

**ORDINANCE 2006-03**

**AN ORDINANCE AMENDING CHAPTER 15 OF THE TOOELE COUNTY GENERAL PLAN REGARDING PINE CANYON, ALLOWING THE BROOKFIELD RANCHES AMENDMENT THERETO, AND AMENDING THE ZONING OF BROOKFIELD RANCHES FROM A-20 TO RR-5**

**WHEREAS**, pursuant to Utah Code Section 17-27a-404, the Pine Canyon Township Planning Commission conducted a public hearing on Brookfield Ranches' application to amend the Pine Canyon General Plan, which constitutes Chapter 15 of the Tooele County General Plan, by adding a map of the Brookfield Ranches area showing 5-acre parcels; and

**WHEREAS**, the planning commission also held a public hearing pursuant to Utah Code Sections 17-27a-502 and 503 on Brookfield Ranches' application to rezone those parcels from A-20 (Agriculture, 20 Acre Minimum Lot Size) to RR-5 (Rural-Residential, Five Acre Minimum Lot Size); and

**WHEREAS**, having heard the positions and arguments of various individuals, the planning commission recommended denial of the general plan amendment and denial of the rezone, each by a 4-1 vote of its members; and

**WHEREAS**, the Tooele County Commission provided notice as required by Subsection 17-27a-205(1)(b) and held a public meeting on the matter and heard arguments both for and against; and

**WHEREAS**, this commission finds good cause for amending the general plan as requested and for making the rezone, finding specifically that: 1) 14,548 acres of open BLM land is adjacent to Brookfield Ranches, providing a large amount of open space; 2) A-20 no longer represents a viable use of land in Tooele Valley because of the lack of water; 3) Brookfield Ranches is removed from the Pine Canyon core; the sewer, water, and roads systems will not be connected; 4) 5-acre lots are better than higher density developments, which is what this area could be if annexed to Tooele

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City. Brookfield Ranches will provide a significant buffer between high density Tooele City and the northern part of the township. The amendment and subsequent rezone will protect the area's rural feeling; 5) The Pine Canyon Township Planning Commission has requested that staff submit general plan changes that would convert the existing A-20 zone to RR-5. Brookfield Ranches will have 5-acre lots; 6) The Brookfield Ranches concept is consistent with other uses along the Droubay Road Corridor; 7) The developer has offered to provide parking and public access to the adjacent BLM property. This is consistent with the Tooele County Trails Plan; and 8) The location of Brookfield Ranches is separated from the rest of the township by BLM land. It is reasonable to treat the location differently than the rest of the township.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:**

**SECTION I - GENERAL PLAN AMENDED.** Chapter 15 of the Tooele County General Plan is hereby amended by adding the Brookfield Ranches map thereto, and a sentence at the end of the first paragraph in the Residential Development section stating, "The Brookfield Ranches Development of 5-acre lots as shown on the attached map is a permitted low-density development."

**SECTION II - PROPERTY REZONED.** The official zoning map of Tooele County is hereby amended by changing the zoning designation of property owned by Brookfield Ranches located in Pine Canyon Township, Parcels #03-015-0-0001, 03-015-0017, and 03-015-0-0032, from A-20 (Agricultural, 20 Acre Minimum Lot Size) to RR-5 (Rural Residential, Five Acre Minimum Lot Size).

**SECTION III - MAP.** A map showing the general plan amendment and the area of the rezone is attached hereto and by this reference made a part hereof.

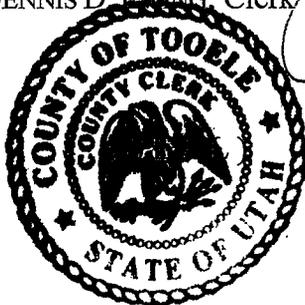
**SECTION IV - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION V - EFFECTIVE DATE.** This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date, if more than 15 days after passage.

**IN WITNESS WHEREOF** the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 24<sup>th</sup> day of January 2006.

**ATTEST:**

  
DENNIS D. EWING, Clerk



**TOOELE COUNTY COMMISSION:**

  
DENNIS ROCKWELL, Chairman

Commissioner Rockwell voted aye  
Commissioner Lawrence voted aye  
Commissioner Johnson voted aye

**APPROVED AS TO FORM:**

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney



# PROOF OF PUBLICATION

STATE OF UTAH }  
County of Tooele }ss.

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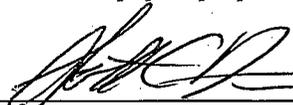
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WHEREAS, the Tooele

I, Scott C. Dunn, being first duly sworn, depose and say that I am the Publisher of the Tooele Transcript-Bulletin, a twice-weekly newspaper of general circulation published each Tuesday and Thursday at Tooele City, Tooele County, Utah; that the notice attached hereto and which is a part of the proof of publication of

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was published in said newspaper for one issue(s), the first publication having been made on the 14th day of February, 2006, and the last on the 14th day of February, 2006; that said notice was published in the regular and entire issue of every Tuesday edition of the paper during the period and time of publication, and the same was published in a newspaper proper and not in a supplement.

  
\_\_\_\_\_  
Scott C. Dunn

Subscribed and sworn to me this 20th day of February, 2006.

  
\_\_\_\_\_  
Notary Public

Notary Public  
**CHRISTIN EVANS**  
639 Country Club  
Stansbury Park, Utah 84074  
My Commission Expires  
January 5, 2010  
State of Utah

TOOELE  
**TRANSCRIPT-BULLETIN**  
Voice of Tooele County since 1894