agreement shall be deleted in its entirety and replaced with the following:

    “Such vested rights shall be effective until ten (10) years **and six (6) months** from the Effective Date, with the option on the part of the Developer to extend such vested rights for an additional ten (10) years if (a) the terms of this Agreement have been substantially complied with by Developer and (b) Developer is proceeding with reasonable diligence in the development of the Project in the phases contemplated hereby, or (c) the terms of this Agreement are amended in such a way as to expressly modify the period of vested rights.”

b. The parties agree that the purpose of the amendment in Section 2(a) above is to extend the term by six (6) months (resulting in the Agreement expiring on October 13, 2022) to facilitate a different negotiated amendment to the Agreement.

3. OTHER TERMS. Except as specifically amended, modified and supplemented by this Amendment, all of the other terms, covenants and conditions of the Agreement, including any applicable Addenda, remain in full force and effect.

4. CONSENT AND WAIVER. Developer hereby consents to the foregoing and agrees that the execution of this Amendment shall in no manner or way whatsoever impair or otherwise adversely affect Developer's liabilities or obligations to the City under the Agreement or any other instrument set forth therein, all as modified by this Amendment.

5. RATIFICATION. Except as modified by this Amendment, Developer hereby ratifies and confirms the continued validity and viability of all terms, conditions and obligations set forth in the Agreement or other related documents that may be executed in connection with this Amendment, all as modified by this Amendment.

6. SEVERABILITY. Whenever possible, each provision of this Amendment shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision hereof shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity only, without invalidating the remainder of such provision or of the remaining provisions of this Amendment.

7. BINDING EFFECT. This Amendment shall bind the successors and assigns to the parties hereto and constitutes the entire understanding of the parties, which may not be modified except in writing.

8. CONFLICT. As to any conflict between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment shall supersede and control over such other terms.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the 12th day of April, 2022.

TOOELE CITY CORPORATION

_____
Debra E. Winn, Mayor

PHOENIX COPPER CANYON, LLC
a Utah limited liability company

_____
Shon D. Rindlisbacher, Manager

Approved as to Form:

_____
Roger Baker, City Attorney

Attest:

_____
Michelle Pitt, Recorder

TOOELE CITY CORPORATION

ORDINANCE 2022-11

AN ORDINANCE OF TOOELE CITY ENACTING A TEMPORARY ZONING ORDINANCE REGARDING GARAGE PARKING IN MULTI-FAMILY RESIDENTIAL DEVELOPMENTS.

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, Utah Code 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, Utah Code Section 10-9a-505 enables Tooele City to "enact an ordinance establishing a temporary zoning regulation," without prior Planning Commission recommendation or public hearings, upon the City Council finding a "compelling, countervailing public interest" in doing so, with "temporary" meaning not to exceed six months; and,

WHEREAS, the Utah Supreme Court case of *Western Land Equities v. Logan City* (1980) identified and established a common law principle called the Pending Ordinance Rule, which provides that a land use or development "application for a permitted use cannot be refused **unless a prohibiting ordinance is pending at the time of application**"; further, "if a city…has initiated proceedings to amend its zoning ordinances, a landowner who subsequently makes application for a permit is not entitled to rely on the original zoning designation" (emphasis added); and,

WHEREAS, like UCA Section 10-9a-504, the Pending Ordinance Rule requires a legislative finding of a compelling, countervailing public interest; and,

WHERREAS, *Western Land Equities* also established Utah's vested development rights rule that, except for the Pending Ordinance Rule, a land use application establishes the date on which development rights vest, as well as the set of land use ordinances applicable to the approved land use; and,

WHEREAS, *Western Land Equities* recognizes the unfairness and the threat to the public interest where the announcement of a future zoning ordinance change would trigger a race to file and vest land use applications prior to the municipality's ability to follow the established lengthy process for amending land use ordinances, thus subverting and undermining the very public policies supporting the need for the zoning ordinance amendment; and,

WHEREAS, Tooele City Code Section 7-4-4, referring to Table 7-4-1, requires two off-street parking spaces for all dwellings, including detached single-family dwellings, attached single-family dwellings (e.g., townhouses, duplexes), condominiums, and apartments; and,

