

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 8, 2024

Time: 7:00 p.m.

Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:

Tyson Hamilton
Alison Dunn
Matt Robinson
Jon Proctor
Kelley Anderson

Commission Members Excused:

Weston Jensen
Chris Sloan
Melanie Hammer

City Council Members Present:

Melodi Gochis

City Council Members Excused:

Ed Hansen
Maresa Manzione

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Jon Proctor, Present
Matt Robinson, Present
Alison Dunn, Present
Kelley Anderson, Present

Melanie Hammer, Excused
Weston Jensen, Excused
Chris Sloan, Excused

3. Public Hearing and Recommendation – Consideration of proposed amendments to Tooele City Code 7-14-4, Table 3, Site Planning and Development Standards for Primary Buildings and Structures regarding the encroachment of architectural elements into the rear yard setback of residential lots.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented an amendment to the City Code 7-14-4 for rear-yard setbacks. The setback is measured from property line to foundation. Decks, porches, and basement stair-wells are not addressed in the City Code in regards to these setbacks. The state passed law HB-76, that states that cities must allow decks, porches, and basement stairwells to be allowed in the setbacks. The proposed changes include the addition of footnotes and language.

The Planning Commission asked the following:
What constitutes a cover?

Mr. Aagard addressed the Commission. A pergola does not count as a covered structure because it is not a solid roof. This refers to any covering that falls underneath the structure definition.

The public hearing was opened. No one came forward. The public hearing was closed.

Commissioner Robinson motioned to forward a positive recommendation of the proposed amendments to Tooele City Code 7-14-4, Table 3, based on the findings listed in the staff report. Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye”, Commissioner Dunn, “Aye”, and Commissioner Anderson, “Aye”. The motion passed.

4. Public Hearing and Recommendation – Consideration of proposed amendments to Tooele City Code 7-14-6, Accessory Structures Requirements regarding the location of accessory structures, fire wall ratings, lot coverage and metal shipping containers.

Presented by Andrew Aagard, Community Development Director presenting

Mr. Aagard presented an amendment to City Code 7-14-6 in regards to accessory structure requirements. The amendment clarifies where someone is able to put an accessory building, language for the three guidelines for the 1-foot setback exception, changing 8% to 9% lot coverage, and clarification on prohibiting metal shipping containers as storage sheds in residential zones.

The Planning Commission asked the following:
What changes it from a shipping container to a structure?
If they put a shipping container on a foundation, does it count as a structure?

When swig made their shipping container into a building, did they have to follow certain requirements?

The shipping containers could be used as an ADU. Will this come in conflict with the state?

Mr. Aagard addressed the Commission's questions. The code says it is a combination of materials to be considered as a structure. There has been a long discussion with the applicants on the use of shipping containers. The commercial zones do not have architecture standards. Residential zones have standards. In residential zones, it comes down to the definition. There is ordinance in Tooele that the ADU must match the primary residents.

Mr. Hall addressed the Commission. When people modify the shipping containers, they can be nice. However, most times a shipping container is used in a residential area, they are placed and nothing further is done to the appearance of them. Most cities do not allow them in a residential zone.

The public hearing was opened.

Becky Harvey shared concerns of the clarity of not allowing shipping containers in residential zones.

The public hearing was closed.

Commissioner Proctor motioned to forward a positive recommendation of proposed amendments to Tooele City Code 7-14-6, Accessory Structures Requirements regarding the location of accessory structures, fire wall ratings, lot coverage and metal shipping containers. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Proctor, "Aye", Chairman Hamilton, "Nay", Commissioner Robinson, "Nay", Commissioner Dunn, "Aye", and Commissioner Anderson, "Nay".

5. City Council Reports

Council Member Gochis shared the following information from the City Council Meeting: The updated city water and sewer fees went into effect May 1st. Those changes will be reflected on the June bill. The Council approved codifying the Overlake zoning district, the tentative budget for the next fiscal year, John Perez as the new Economic Development Director, and an agreement with dispatch services. They approved an 80-foot tower for the new fire station, an agreement for the new traffic signal near Macey's and a new salt storage facility on the North end of town.

6. Review and Approval – Planning Commission Minutes

There are no changes to the minutes.

Commissioner Anderson motioned to approve the minutes. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Proctor, "Aye", Chairman Hamilton, "Aye", Commissioner Robinson, "Aye", Commissioner Dunn, "Aye", and Commissioner Anderson, "Aye". The motion passed.

7. Adjourn

Chairman Hamilton adjourned the meeting at 7:41 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 22nd day of May, 2024

Tyson Hamilton, Tooele City Planning Commission Chair