

**TOOELE CITY PLANNING COMMISSION MINUTES**  
**October 25, 2017**

Date: Wednesday, October 25, 2017  
Time: 7:00 p.m.  
Place: Tooele City Hall Council Chambers  
90 North Main Street, Tooele Utah

**Commission Members Present:**

Ray Smart  
Russell Spendlove  
Phil Montano  
Brad Clark  
Shauna Bevan  
Matt Robinson  
Melanie Hammer  
Chris Sloan

**City Employees Present:**

Paul Hansen, City Engineer  
Rachelle Custer, City Planning & Zoning Administrator  
Jim Bolser, Public Works  
Paul Hansen, City Engineer  
Roger Baker, City Attorney

**Council Members Present:**

Councilman McCall  
Councilwoman Winn

Minutes prepared by Amanda Graf

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Robinson

**2. Roll Call**

Melanie Hammer, Present  
Ray Smart, Present  
Chris Sloan, Present  
Shauna Bevan, Present  
Russell Spendlove, Present  
Phil Montano, Present  
Brad Clark, Present  
Matt Robinson, Present

3. **Public Hearing and Recommendation on an ordinance amending Tooele City Code regarding In-fill development**

Presented by Jim Bolser

The Code currently states that an individual who develops a property is responsible for development of the right of way infrastructure adjacent to your property. This includes the curb, gutter, sidewalk, park strip, and at least 30 feet of asphalt on their side of the street. The City Council was recently approached with a concern about this provision particularly for an area of town where right-of-way doesn't exist in its entirety. This area of town has development that will occur in small portions, not as one large development. That level of infrastructure can place a fairly sizeable burden on individual property owners.

The City Council asked the staff to look at possible solutions to the Code to address this issue. The area initially in question was 150 West in between 400 South and 200 South. As city staff looked at the issue further they realized that 150 West has some similar characteristics to Garden Street and 50 West. These roads don't currently contain the right-of-way or infrastructure for the most part to satisfy the Code in a reasonable fashion. Staff decided to propose a solution that would work for all three of these streets. Another part of the Code that already exists is the overlay district within which these roads lie.

The three roads in question are public roads that are commonly referred to as alleys but they are not alleys; they are dedicated local-class streets according to the City's street standards. However, they are substandard in terms of property included within those rights-of-way and the infrastructure involved. As an example, in looking at Garden Street, development has occurred right up to the existing right-of-way; developing right-of-way and putting in infrastructure would be a sizeable and expensive task.

The proposed ordinance would create two subcategories of local-class streets. The first category would be an intermediate local-class street, which would include Garden Street north of Vine Street within the In-fill Overlay district. The right-of-way requirements would include 30 ft of asphalt plus curb and gutter on both sides of the street and nothing further. It does not change the vertical requirements, meaning the base, sub-base, the asphalt thickness, etc. All of those requirements would be the same as any other road, it would simply change the horizontal requirements for dedication and construction.

The second sub-category of streets would be called secondary local-class roads, which would include 50 West, 150 West, and Garden Street south of 100 South within the In-fill Overlay district. This subcategory would require 26 feet of asphalt width and no curb and gutter. Again, the vertical requirements would not change, just the horizontal requirements. The reason they created the two subcategories is although Garden street shares many of the same characteristics as the other roads mentioned, it is not as restrictive as 50 West and 150 West in regards to the structure and width of the road. For the most part Garden Street has curb and gutter and it has at least 30 feet of asphalt. Those other roads generally don't have 30 feet of dedicated width, let alone the asphalt to fill it. The 26 foot asphalt width is the minimum requirement for the Fire Department to access properties.

In summation, this ordinance would create two subcategories of streets that would only affect the horizontal requirement. The vertical requirement for the base, sub-base, asphalt width, etc., will not

change. This change would encourage development and relieve some of the burden on individual property owners to go much further with their development because that right-of-way simply doesn't exist in these areas. Staff is requesting a recommendation from the Planning Commission to the City Council.

Chairman Robinson asked if there were any questions from the Commission.

Commissioner Montano asked if the secondary streets would require curb and gutter. Mr. Bolser responded that secondary streets would not, intermediate streets would require curb and gutter. Intermediate local-class streets would require 30 feet of asphalt and curb and gutter. Commissioner Montano asked if someone had a lot they wanted to build a home on a secondary street, if they would have to provide the asphalt but no curb and gutter; Mr. Bolser explained that if you had a vacant lot on a secondary local-class street they would be responsible for the building permit, vertical construction requirements, and 26 feet of asphalt, and nothing else.

Commissioner Smart asked about the lots in the area of 100 West to 200 West that begin in that area and go all the way to the alleys. He asked if there were individuals who were starting to subdivide the lots and sell them off. Mr. Bolser stated that there are a lot of requests to build homes in that area but that they often withdraw the requests once they learn of the requirements.

Commissioner Montano clarified that if the Planning Commission passed the ordinance that it would help those property owners in-fill those lots, and Mr. Bolser confirmed that it would. Commissioner Bevan disclosed that she is one of those property owners, and that it would be too expensive to provide the curb and gutter to develop their lot. They don't have any current plans to develop their lot but the ordinance would help in the future when the time came to develop it. Mr. Bolser stated for the record that Commissioner Bevan has not made a request to their office to develop their lot.

Mr. Baker stated that if the Commissioners feel they would benefit from the ordinance that they simply need to disclose it, but they can still vote on the ordinance. Commissioner Montano disclosed that he owns property in that area that he might want to sell in the future.

Commissioner Robinson asked if there were any other questions from the Commission; there weren't any.

Commissioner Robinson invited comments from the audience for the public hearing; there were not any. Commissioner Robinson closed the public comment period.

**Commissioner Sloan moved to forward a positive recommendation to the City Council for Ordinance 2017-27, an ordinance of Tooele City enacting street improvement standards for certain in-fill overlay district streets.** Commissioner Smart seconded the motion. The vote was as follows: Commissioner Hammer, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Spendlove, "Aye," Commissioner Montano, Chairman Robinson, "Aye." The motion passed.

4. **Review and Approval of Planning Commission Meeting minutes for meeting held September 13, 2017**

**Commissioner Hammer moved to approve the minutes from the meeting held September 13, 2017.**

Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Spendlove, "Aye," Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

**5. Adjourn**

Commissioner Sloan moved to adjourn the meeting. The meeting adjourned at 7:15 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 13th day of December, 2017

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Matt Robinson, Chairman, Tooele City Planning Commission