WHEREAS, on August 13, 2021, the Tooele City Zoning Administrator issued an administrative interpretation stating that, in a townhouse development, garages may not count toward off-street parking requirements, noting the occupant penchant to use garage space for storage rather than for vehicles, and that if townhouse driveways were not provided, occupant and visitor parking would be pushed on-street, undermining the legislative policy behind requiring off-street parking; and,

WHEREAS, the Zoning Administrator's administrative interpretation was not appealed pursuant to the administrative appeals procedure identified in the City Code (i.e., first to the Director of Community Development under TCC Section 1-27-4, then to the Administrative Hearing Officer under TCC Section 1-27-5 and Chapter 1-28); and,

WHEREAS, though no formal administrative appeals of the Zoning Administrator's administrative interpretation have been submitted pursuant to City Code procedures, other developers have complained about the administrative interpretation, which interpretation is the basis of the City's practice to not count garage space toward off-street parking requirements for townhouse developments; and,

WHEREAS, the City Administration and the City Council believe that the Zoning Administrator's administrative interpretation is correct, and further believes that the City Code should be amended to provide more predictable and understandable legislative language in support of that interpretation; and,

WHEREAS, were the City to allow townhouse developments to count garage space as off-street parking space, without adequate driveway lengths to provide off-street parking, and were occupants to use garages for storage, which is typical, off-street parking would of necessity be pushed on-street, with no other area for off-street parking; and,

WHEREAS, because townhouses are typically narrow structures on small narrow lots, the number of drive/garage access from the street are proportionately much higher than in single-family subdivisions, and the increased number of drive/garage accesses dramatically decreases the amount of on-street parking available to the public; and,

WHEREAS, streets within townhouse developments are often private streets, for internal traffic circulation, and thus can be narrower than public streets, as narrow as 26 feet under the International Fire Code, and with cars parked on both sides of the street due to insufficient off-street parking, the street becomes impassable to many emergency response vehicles (i.e., ambulances, fire trucks), impassable for two-way vehicle traffic,

and difficult even for one-way vehicle traffic, further exacerbating the public safety risks of predominant on-street parking; and,

WHEREAS, Tooele City has prior experience with precisely this scenario, including with The Fields of Overlake townhomes and West Pointe Meadows townhomes, in which garages are used for storage, no other (or insufficient) off-street parking spaces were provided, and both occupant and visitor parking are pushed onto the street; and,

WHEREAS, TCC Section 10-3-6 provides that "(1) It shall be unlawful to park a vehicle on any public right-of-way: (a) when snow is falling upon that vehicle; or, (b) when snow or ice have accumulated in any amount on the right-of-way upon which that vehicle is parked." This legislatively-enacted regulation is necessary to allow adequate snow plowing, to reduce the risk of snow plows striking and damaging parked vehicles, to avoid injury to snow plow drivers and damage to snow plows, to remove snow from public streets sufficiently to allow safe vehicle travel, to allow safe emergency vehicle access including police vehicles, ambulances, and large fire apparatus, to preserve the full public street travel way for its intended purpose of traffic circulation, to allow safe garbage removal by large garbage trucks, to minimize stacking of deep snow against vehicles parked on the street in a way that the vehicles cannot move, among other things; and,

WHEREAS, TCC 10-3-6 recognizes the public safety risk of on-street parking in winter by providing, "Any vehicle parked in violation of this Section may be removed at the discretion of the Tooele City Police Department for creating public safety risks and for obstructing the City's snow removal efforts"; and,

WHEREAS, while on-street parking is not prohibited during non-winter seasons, pushing *all* or nearly all occupant and visitor parking onto the street creates a real safety risk for children and other pedestrians crossing the street from between parked vehicles, reducing and confusing driver visibility of the roadway and of crossing children and other pedestrians, increasing risks for children and others riding bicycles in the roadway as required by State of Utah transportation regulations, among other dangers; and,

