

## Arguments For and Against

### 2018 Ordinance 2018-13 (Ballot Proposition #1)

#### Argument for Approval of Ballot Proposition #1

Shoshone Village is a proposed master planned community located on 109.2 acres of land and containing a network of interconnected trails and park space dedicated for use by all members of the Tooele County community. The property is currently undeveloped and is located near Cimmarron Way just east of Utah State Road 36.

On its western boundary, the property adjoins commercially zoned land occupied by Bargain Buggys and Wildcat Storage, which have both been in business for many years. To the north, south and east of the property, the adjacent land enjoys a rural residential zoning designation, but the property to the north is undeveloped and the proposed "Tooele Parkway," a portion of which will be constructed in connection with the development of Shoshone Village, will ultimately form the southern boundary of Shoshone Village and provide both a connection between SR-36 and Droubay Road and a significant physical buffer between Shoshone Village and the large lot single-family residential neighbors to the south. Likewise, Droubay Road also provides a physical buffer between Shoshone Village and the large lot single-family neighbors to the east.

Shoshone Village proposes a lower density single-family residential use than is presently contemplated in the land use element of Tooele County's General Plan, which identifies this area as a "center" and proposes a mix of businesses and homes with residential densities between 1015 units per acre near SR-36, and lower density residential areas of 2-8 single-family homes per acre on the eastern end of the property near Droubay Road. For this reason, Shoshone Villages' approved residential density of 3 single family homes per acre is well within the contemplated vision of the Tooele County General Plan. The County Commission's approval of Shoshone Village, at least in part, resulted from the consistency of Shoshone Village with the said general plan, which all members of the Tooele County community had the opportunity to comment on when it was recently approved.

Existing septic systems in the area have increased groundwater contamination, which has resulted in the Tooele County Health Department's prohibition of additional septic systems on parcels smaller than 5 acres. The approved residential density within Shoshone Village will allow the project to be developed utilizing a sanitary sewer and culinary water system that will not further contribute to the existing groundwater contamination.

The increased density facilitated by the subject re-zoning will also accommodate the construction of sustainable, affordable housing for a larger segment of the Tooele County community, together with park, trail and open-space amenities that positively contribute to Tooele County's way of life both for the residents of Shoshone Village and the Tooele County community generally. At the same time, the "quality living" philosophy incorporated into the proposed design of Shoshone Village provides a mixture of open space and larger residential lots that buffer Shoshone Village from SR 36, while at the same time providing Active Transportation Plan access to existing and future businesses in the area, including an important east/west connection for the overall Tooele County trail system.

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## Rebuttal to Argument For Approval of Ballot Proposition #1

Please consider these points:

**The proposed development which will increase density by approximately 700% is not appropriate for, nor in harmony with, the surrounding area**

\* The zoning of the residential parcels surrounding the Prop 1 parcels is RR-5 (five-acre minimum lot size) or A-20 (agricultural, 20-acre minimum lot size).

\* Shoshone Village if developed as its original RR-5 designation would only have **22 residences and not the proposed 174.**

\* Droubay Farms, a 5th generation large-acreage production farm, borders the Prop 1 parcels to the north.

\* Urban style development does not belong in a rural setting and next to an active farm.

Neighborhoods should be cohesive communities.

**Roads are not adequate or significant physical buffers**

\* Making a small road even busier is not an adequate buffer for the existing residents who have invested in the area.

\* The development would significantly alter the existing traffic patterns and is inappropriate for the rural area.

Zoning ordinances regulate the use of land in the present, not the General Plan, which is not legally binding

**The provided traffic study is particularly troubling given the certainty that this ordinance will increase traffic congestion exponentially.**

\* Traffic on SR-36 and Droubay Road will continue to increase as this and other developments in the area are built.

For information and documentation visit:

[www.prop1tooele.com](http://www.prop1tooele.com)

Please join us and vote NO on Proposition 1

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## Argument Against Approval of Ballot Proposition #1

Proposition 1 will change zoning in a primarily agricultural area from RR-5 (rural residential single family, five-acre minimum lot size) to R-1-12 (residential, single family, 10,000 to 22,000 square foot lot sizes with up to three dwelling units per acre). In the proposed development, this zoning change would constitute approximately a 700% increase in average density which is 8 times what is allowed in the original RR-5 zoning designation.

Many reasons exist to vote against the zone change taking effect. Increased traffic and congestion, inadequate road systems, a limited water supply, and additional stresses on our overcrowded school system are a few reasons a citizen may choose to vote against this zone change taking effect.

The most significant reason to vote against the zone change is the development is not appropriate for, nor in harmony with, the surrounding area. In addition, procedures in Utah State Code were not followed when the zone change was approved.

The existing residential properties surrounding the Prop 1 parcels are all RR-5 (five-acre minimum lot size) or A-20 (agricultural, 20-acre minimum lot size). There are no lots with the proposed density surrounding the property. According to the Tooele County Land Use Ordinance 3-9, a rezone application must be analyzed to see if the requested development will be “in harmony with and compatible with surrounding land uses and present development.” The proposed development is not in harmony with the existing area nor is there an adequate buffer between the existing 5-acre residential parcels.

Procedures in Utah State Code were not followed when the zone change was approved. Notice of the proposed zoning change and the date and time of meetings associated with the rezone were not given to adjacent property owners in accordance with Utah State Statute 17-27a-205. The application should not have been eligible to be presented to the Tooele County Planning Commission in 2018.

As proposed, this development is not in harmony with the current neighborhood or the zoning in the vicinity.

Zoning designations exist to protect ALL property owners and their property rights, not just the property rights of those who seek to change zoning designations. We have nothing to gain personally from encouraging you to vote NO on Prop 1 other than the preservation of a small part of the community we live in and love.

Thank you for your consideration,

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## Rebuttal to Argument Against Approval of Ballot Proposition #1

Tooele County followed all ordinance-based requirements throughout the Shoshone Village rezoning process, including a traffic study, and together with the project owners have executed a Development Agreement providing for an overall project density yielding less than one home per half acre and a cap of 174 homes in Shoshone Village.

The project owners have contracted with Tooele County to participate in the construction of a new collector-class road, connecting Droubay Road to Hwy. 36, for current and new homeowner traffic. Additional new roads, wholly paid for and constructed by the project owner, are thoughtfully coordinated with open-space amenities such as trails and parks that comply with Tooele County's Active Transportation Plan. Shoshone Village's approved design provides a mixture of open space with large residential lots to buffer homes from existing, long-time-operating businesses, while simultaneously providing safe road and trail access for existing and future businesses along Hwy. 36.

The Tooele County Commission's approval of the Shoshone Village re-zone, pursuant to County Ordinance 2018-13, protects the private property rights of all property owners consistent with the current Tooele County General Plan. Consistent with the General Plan, the County Commission's approval of the Shoshone Village re-zone also balances surrounding rural residential neighborhoods with more sustainable, environmentally sensitive and affordable housing. The approved Shoshone Village community positively contributes new homes, roads, parks and public trails for Tooele County residents. Vote in favor of Proposition 1.

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