

TOOELE CITY CORPORATION

ORDINANCE 2026-01

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING TOOELE CITY CODE 4-8-2.6; TABLE OF SUBSTANDARD LOCAL STREET REQUIREMENTS, TO AMEND THE TABLE, ADDING CANYON ROAD TO THE LIST OF SUBSTANDARD LOCAL STREETS.

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah's charter cities, of which Tooele City is the only remaining such 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, in addition to the municipal powers bestowed by the Utah Constitution to Charter Cities, 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, the Utah Code grants authority to municipalities to regulate their public streets (see UCA 10-8-8, -8.6, -11, -23, -24, -25, -30, -32, and UCA 72-3-104); and,

WHEREAS, Tooele City has more than 225 lane miles of public roadway located within the City limits for which it has maintenance responsibility; and,

WHEREAS, UCA 10-9a-508 provides: "A municipality may impose...exactions on development...if: (a) an essential link exists between a legitimate governmental interest and each exaction; and (b) each exaction is roughly proportionate, both in nature and extent, to the impact of the proposed development"; and,

WHEREAS, examples of exactions on development include water infrastructure, sewer infrastructure, and right-of-way improvements, including asphalt, sidewalk, curb and gutter, street lights, and street signs; and,

WHEREAS, TCC Chapter 4-8 regulates and establishes the standards for the construction of Tooele City's public streets, and identifies various street classifications from 106-foot-wide arterial streets to 60-foot-wide local streets to alleys; and,

WHEREAS, in June of 2023, City Council codified the category of substandard local streets, in order to establish improvement standards for three substandard streets that had been dedicated with the historic plats of Tooele City with rights-of-way of varying widths, namely, 50 East (Garden Street), 50 West, and 150 West¹ (reference Ordinance 2023-21); and,

¹ Historical survey measurements were made using physical rods and chains of determined length. One rod equals 16.5 feet. One chain equals 66 feet. The substandard local streets subject to this Ordinance

WHEREAS, Canyon Road is a historical road that faces many of the same issues as did the current substandard local streets, including various asphalt and other improvements on this street, several local legislative changes to substandard street requirements over time, increasing development pressure to develop adjacent properties, and confusion about what improvement standards apply to this street given its substandard and variable nature; and,

WHEREAS, in addition to the above-mentioned challenges, the slope and other physical characteristics of Canyon Road, and well as difficulty verifying current right-of-way lines, would render typical public improvements more detrimental than beneficial; and,

WHEREAS, the City Administration recommends adding Canyon Road to Tooele City Code Table 4-8-2.6, thereby also establishing improvement standards and requirements for new developments adjacent to Canyon Road in a comprehensive manner, as outlined in attached Exhibit A (see Staff Report and Exhibits, attached as Exhibit B); and,

WHEREAS, House Bill 406 of the 2023 Utah Legislature established a state-wide maximum paved travel width of 32 feet for local streets, requiring the City to amend its local street asphalt width of 34 feet and right-of-way width of 60 feet to 32 feet and 58 feet, respectively (the 32 feet does not include the City' standard curb and gutter); and,

WHEREAS, while the City's road and bridge standards are not contained in TCC Title 7, the City Code's zoning and development title, and may not be considered a "land use regulation" as defined by state law, still, out of an abundance of caution, the Planning Commission convened a duly-noticed public hearing on January 14, 2026, and voted 7-0 to forward a positive recommendation to the City Council; and,

WHEREAS, again out of an abundance of caution, the City Council convened a duly-noticed public hearing, on January 21, 2026:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that Tooele City Code Table 4-8-2.6 regarding substandard local streets is hereby amended as shown in its entirety 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 21st day of January, 2026.

are typically 33 feet wide (two rods) and 49.5 feet wide (three rods). Tooele City's 66-foot-wide minor collector street right-of-way derives its width from being one surveyor's chain wide, the equivalent of four rods.

TOOELE CITY COUNCIL

(For)

(Against)

Melodi M. Grech _____
Justin Brady _____
Clayton _____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

Mayor _____

ATTEST:

Shilo Baker
Shilo Baker, City Recorder



Approved as to Form: Matthew C. Johnson
Matthew C. Johnson, Tooele City Attorney

Exhibit A

TCC Table 4-8-2.6, As Proposed

(showing highlighted additions and deletions)

Table 4-8-2.6. Table of Substandard Local Street Requirements.