WHEREAS, developers have suggested that imposing a recorded covenant prohibiting storage of personal property in townhouse garages, and enforcing the covenant through a homeowner's association, would mitigate the City's on-street parking concerns. The City Administration and City Council believe, however, that the covenant would be ignored due in part to the lack of storage space inside small townhouse units, and would be practically and politically impossible to enforce, for the following reasons, among others:

- the covenant contradicts the normal, typical, popular, accepted, and expected resident behavior of using garages for personal property storage;
- enforcement of the covenant would be very unpopular with residents, creating contention and community division among the association board members and their neighbors;
- the covenant would be no more enforceable than a recorded covenant against sneezing, or waving to neighbors, or children playing in the yard; and,

WHEREAS, all of the above considerations and findings serve to support a finding of a compelling, countervailing public interest to require off-street parking other than garage space in townhouse developments and to disallow garage space to count toward off-street parking requirements; and,

WHEREAS, the City Administration avers that, when enacting its off-street parking regulations, the City Council intended for townhouse developments to provide off-street parking in addition to garage space, as with all single-family dwellings, though the Code does not specify minimum driveway lengths for townhouse developments; and,

WHEREAS, the City Administration recommends that the City Code be amended to disallow developers and their design professionals from counting garage space toward off-street parking requirements; and,

WHEREAS, following approval of this Ordinance and the temporary zoning regulation proposed herein, the City Council will have a maximum of six months to discuss and determine its legislative policy regarding counting garage space toward off-street parking requirements in townhouse, condominium, and other attached single-family dwelling developments; and,

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

1. This Ordinance 2022-11 is hereby approved; and,

2. The temporary zoning ordinance enumerated and described in this Ordinance 2022-11 is hereby temporarily enacted; and,

3. This Ordinance 2022-11 and the temporary zoning regulation are effectively immediately, as authorized by the Tooele City Charter; and,

4. For the duration of this temporary zoning regulation, all townhouse, condominium, and other attached single-family and multi-family developments shall provide the minimum required off-street parking spaces without considering garage space; and,

5. This Ordinance 2022-11 shall be in effect until a land use regulation is enacted following the regular Planning Commission, City Council, and public hearing and notice processes required by the Utah Code and the Tooele City Code, but in no event for longer than six months; and,

6. The City Administration, including planning staff, are hereby instructed to prepare draft City Code language on the subject of this Ordinance 2022-11 for consideration by the City Council; and,

7. Should a new land use regulation governing garage parking not be enacted within the six-month period referenced above, the existing City Code provisions will govern; and,

8. This Ordinance 2022-11 and its temporary zoning regulation shall have binding application upon all land use applications submitted after the date on which proceedings began to amend the City Code regarding garage parking, that date being March 18, 2022; and,

9. As required by Utah Code Section 10-9a-504 and *Western Land Equities*, the City Council hereby makes a finding of compelling, countervailing public interest in disallowing garage parking to count toward required off-street parking spaces due to the reasonably foreseeable risks to the public health and safety of occupant and visitor parking being located on the public streets, those risks being more fully described at length in the recitals above, which recitals are hereby incorporated into this finding; and,

10. Similarly, the City Council hereby finds that failing to approve this Ordinance 2022-11 and enact this temporary zoning ordinance, a residential parking crisis would result, as early as the next approved townhouse development in the vicinity of that development, with the crisis compounding with the proliferation of townhouses developments with inadequate off-street parking.

11. Nothing in this Ordinance 2022-11 shall be considered to eliminate or reduce the current visitor parking requirements of the City Code, and nothing shall allow dwelling unit driveways and garage space to be counted as visitor parking space.

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 approved by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For) (Against)

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

_____ _____

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

ATTEST:

_____
Michelle Y. Pitt, City Recorder

S E A L

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

Tooele City Planning Commission
Business Meeting Minutes

Date: Wednesday, March 23, 2022
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:
Melanie Hammer
Nathan Thomas
Chris Sloan
Matt Robinson
Tyson Hamilton
Weston Jensen
Paul Smith
Alison Dunn

Commission Members Excused:
Melodi Gochis

City Council Members Present:
Maresa Manzione

City Council Members Excused:
Ed Hansen

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

Minutes prepared by Katherin Yei

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

1.Pledge of Allegiance
The Pledge of Allegiance was led by Chairman Thomas.

