

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, May 8, 2024** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto [www.youtube.com/@tooelecitey](http://www.youtube.com/@tooelecitey) or searching for our YouTube handle @tooelecitey. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecitey.gov](mailto:pcpubliccomment@tooelecitey.gov) any time after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

## AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
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. *Andrew Aagard, Community Development Director presenting.*
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. *Andrew Aagard Community Development Director presenting*
5. **City Council Reports**
6. **Review and Approval** – Planning Commission Minutes for the meeting held on April 24, 2024.
7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Jared Hall, Tooele City Planner prior to the meeting at (435) 843-2132.

**STAFF REPORT**

May 2, 2024

**To:** Tooele City Planning Commission  
Business Date: May 8, 2024

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re:** Accessory Structures Requirements– City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-14-6, Accessory Structures Requirements, related to the permitting of accessory structures, fire wall ratings, lot coverage variances and the use of metal shipping containers as accessory structures.

**BACKGROUND**

Tooele City is proposing amendments to its Accessory Structures Requirements ordinance to provide clarifications and to correct some deficiencies in regard to interpretation and application of the ordinance.

**ANALYSIS**

*History.* Quite often in my labors as the Tooele City Planner I would be required to interpret ordinances that are cumbersome, ambiguous and contradictory. As Community Development Director for the City I have it as my mission to review some of these ordinances and propose small changes to render the ordinance easier to read, interpret and easier to understand. In this case I am working on the Accessory Structures ordinance as found in Tooele City Code 7-14-6. This particular amendment proposal involves accessory structures being accessory only to a main dwelling, accessory building firewalls, exceeding the 8% accessory structure lot coverage restriction, building height measurement and the prohibition of metal shipping containers as storage structures.

The first part of the proposed amendment takes place at the beginning of the code section. The purpose of these changes is to clarify that in residential zones an accessory structure may only be permitted if there is an established primary residential structure or if the primary residential structure is being constructed at the same time as the accessory structure. If an accessory structure is constructed without a primary dwelling it is not accessory to anything and then becomes the primary structure. This is contrary to the code. This also creates a zoning issue because the first and primary use of a residential lot is a residential home. If an accessory structure is constructed on a lot without a primary dwelling the use of the lot then becomes storage or commercial or whatever the use of the structure is and is not residential, thus contrary to the code. It is therefore not a residential use. There have been numerous requests from land owners and developers to build storage structures on a vacant residential lot for the purposes of storing an RV or construction equipment and the code, as it is currently written, does not clearly convey that an accessory structure must be accessory to a primary residential structure in all residential zones, if it is not, it is not permitted. We wanted to clarify and firm up the ordinance in this regard.

Paragraph 2B of the code pertains to accessory buildings being permitted a 1 foot setback if they meet 3 minimum criteria. One of those criteria requires that the accessory building be constructed of a one hour fire wall rating. I'm not a building inspector but generally this means the walls are constructed with thicker sheet rock and additional fire resistant materials. Established building codes define fire wall rating so in this case the City Council need not worry about that. However, fire wall ratings do increase the cost of construction of a

building. It is obvious the intention of Councils past in requiring the one hour fire wall rating for structures 1 foot from property line was to protect the structure from fires that may occur on the adjacent property. This is a good thing. The problem is that the entire building doesn't need to be 1 hour rated to protect it from fires on the adjacent lot. The same protection can be accomplished by just requiring the wall that is adjacent to the property line to be 1 hour fire rated. Requiring the entire building to be fire wall rated is excessive and unnecessary when taken in context of the purpose of this code.

The proposed amendments to Paragraph 9 of the code seek to make a clarification and simplification that is long overdue. You will note that paragraph 3 of the code section states that no accessory structure may cover more than 8% of any residential lot and then it directs the reader to paragraph 8 (corrected to paragraph 9) with the clear intent to provide an avenue for an exception to this 8% requirement. When the reader refers to paragraph 9 they learn that the Planning Commission can grant an exception to the 8% lot coverage restriction if the applicant obtain a conditional use permit but it doesn't clearly state this. Given that paragraph 3 mentions 8% and then refers the reader to paragraph 9 for the PC granted exception, staff has always interpreted this code meaning that if any applicant wishes to exceed the 8% lot coverage restriction they must obtain a CUP after a public hearing with the Planning Commission. However, when the reader reads paragraph 9 the section makes no mention of the 8% lot coverage restriction other than the 2500 square foot size restriction and accessory buildings exceeding the 15 foot height requirement. We want this paragraph to also clearly include the 8% lot coverage restriction because in some cases, on smaller lots, a building doesn't have to be 2500 square feet to exceed the 8% lot restriction. We also have added a clarification to the code in how we measure building height to the mid-point of roof pitch between the roof peak and eave. This is not a change in how we measure building height as that is clearly defined in Tooele City Code 7-1-5, Definitions, but you'd be surprised how many people measure building height to roof peak. By placing this building height definition in this code we hope to make this information more readily to those within the City who wish to build a taller accessory structure rather than having this language hidden in the Definitions section.

We are proposing the addition of some new language as paragraph 10. This paragraph prohibits the use of metal shipping containers and other similar containers to be used as accessory storage sheds or buildings. Currently, the city code does prohibit these containers but it doesn't clearly prohibit them in language the general public can understand. They are prohibited in that they don't comply with the City code's definition of a structure as found in Tooele City Code 7-1-5, Definitions. Staff fields numerous requests from individuals who wish to purchase one of these containers and place it in their residential lots to use as a storage shed. Staff then has to explain how the City code defines a structure and that the storage containers do not meet or comply with that definition. It is a cumbersome process that leaves the applicant frustrated and the staff feeling less than confident in the information they just provided. This proposed amendment clarifies in bold terms that shipping containers are not permitted as storage sheds on residential properties. These containers are industrial and use and appearance, are usually rusted out, damaged or covered with graffiti and do not belong in a residential zone.