<i>150 West Street</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
650 North – 600 North	54.75 Feet	30 Feet	Required	West Side
600 North – 500 North	49.5 Feet	30 Feet	Required	East Side
500 North – 400 North	49.5 Feet	30 Feet	Required	Not Required
400 North – Utah Avenue	49.5 Feet	30 Feet	Required	Not Required
Utah Avenue – Vine Street	49.5 Feet	30 Feet	Required	Both Sides
Vine Street – 100 South	49.5 Feet	30 Feet	Required	Not Required
100 South – 200 South	49.5 Feet	30 Feet	Required	West Side
200 South – 400 South	49.5 Feet	30 Feet	Required	Not Required
<i>50 West Street</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
600 North – 500 North	33 Feet	30 Feet	Required	Not Required
500 North – 400 North	33 Feet	30 Feet	Required	West Side
400 North – Utah Avenue	33 Feet	30 Feet	Required	East Side
Utah Avenue – Vine Street	33 Feet	30 Feet	Required	West Side
Vine Street – 100 South	33 Feet	30 Feet	Required	West Side
100 South – 200 South	33 Feet	30 Feet	Required	One Side
200 South – 400 South	33 Feet	30 Feet	Required	Not Required
400 South – 520 South	33 Feet	30 Feet	Required	Not Required
520 South – Main Street	33 Feet	30 Feet	Required	East Side
<i>Garden Street (50 East)</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
700 North – 600 North	33 Feet	30 Feet	Required	West Side
600 North – 500 North	33 Feet	30 Feet	Required	Not Required
500 North – 400 North	33 Feet	30 Feet	Required	Not Required
400 North – Utah Avenue	33 Feet	30 Feet	Required	Not Required
Utah Avenue – Vine Street	33 Feet	30 Feet	Required	Both Sides
100 South – 200 South	33 Feet	30 Feet	Required	Not Required
200 South – 400 South	33 Feet	30 Feet	Required	Not Required
400 South – Skyline Drive	33 Feet	30 Feet	Required	Not Required
<i>Canyon Road *</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
Entire Length of Road	Undetermined	Undetermined	Not Required	Not Required

Notes to Table 4-8-2.6:

1. Parkstrips are not required in substandard local streets.
 2. The Mayor has administrative authority to correct any errors in this Table and to establish the requirements for any corrected street section.
- * Canyon Road is exempt from standard cul-de-sac requirements and may use alternative forms of emergency vehicle turn around configurations as approved by the Tooele City Fire Marshall.

(Ord. 2023-21, 06-07-2023)

Exhibit B

Staff Report and Exhibits

STAFF REPORT

January 8, 2026

To: Tooele City Planning Commission
Business Date: January 14, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Non-Standard Roads – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 4-8-2.6; Table of Substandard Local Street Requirements.

BACKGROUND

This application is a request for approval of a City Code Text Amendment for Tooele City Code 4-8-2.6; Table of Substandard Local Street Requirements. The amendment will affect only the table and will be adding Canyon Road to the list of substandard local streets.

ANALYSIS

Purpose. The Tooele City Community Development Department has received an application to subdivide an existing parcel of record into four single-family residential lots. Two of these new lots will be accessing Canyon Road which is currently a public right-of-way. There is also a new home being constructed on an existing parcel of record immediately adjacent to the proposed subdivision and will also be accessing Canyon Road. This development will result in 3 new homes utilizing Canyon Road for access.

When new development occurs specific right-of-way improvements are required to be installed by the developer. These improvements typically involve the following:

1. Right-of-way dedication and asphalt pavement.
2. Curb, gutter and sidewalk improvements.
3. Park Strip.

These improvements are constructed by the applicant or developer during the subdivision development phase or during building construction if a new home is being constructed on an existing lot. Most of the time Tooele City's roads are well defined and the improvements when installed serve to benefit the community in terms of safety, provision of access and mobility, and storm water management.

However, Tooele City does have some roads that, due to historical reasons not understood by staff today, do not meet and will not meet the current minimum road width and road improvements requirements of the City's ordinances and standards. These roads are referred to as non-standard roads or as "substandard local streets" by the ordinance. Sometimes these roads are referred to as "alleys" or "alleyways." The Commission knows which roads these are. They are 150 West, 50 West, and Garden Street (50 East). Table 4-8-2.6 of the City code indicates specific requirements for improvements to each of these non-standard roads in terms of right-of-way width, asphalt, curb, gutter and sidewalk.