2. Roll Call
Melanie Hammer, Present
Nathan Thomas, Present
Chris Sloan, Present
Matt Robinson, Present

6. Discussion on Ordinance 2022-11An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments

Mr. Baker indicated his purpose of introducing the Commission to a temporary zoning ordinance regarding garage parking being counted for minimum required off-street parking in residential areas. There is a legal doctrine called the pending ordinance rule. Once a temporary zoning ordinance is put in place, all developments have to follow the it until it ends at six months or a new rule takes effect. If there is an important enough reason, compelling and countervailing, the City Council can impose a temporary zoning ordinance without the Planning Commission's recommendation and with public hearings. This is to help prevent a rush of applications to vest in the current regulations while new regulations are being formulated and are going through the regular process for enacting new land use ordinances.

The Planning Commission asked the following questions:
What is the difference between the temporary ordinance and a moratorium?
Does the new rule have to mirror the temporary ordinance?

Mr. Baker addressed the Planning Commission. The Council cannot declare a moratorium on their own rules, but they can change their rules. The pending ordinance doctrine allows the rules to change immediately without going through the regular process. It is temporary and for a period of up to 6 months. At 6 months, the ordinance will revert to previous or they need to have adopted something new. The new rule does not have to mirror the temporary ordinance. Any change has to go through the regular process. The current rules require two parking spaces for a single-family dwelling, which is usually accomplished by a driveway long and wide enough for two cars, and require garages with minimum dimensions. The concern is garages are often used for storage, and whether to count the garage apart of the minimum required off-street parking spaces. City Hall has received many complaints regarding on-street parking. Some townhouse developments do not have driveways or other off-street parking, and because of the higher densities more of the street frontage is used for drive approached, reducing the amount of on-street parking, forcing parking to spill over into neighboring developments. On-street parking during snow events is a violation of the City Code because it prevents safe and adequate snow plowing. In the opinion of the City Administration, this rises to the level of a compelling, countervailing public interest. The ordinance being presented is for a maximum six-month period, allowing garage space to not be included in off street parking. Anything proposed as a new permanent regulation will come back for further discussion and recommendations.

The Planning Commission shared their personal experience, expressing the need for the ordinance. They asked the following questions about the current requirements:
Does the City require the driveway to be long enough and wide enough to fit two cars?
What are the requirements for residential areas?
Is six months a realistic timeline to get the new ordinance in place?

Mr. Baker addressed the Planning Commission concerns. The process will include looking at the off-street parking requirements for single family, townhomes, and apartments. The requirement for single-family detached housing is 25 feet, requiring a two-car garage, and a 20-foot depth

between house and street, which required a driveway that accommodates two cars. The City does require setbacks in driveways and garages, requiring two spaces, and requiring off street parking. There are no extensions to the 6-month maximum. City staff must work efficiently to bring something forward before the temporary regulation reverts back to the current rule. The six months started with a public notice published on Friday, March 18th.

The Planning Commission shared their support.

7. City Council Reports

Council Member Manzione presented a brief overview of the City Council's meeting. The City Council wanted to hear a discussion and the opinions of the Commission regarding the annexation change. The Mayor is starting 'Monday with the Mayor', a presentation and discussion for the community. The meetings will be held the first Monday of every month in person or on Facebook live.

8. Review and Approval of Planning Commission Minutes for the Meeting Held on March 9, 2022.

There were no changes to the minutes

Commissioner Hamilton motion to approve the Planning Commission minutes from March 9, 2022. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Chairman Robinson, "Aye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Aye". The motion passed.

9. Adjourn

Chairman Robinson adjourned the meeting at 8:07 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 April, 2022

_____

Matt Robinson, Tooele City Planning Commission Chair

Tooele City Mayor and Tooele City
Special Budget Meeting

Date: Friday, March 9, 2022
Time: 5:30 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:
Chairman Justin Brady
Ed Hansen
Tony Graf
Maresa Manzione
Dave McCall

City Employees Present:
Mayor Debbie Winn
Shannon Wimmer, Finance Director
Kami Perkins, Human Resource Director
Michelle Pitt, City Recorder

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Brady called the meeting to order at 5:30 p.m.

