

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, February 28, 2024

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Melanie Hammer
Jon Proctor
Chris Sloan
Matt Robinson
Weston Jensen
Kelly Anderson

Commission Members Excused:

Alison Dunn

City Council Members Present:

Maresa Manzione

City Council Members Excused:

Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:01 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Melanie Hammer, Present
Tyson Hamilton, Present
Weston Jensen, Present
Chris Sloan, Present
Jon Proctor, Present
Matt Robinson, Present

Kelly Anderson, Present
Alison Dunn, Excused

3. Public Hearing and Recommendation – Consideration of a request to amend Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City’s industrial zoning districts.

Presented by Andrew Aagard, Community Development Director presenting

Mr. Aagard presented an amendment to City Code 7-1-5 in regards to the definition of lithium-ion batteries. The storage of lithium-batteries is not permitted in any industrial zones apart of the table of uses. However, there is not a definition of hazardous waste. It is a concern that the storage of lithium-ion batteries can cause major fires, taking many of the City resources. Staff is proposing code amendments to prohibit storage of these batteries.

The Planning Commission asked the following questions:

Will this effect retail or only industrial zones?

Can the definition be more specific?

If they are not being stored, do retail typically carry a larger inventory?

What stops someone from retailing from a warehouse?

Mr. Aagard addressed the Commission’s questions. The ordinance amendment is exclusively on the storage of batteries. It does affect every zone. However, you can only have a warehouse in an Industrial zone. Staff is trying to prevent warehouse and large storage. If the prominent use is a warehouse with a retail on the side, the business would not be allowed to store the batteries.

Mr. Baker addressed the Commission. When batteries are kept as part of a retail use, they are used in inventory versus storage. At the end of the table of uses, there are notes including “anything that is not listed is prohibited.” This (Hazardous Materials Storage) is the only use that is actually written into the Table of Uses as prohibited use because of the emphasis the City Council wanted to put on the prohibition. Mr. Baker pointed out the definitions of “warehouse” which does not allow the warehousing of hazardous materials, and “retail.”

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

Commissioner Proctor motioned to forward a positive recommendation of the consideration of a request to amend Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City’s industrial zoning districts. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Nay”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

4. Public Hearing and Decision – Consideration of a request by Angie Silva, Little Britches Clothing for approval of a Conditional Use Permit to allow the operation of a retail

business in an existing building located at 272 N. Broadway, Suite 7 in the MU-B, Mixed-Use Broadway zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a Conditional Use Permit for Little Britches Clothing allowing operations of a retail business in an existing building located at 272 N. Broadway. It is zoned MU-B, Mixed-Use Broadway. It will be open regular business hours. Parking is shared between all businesses located there, but should be sufficient. Staff is recommending approval with the conditions listed in the staff report.

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

Commissioner Hammer motioned to approve the request by Angie Silva, Little Britches Clothing for approval of a Conditional Use Permit to allow the operation of a retail business in an existing building located at 272 N. Broadway, Suite 7 in the MU-B, Mixed-Use Broadway zoning district based on the findings and facts and subject to the conditions listed in the staff report. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

5. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: The Council approved the Mayor’s appointment of Kelly Anderson as a permanent position on the Planning Commission. They approved the City code amendment allowing storage vehicle yards in automobile sales.

6. Review and Approval – Planning Commission Minutes

There are no changes to the minutes.

Commissioner Robinson motioned to approve the minutes. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

7. Adjourn

Chairman Hamilton adjourned the meeting at 7:35 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 March, 2024

Tyson Hamilton, Tooele City Planning Commission Chair