With the submission of the subdivision application another non-standard road has come to Staff's attention and along with this road significant ordinance compliance issues that need to be addressed. Canyon Road is an older road that pre-dates many of our existing ordinances and standards for road improvements. Canyon road extends

south of SR-36 (see the aerial photograph attached to this report) and proceeds up the hillside eventually terminating in a dead end for the public and gated dirt roads extending further up the hillside to some of Tooele City's water facilities, trails and a Rocky Mountain Power Substation. Canyon Road faces significant slope issues on both the east side and the west side and currently curb, gutter and sidewalk do not exist on any portions of the road.

This new subdivision triggers these improvements, however, after in depth analysis of these improvements staff has determined that installation of curb, gutter and sidewalk may be more detrimental to adjacent properties than beneficial for the following reasons:

1. **Curb & Gutter:** Currently there is no curb and gutter in place to contain storm water run-off from the street. Storm water flows off the asphalt and onto each adjacent property according to its amount of frontage on the road. If curb and gutter are installed on the new lots that are proposed to front Canyon Road, storm water will be collected by the curb and gutter as it flows from the street instead of flowing down the slope adjacent to the road. The property just north of the new development does not have curb and gutter and the City cannot require the developer to install curb and gutter along the entire frontage of Canyon Road. Therefore, all of this water that would sheet flow into the adjacent lots would now be collected by the curb and gutter and will then flow directly into the front yard of the property to the north of the new development. That is three times the water than if no curb and gutter is present. In this case, curb and gutter serve to create more flooding problems and potentially more liability to the city.
2. **Sidewalk:** There is no sidewalk currently on Canyon Road. Requiring this developer to do a small patch of sidewalk is requiring a sidewalk that goes nowhere and connects to nothing.
3. **Right-of-way:** Due to the slope conditions on both sides of Canyon Road there isn't any way to widen or extend the right-of-way without engaging in significant cut and fill to the hillside. Cut and fill will result in significant engineering for slope stabilization at significant cost. Additional cut and fill will also result in more liability to the City where the slope is currently stable. Property lines in this area are also a mess and it is nearly impossible to verify current right-of-way lines.
4. **Emergency Vehicle Turn Around:** Currently City codes require that all public streets terminate in a cul-de-sac bulb of sufficient width to accommodate the largest of Tooele City's fleet of emergency apparatuses. Similar to the right-of-way width, there is not sufficient width, due to the hillside slope to accommodate a full-sized cul-de-sac turn around.

Because of the four extenuating circumstances listed above on this old, non-conforming, non-standard roadway, Tooele City Staff are proposing the following changes to Tooele City Code 4-8-2.6; Table of Substandard Local Street Requirements:

1. Adding Canyon Road to the Table of Substandard Local Street Requirements.
2. Including application of the street requirements to the entire length of the road.
3. Leaving existing rights-of-way widths as "undetermined." Property lines are a mess in this area and it is difficult to determine what the current right-of-way actually is. It's also very difficult to require new right-of-way due to the slopes. Leaving the right-of-way as "undetermined" will free the City and any new development of the obligation to dedicate additional right-of-way that cannot be utilized.
4. Leaving asphalt requirements as "undetermined." Without doing cut and fill the right-of-way is pretty much what it is. Rather than encumber the City with specific width staff has determined it would be best to leave it as undetermined and address situations as they arise. This also provides staff with flexibility to work with what is available.
5. Curb and gutter are not required along the entire length of Canyon Road.
6. Sidewalk is not required along the entire length of Canyon Road.
7. Provides a new foot note, demarcated by an asterisk, exempting Canyon Road from the cul-de-sac requirement but designates authority to the Tooele City Fire Marshall to approve alternative means of emergency vehicle turns around.

This ordinance amendment is specific to Canyon Road only and will not affect any other street within Tooele City. City Staff believe this to be the best approach to accommodate a significantly non-standard road and to limit impacts of new development to adjacent properties already developed. It also frees the City from requiring unrealistic development standards on an existing road that cannot accommodate those standards without significant engineering and destabilization of the hillside slope.

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

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

REVIEWS

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

1. This ordinance is necessary to accommodate development on a non-standard road without creating significant impact to existing properties.
2. This text amendment is specific only to Canyon Road and does not involve any other street within Tooele City.