2. Roll Call

Justin Brady, Present
Tony Graf, Present
Ed Hansen, Present
Maresa Manzione, Present
Dave McCall, Present

3. Budget Discussion:

Ms. Perkins presented information on a proposed salary adjustment based upon prior budget discussions and data she had pulled from other cities.

It was decided to add an item to the March 16th work agenda to further discuss the proposed salary schedule.

4. <u>Adjourn</u>

Chairman Brady adjourned at 6:31 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 outline of what occurred at the meeting.

Approved this 6th day of April, 2022

_____

Justin Brady, Tooele City Council Chair

Tooele City Council Work Meeting Minutes

Date: Wednesday, March 16, 2022
Time: 5:30 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:
Ed Hansen
Justin Brady
Maresa Manzione
Tony Graf
David McCall

Planning Commission Members Present:
Chris Sloan

City Employees Present:
Mayor Debbie Winn
Adrian Day, Police Department Chief
Roger Baker, City Attorney
Shannon Wimmer, Finance Director
Michelle Pitt, City Recorder
Jared Stewart, Economic Development Coordinator
Jamie Grandpre, Public Works Director
Kami Perkins, HR Director
Andrew Aagard, City Planner
Holly Potter, Deputy City Recorder

Minutes prepared by Katherin Yei

1. Open City Council Meeting
Chairman Brady called the meeting to order at 5:34 p.m.

2. Roll Call
Tony Graf, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present
David McCall, Present

3. Mayor's Report
Mayor Winn presented information on the following:
The Broadway Hotel is gone and the contaminates have been cleaned up.

'Monday's with the Mayor' will begin on Monday, April 4, 2022 at 7:00pm where they will discuss Police issues.
The City received a grant from Wasatch Front Regional Council for an active transportation plan for the City in the amount $74,500.
The partnership and program Tooele City had with sister city, Kambarka, Russia is discontinued. Tooele City does support those whom want peace.

4. Council Member's Report
The Council Members reported on the events they attended during the week.

5. Discussion Items

A. Utah Well-Being Project Survey
Presented by Courtney Flint, USU - Utah Well-Being Project

Ms. Flint presented about the Utah Well-Being Project Survey. Tooele City has been a partner since 2019 which allows the surveys to help understand the pulse within the City to make educational and informed decisions. The survey is available for anyone 18 years and older and distributed to all residents of Tooele City.

B. Utah Housing Authority Harris Project
Presented by DeAnn Christiansen, Tooele County Housing Authority Executive Director

Ms. Jensen, development consultant, presented on the Harris Community Village. The Housing Authority and the community identified ways to serve the community at large, allowing this place to be for anyone in the community in need. The project started in 2020 and cost $21,742,841. The location has 66 units, with 40 studio units and the remaining units being one- and two-bedroom areas. The site plan shows the plaza in the middle, housing in the back, and the community center forward facing.

The City Council shared their appreciation and excitement for the project.

Mayor Winn shared information regarding water for the project. They do have some water credits for the site, but they may need some water credits for the resource center area.

C. Impact Fee Waiver for the Murdock Subdivision and Harris Project
Presented by Roger Baker, City Attorney

Mr. Baker presented information on providing an impact fee waiver for the Murdock Subdivision and Harris project. The City Code allows impact fees to be waived up to $10,000 per unit for affordable housing. There was an initiative to redefine what the waiver means and who can qualify. It was defined who is eligible and tied it to the Tooele County Housing Authority. It will not become an increase profit margin for the developer, but accomplishes the goal to reduce rents and mortgages and to relieve financial stress. They recognize there is a balancing discussion between incentivizing affordable housing and constructing important impact fee facilities. Every

fee waived is a dollar they don't have towards another impact fee project. They make up the difference from the general fund or other funds. They have given a fee waiver on Buffalo Pass and Buffalo Ridge. The fee waiver amount can be decided by the Council.

