

CHAPTER 1A. AMENDMENTS TO THE TOOELE CITY GENERAL PLAN ZONING ORDINANCE, AND ZONING DISTRICTS MAP.

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7-1A-1. Amendments to Tooele City General Plan; General Requirements.

(1) A proposed amendment to the Tooele City General Plan may be initiated by any person owning property in the City, any person residing in the City, any business owner doing business in the City, the Tooele City Planning Commission, the Tooele City Council, the Tooele City Mayor and City Staff by filing an application for a General Plan amendment.

(2) If such amendment is approved pursuant to the provisions of this Ordinance, the applicant may then proceed to file an application for development approval authorizing such development if such development is consistent with the approved General Plan amendment(s) as approved by the City Council.

(3) Submission. An application for an amendment to the Tooele City General Plan or General Plan Land Use Map may be filed with the City on the applicable application form. Except on a motion duly passed by the City Council, identifying a valid public purpose and reasons to act immediately, an application for a General Plan amendment shall be submitted to the City at least 45 days prior to the first meeting in April, August, or December of the Planning Commission.

(Ord. 2016-15, 10-19-2016) (Ord. 1998-18, 07-15-1998)

7-1A-2. Procedures for Amending the Tooele City General Plan Text and Maps.

(1) The City Staff shall prepare a report at least 21 days prior to the meeting with the Planning Commission indicating whether the proposed amendment is consistent with the elements of the General Plan, the effect of the proposed amendment on

the existing goals, objectives, and policies of the General Plan, and listing any revisions to the Tooele City Zoning Ordinance required to implement the proposed amendment.

(2) Prior to recommending the adoption, rejection, or revision of any General Plan amendment, the Planning Commission shall hold a public hearing in accordance with the requirements of this Ordinance and the Utah Code, as amended.

(3) After the Planning Commission has reviewed the application and made its recommendation, the City Staff shall submit a copy of the General Plan amendment as submitted to the Planning Commission, the report of the City Staff, and the recommendation of the Planning Commission, by way of the minutes and all materials of the proceedings before the Planning Commission, to the City Council. Upon receipt of the materials required in this subsection, the City Council shall schedule a public hearing to consider the proposed General Plan amendment, the recommendation of the Planning Commission, and other submitted materials, pursuant to the requirements established by this Ordinance and the Utah Code, as amended. The City Council shall approve the proposed amendment, revise the proposed amendment and approve the proposed amendment as revised, or reject the proposed amendment. The City Council may approve a General Plan amendment only upon the affirmative vote of a majority of its total membership. If the City Council approves the proposed amendment as submitted or as revised, the City Council shall adopt the General Plan amendment by ordinance. (Ord. 1998-18, 07-15-1998)

7-1A-3. Criteria for Approval of General Plan Text and Map Amendment.

(1) In considering a proposed amendment to the Tooele City General Plan, 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 General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;

(c) Consistency and compatibility with the existing uses of adjacent and nearby properties;

(d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;

(e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and

(f) The overall community benefit of the proposed amendment.

(Ord. 1998-18, 07-15-1998)

7-1A-4. Effect of a Tooele City General Plan Amendment.

From and after the effective date of a General Plan amendment, as approved by the City Council, no amendments shall be made to the Tooele City Zoning Ordinance, nor shall any development permit be approved or approved with conditions, unless such amendments, approvals, and conditions are consistent with the adopted General Plan or element, as amended. A General Plan amendment shall not authorize the development of land or be deemed to give rise to vested rights in the development of land. After a General Plan amendment has been approved by the City Council, no development shall occur until the required development approvals have been obtained from, and permits issued by, the City pursuant to the Tooele City Code and Utah Code, as amended.

(Ord. 1998-18, 07-15-1998)

7-1A-5. Amendments to the Tooele City Zoning Ordinance and Zoning Districts Map; General Requirements.

(1) The text of the Tooele City Zoning Ordinance and the Tooele City Zoning Districts Map may be amended, consistent with the adopted Tooele City General Plan.

(2) A proposed amendment to the Tooele City Zoning Ordinance or Zoning Districts Map may be initiated by any person owning property in the City, any person residing in the City, any business owner doing business in the City, the Tooele City Planning Commission, the Tooele City Council, or the Tooele City Mayor and City Staff by filing an application for a Zoning Ordinance / Zoning Districts Map amendment.

(3) If such amendment is approved pursuant to the provisions of this Ordinance, the applicant may then proceed to file an application for development approval authorizing such development if such development is consistent with the adopted General Plan and approved Zoning Ordinance or Zoning Districts Map amendment as approved by the City Council.

(4) Submission. An application for an amendment to the Tooele City Zoning Ordinance or Zoning Districts Map may be filed with the City on the applicable application form. Except on a motion duly passed by the City Council, identifying a valid public purpose and reasons to act immediately, an application for a Zoning Ordinance or Zoning Districts Map amendment shall be submitted to the City at least 45 days prior to the first meeting in April, August, or December of the Planning Commission.

(Ord. 2016-15, 10-19-2016) (Ord. 1998-18, 07-15-1998)

7-1A-6. Procedures for Amending the Tooele City Zoning Ordinance and Zoning Districts Map.

(1) The City Staff shall prepare a report at least 21

days prior to the meeting with the Planning Commission indicating whether the proposed Zoning Ordinance or Zoning Districts Map amendment is consistent with the Tooele City General Plan and listing any revisions to the Tooele City Zoning Ordinance necessary to implement the proposed amendment.

(2) Prior to recommending the adoption, rejection, or revision of any Zoning Ordinance or Zoning Districts Map amendment, the Planning Commission shall hold a public hearing in accordance with the requirements of this Ordinance and the Utah Code, as amended.

(3) After the Planning Commission has reviewed the application and made its recommendation, the City Staff shall submit a copy of the Zoning Ordinance or Zoning Districts Map amendment as submitted to the Planning Commission, the report of the city Staff, and the recommendation of the Planning Commission, by way of the minutes and all materials of the proceedings before the Planning Commission, to the City Council. Upon receipt of the materials required in this subsection, the City Council shall schedule a public hearing to consider the proposed Zoning Ordinance or Zoning Districts Map amendment, the recommendation of the Planning Commission, and other submitted materials, pursuant to the requirements established by this Ordinance and the Utah Code, as amended. The City Council shall approve the proposed amendment, revise the proposed amendment and approve the proposed amendment as revised, or reject the proposed amendment. The City Council may approve a Zoning Ordinance or Zoning Districts Map amendment only upon the affirmative vote of a majority of its total membership. If the City Council approves the proposed amendment as submitted or as revised, the City Council shall adopt the Zoning Ordinance or Zoning Districts Map amendment by ordinance.

(4) The Planning Commission may recommend, and the City Council may attach, such conditions to the approval of an application for a Zoning Ordinance or Zoning Districts Map amendment necessary to implement the Tooele City General Plan. All such conditions shall be expressly stated in the approving ordinance and in the minutes of the City Council meeting in which such ordinance was approved.

(Ord. 1998-18, 07-15-1998)

7-1A-7. Criteria for Approval.

(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.

(Ord. 1998-18, 07-15-1998)

7-1A-8. Effect of a Tooele City Zoning Ordinance and Zoning Districts Map Amendment.

An amendment to the Tooele City Zoning Ordinance and Zoning Districts Map shall not authorize the development of land or be deemed to give rise to vested rights in the development of land. After an amendment has been approved by the City Council, no development shall occur until the required development approvals have been obtained from, and permits issued by, the City pursuant to the Tooele City Code and Utah Code, as amended.

(Ord. 1998-18, 07-15-19)