Engineering & Public Works Review. The Tooele City Engineering Division and Public Works Division have reviewed the proposed ordinance amendment and have expressed their support of the proposal.

Fire Department. The Tooele City Fire Marshall has reviewed the proposed ordinance amendment and has expressed their support of the proposal.

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

STAFF RECOMMENDATION

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

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Non-Standard Roads Text Amendment request by Tooele City for the purpose of amending the Tooele City Code to add Canyon Road to the Table of Substandard Local Street Requirements, as found in Tooele City Code 4-8-2.6, and to include with the table the proposed development standards, specific only to Canyon Road.”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Non-Standard Roads Text Amendment request by Tooele City for the purpose of amending the Tooele City Code to add Canyon Road to the Table of Substandard Local Street Requirements, as found in Tooele City Code 4-8-2.6, and to include with the table the proposed development standards, specific only to Canyon Road.”

1. List findings ...

EXHIBIT A

CANYON ROAD AERIAL MAP

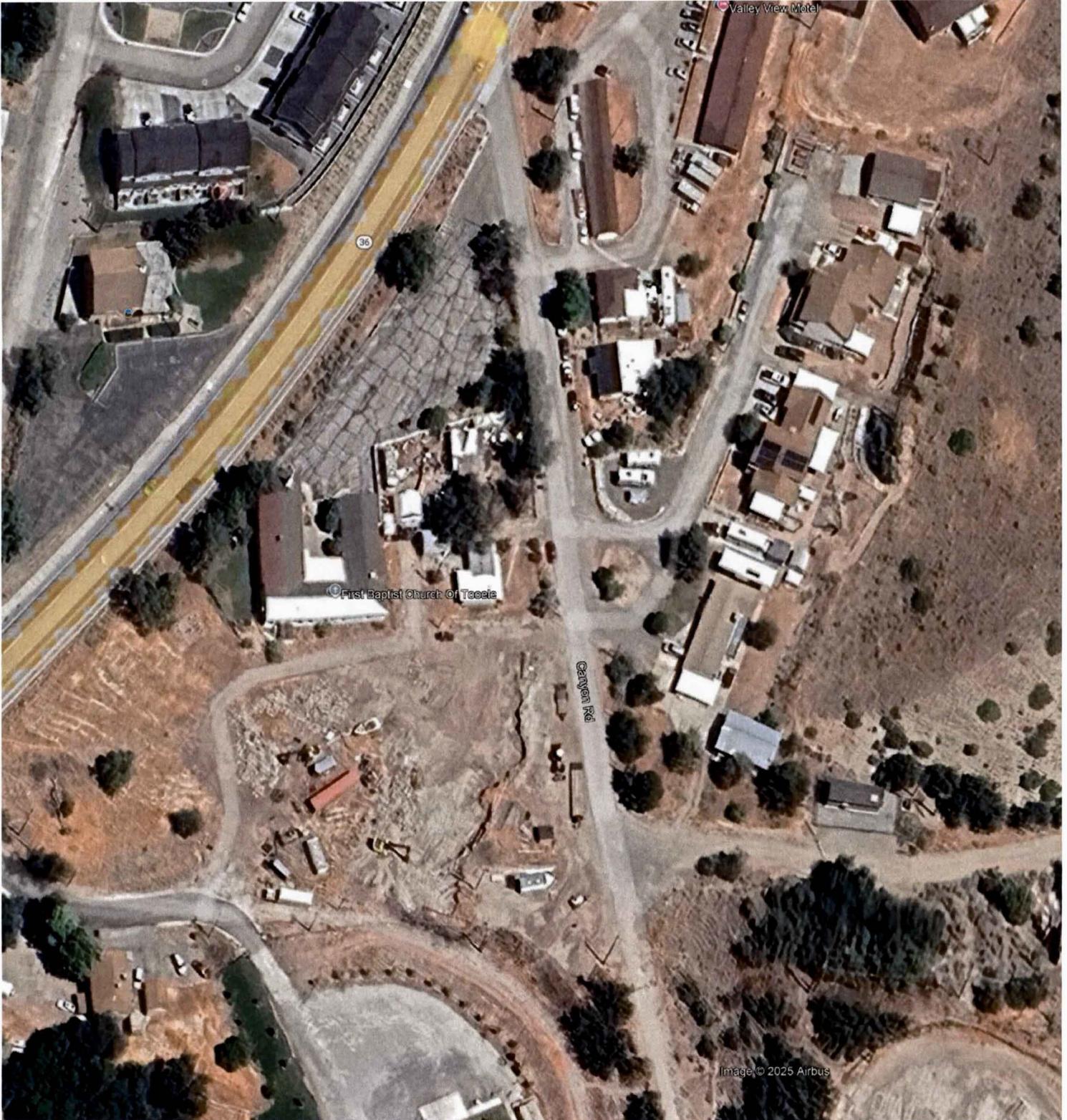
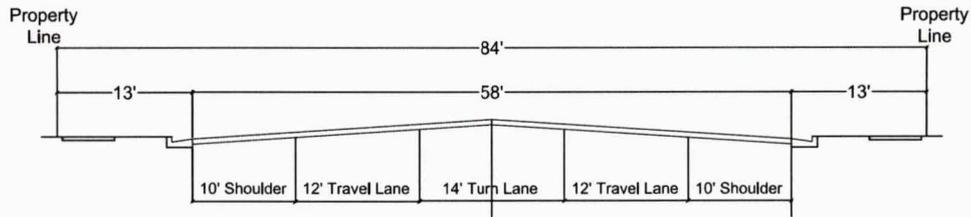