The Council showed their support of the project for impact fee waiver and expects the matter to be brought back in a future meeting for a vote.

D. Elton Park Cell Tower Lease Renewal
Presented by Roger Baker, City Attorney

Mr. Baker presented information on the lease renewal of Elton Park Cell Tower. The lease revenue when they build the tower is $15,000 a year and a small escalator throughout the term of the lease. It provides a testing period, about a year, with an expiration, and able to renew for one year. The extension has expired and the contract does not give an automatic renewal of testing period. They have asked for additional year, because they are not ready to build a tower.

The City Council asked the following questions:
What is the reasoning for not building the tower yet?
Is there a competing company interested in the property?
When funds are received, where can they be used?

Mr. Baker addressed the Council's concerns. The company has not given a reason as to why they have not built yet, but the arrangement is beneficial for both parties. By keeping a legal interest in the property, it gives the company an opportunity to preserve their cell signal coverage. Any funds received are a general fund revenue.

The City Council showed their support for the renewal of the contract.

E. Nonresidential Zoning District Setbacks
Presented by Andrew Aagard, City Planner

Mr. Aagard presented information on nonresidential zoning district setbacks. The City received a zoning text amendment regarding the Industrial Zone setback from thirty feet to fifteen feet, enabling the existing buildings in the Industrial Depot to be subdivided into units. The setbacks for Light Industrial and Research and Development was increased to fifteen feet for side yards and twenty feet for rear yards. They have received applications that have found the setbacks to be cumbersome or prohibiting. The proposed text amendment, reduces the side yard to five feet and rear yards to ten feet. Previously to the amendment, the setbacks are set at zero. The staff does recommend a five-foot setback for maintenance and water drainage. The proposed amendments in the notes are in regards to easements, right of ways, and zero setbacks for multiple units in one application.

Council Member Hansen showed concern for the safety of the buildings hooked together on the old Main Street.

Mr. Aagard addressed the concerns. Those properties have mixed zones and could have zero lot line. However, it does have to meet building codes. Industrial zones have a more intense use that require more safety.

F. Budget Updates for Roads, Water, and Sewer
Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented information on updated the budget for roads, water, and sewer. The street division for fiscal year 2022 completed the 1000 West rebuild with water line improvements, England Acres with the box covert, Vine Street storm drain and drive replacement, and the slurry seal projects. In fiscal year 2023 the street departments goals include, rebuilding Oak Hill Drive, Sunset Avenue, Deer hollow, Elk Meadows Loop, and 7th street. They will continue to do slurry seal, chip seal, and the sidewalk project.
The water division has drilled Berra Well and Red Del Papa Well. They need to build well houses next. They will continue with the installation of disc filters, the Headworks Building design and build, and sewer main lines.

The Council receives regular feedback regarding the bad condition of the road near Dow James and wondered how soon that will be redone. Seventh street is being widened; is there a sidewalk being added?

Mr. Grandpre addressed the Council's concerns. The road is not on the immediate list for improvements, but can be added. The Seventh street is being widened, and adding curb and gutter. Sidewalk cannot be added in spots because of a severe drop off.

G. Resolution 2022-19 A Resolution of the Tooele City Council Approving an Agreement with Whitaker Construction for the Installation of Disc Filters at the Tooele City Water Reclamation Facility
Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented the contract with Whitaker Construction for installation of disc filters at the water reclamation facility in the amount of $490,137. Half of the cavity is filled with filters that need to be changed out.

H. Salary Schedule
Chairman Brady opened a discussion on the salary schedule that had been discussed during a retreat.

Mayor Winn shared why the salary schedule is the beginning part of the budget. The salary goes in first, then the line items.

The City Council shared their support for the salary schedule.