EXHIBIT A

PROPOSED ORDINANCE AMENDMENTS

(2) Cross Section:

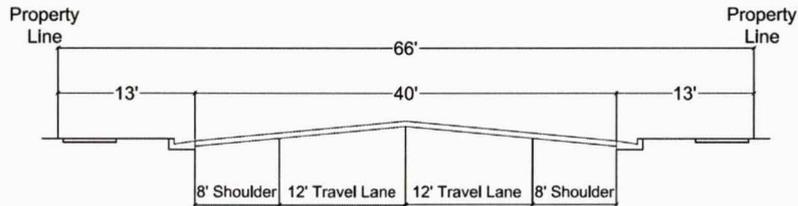


(Ord. 2023-21, 06-07-2023)

4-8-2.4 Minor Collector Streets.

(1) Definition - A medium-sized street intended to be the primary traffic conveyor through neighborhood or non-residential areas to feed traffic to larger classification streets for regional travel.

(2) Cross Section:

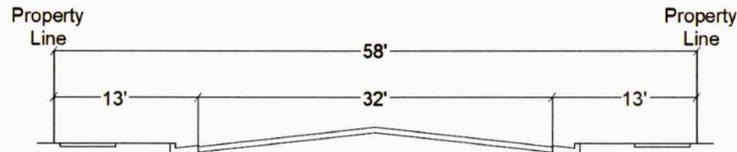


(Ord. 2023-21, 06-07-2023)

4-8-2.5 Local Streets.

(1) Definition - A smaller street designed primarily for localized neighborhood traffic at slower speeds and providing direct access to adjacent properties.

(2) Cross section:



(Ord. 2023-21, 06-07-2023)

4-8-2.6. Substandard Local Streets.

(1) Definition – Any one of several historic streets of varying substandard right-of-way widths, narrower than a local street, designed primarily for localized neighborhood traffic at slow speeds, and providing primary or secondary access to adjacent properties.

(2) Cross section – The cross-sections of these substandard local streets are described in Table 4-8-2.6: Table of Substandard Local Street Requirements.

(3) Standards – The standards required for improving substandard local streets adjacent to new development or redevelopment are established in Table 4-8-2.6: Table of Substandard Local Street Requirements.

(Ord. 2023-21, 06-07-2023)

Table 4-8-2.6. Table of Substandard Local Street Requirements.

<i>150 West Street</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
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<i>Garden Street (50 East)</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
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400 South – Skyline Drive	33 Feet	30 Feet	Required	Not Required
<i>Canyon Road *</i>				
<u>ROW Section</u>	<u>Existing ROW Widths</u>	<u>Asphalt Requirements</u>	<u>Curb & Gutter Requirements</u>	<u>Sidewalk Requirements</u>
Entire Length of Road	Undetermined	Undetermined	Not Required	Not Required

Notes to Table 4-8-2.6:

1. Parkstrips are not required in substandard local streets.
 2. The Mayor has administrative authority to correct any errors in this Table and to establish the requirements for any corrected street section.
- * Canyon Road is exempt from standard cul-de-sac requirements and may use alternative forms of emergency vehicle turn around configurations as approved by the Tooele City Fire Marshall.

(Ord. 2023-21, 06-07-2023)