6. Closed Meeting - Litigation, Property Acquisition, and/or Personnel
There is no closed meeting.

7. Adjourn

Chairman Brady adjourned the meeting at 6:44 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 April, 2022

_____

Justin Brady, City Council Chair

Tooele City Council Business Meeting Minutes

Date: Wednesday, March 16, 2022
Time: 7:00 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:
Ed Hansen
Justin Brady
Maresa Manzione
Tony Graf
Dave McCall

City Employees Present:
Mayor Debbie Winn
Adrian Day, Police Department Chief
Roger Baker, City Attorney
Michelle Pitt, City Recorder
Holly Potter, Deputy City Recorder
Jamie Grandpre, Public Works Director
Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Tony Graf, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present
Dave McCall, Present

3. Mayor's Youth Recognition Awards

Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor

Mayor Winn, Stacy Smart, and Chief Day presented the Mayor's Youth Recognition Awards to the following students:

Ireland Andrews
Alex Andreasen

Cameron Tucker

4. Public Comment Period

No one came forward. The public Hearing was closed.

5. Resolution 2022-18 A Resolution of the Tooele City Council Reappointing Jed Winder to the Administrative Control Board of the North Tooele City Special Service District
Presented by Justin Brady, City Council Chair

Chairman Brady presented information on reappointing Jed Winder for the North Tooele City Special Service District for another four-year term.

Council Member Manzione motioned to approve Resolution 2022-18. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Naye," Council Member McCall, "Aye," Chairman Brady, "Aye." The motion passed.

6. Resolution 2022-19 A Resolution of the Tooele City Council Approving an Agreement with Whitaker Construction for the Installation of Disc Filters at the Tooele City Water Reclamation Facility
Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented the contract with Whitaker Construction for installation of disc filters at the water reclamation facility in the amount of $490,137. Half of the cavity is filled with filters that need to be changed out. The Cavity is stainless steel, with the membranes needing to be replaces every 5-10 years.

Council Member Hansen motioned to approve Resolution 2022-19, Approving an Agreement with Whitaker Construction for the Installation of Disc Filters at the Tooele City Water Reclamation Facility. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

7. Resolution 2022-20 A Resolution of the Tooele City Council Adopting a Public Infrastructure District Policy
Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented information on the public infrastructure district policy. This resolution was discussed in the previous work meeting. There were adjustments made to some of the language in the policy.

Council Member Manzione motioned to approve Resolution 2022-20 A Resolution of the Tooele City Council Adopting a Public Infrastructure District Policy. Member McCall

seconded the motion. The vote was as follows: Council Member Hansen, "Naye," Council Member Graf, "Naye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

8. Ordinance 2022-09 An Ordinance of Tooele City Amending Tooele City Code Chapter 8-14 Regarding the No-Fault Utilities Assistance Program
Presented by Roger Baker, City Attorney

Mr. Baker presented information on an updated no-fault assistance program. The amendment does not change the program that is offered, but offers clarification to those that are affected by sewer and water damage on how to apply for assistance. The assistance used to be capped at $2,500, but the City Council raised the cap to $10,000 a number of years ago, because the City recognizes the hardship of sewer backups and wants to help residents recover. A no-fault claim and fault claim are two separate processes. A fault-based claim has to prove the City was negligent and follows a state procedure in the Governmental Immunity Act. The no-fault utilities assistance program allows residents to not file a fault-based claim but a no-fault application, which is not a claim, and be eligible for assistance if they meet the requirements. It was also identified that a dwelling can have no more than two claims if they have tenants.

Council Member Graf motioned to approve Ordinance 2022-09 An Ordinance of Tooele City Amending Tooele City Code Chapter 8-14 Regarding the No-Fault Utilities Assistance Program. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

9. Minutes
Wednesday, March 2, 2022 City Council Work, RDA, & Business Meetings

There are no changes to the minutes.

Council Member McCall motioned to approve Minutes. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

10. Invoices
Ms. Pitt presented the following invoices:

Veolia Water Technologies, Inc. for repair of 3 motors at the wastewater plant in the amount of $294,336.15
CDW-G for windows 2022 licensing in the amount of $21,540.55
Tooele City Arts Council for the purchase of 10 life-size buffaloes for the Downtown Alliance in the amount of $20,000

Council Member Graf motioned to approve the invoices. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

11. Adjourn

Chairman Brady adjourned the meeting at 7:29pm.

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 April, 2022

_____

Justin Brady, City Council Chair