Ordinances Affected. The following ordinances are those that will be affected by the proposed changes.

1. ***Title 7; Uniform Zoning Title of Tooele City, Chapter 7-4-6, Accessory Structures Requirements, Section 2, Paragraphs A and B, Section 3, Section 9 and the addition of Section 10.***

Proposed Changes Main Chapter Heading

1. Adds language that clarifies that accessory structures must be accessory to an established primary residential structure.
2. Adds language that states accessory structures may be constructed at the same time a primary residential structure is being constructed.
3. Adds language that states all accessory structures shall comply with the terms of the chapter.

Proposed Changes to Paragraph "2A"

1. Adds the words "or drain" to the paragraph regarding the roof infringing upon adjacent properties.

Proposed Changes to Paragraph “2B”.

1. Replaces the words “All accessory buildings” with “the wall adjacent to the property line” in order to remove the requirement that all accessory buildings must be constructed of fire resistant materials which provide one hour rating or greater.

Proposed Changes to Paragraph “3”.

1. Replaces the “8” with a “9” to correctly refer the reader to the appropriate section.

Proposed Changes to Paragraph “9”.

1. Adds the words “Which exceed the 8% lot coverage restriction for accessory buildings” and “which are taller” and “as measured at the mid-point of roof pitch.” All of these clarify the exceptions that can be granted by the Planning Commission for accessory structures.

Proposed Addition of Paragraph “10”.

1. Prohibits the use of metal shipping containers as accessory storage structures in all residential zones.

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Sections 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (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.

**REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendments request and has issued and approval for the request with the following comment:

1. This ordinance amendment will resolve what has been a common dispute between developers and staff.
2. This ordinance amendment will make reviewing plans more convenient for City Staff and will be easier to interpret for architects and civil engineers.

Engineering & Public Works Division Review. The Tooele City Engineering and Public Works Divisions have not reviewed the proposed text amendment and have not offered any feedback.

Fire Department Review: The Tooele City Fire Department have not reviewed the proposed text amendment and have no offered any feedback.

*Noticing.* The applicant has expressed their desire to amend the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Accessory Structures Requirements text amendment request by Tooele City for the purpose of clarifying locations, fire wall ratings, 8% lot coverage and metal shipping containers as accessory structures, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Accessory Structures Requirements text amendment request by Tooele City for the purpose of clarifying locations, fire wall ratings, 8% lot coverage and metal shipping containers as accessory structures, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**ACCESSORY STRUCTURES REQUIREMENTS AMENDMENT LANGUAGE**

### **7-14-6 Accessory Structure Requirements**

~~To facilitate the placement of a~~ Accessory buildings and structures on residential lots may only be permitted if they are accessory to on a residential lot that already has a principal an established primary residential structure, or, if they are constructed in conjunction with a primary residential structure. Accessory buildings and structures shall comply with the ~~established the~~ following requirements ~~are identified~~:

(1) All accessory buildings and structures shall be required to comply with the minimum front yard setback and shall be set back a minimum of at least six feet from the principal structure.

(2) All accessory buildings and structures shall be setback a minimum of five feet from the rear and side property lines. This five feet setback may be reduced to one foot provided the following requirements are met:

(a) accessory buildings are constructed in such a manner that the roof does not infringe or drain onto adjoining property;

(b) ~~all accessory buildings are~~ The wall adjacent to the property line is constructed of fire resistant materials which provide a one-hour or greater fire rating; and,

(c) no accessory structure may encroach upon a public utility and drainage easement.

(3) No accessory building or structure or group of accessory buildings or structures shall cover more than 8% of the total lot area, except as may be allowed by the provisions of 7-14-6(~~8~~ 9).

(4) No accessory building or structures shall encroach upon any easement or right-of-way.

(5) Detached garages and all other accessory buildings and structures shall be located at least ten feet from any dwelling or main building located on an adjoining lot.

(6) All accessory buildings accessed by vehicle (for example: detached garage) shall be set back a minimum of 25 feet from the public right-of-way from which the accessory building is vehicle accessed.

(7) Accessory buildings and structures located in the side yard of an interior lot or the street side yard of a corner lot shall not exceed 15 feet in height. Views of accessory buildings and structures from adjoining streets and properties shall be screened with a visual screening treatment. On corner lots all accessory buildings and structures shall be located to the rear of the main building.

(8) Separate meter connections for water, sewer, gas, or other utilities are not permitted for any accessory building or structure.

(9) All detached garages and other accessory structures ~~greater than 2,500 square feet in size, which exceed the 8% lot coverage restriction for accessory buildings,~~ or ~~greater which are taller~~ than 15 feet in height as measured at the mid-point of roof pitch, shall require a hearing before the Planning Commission and will be considered a Conditional Use in all residential zoning districts. The Planning Commission will determine and consider any adverse impacts the proposed building or structure may have on adjoining properties. Notice of the Planning Commission hearing shall be sent by regular mail to all adjoining property owners, the applicant being required to pay all the costs incurred by the City to provide the required notice. The Planning Commission shall approve or deny the conditional use application pursuant to Tooele City Code Chapter 7-5.

10. Metal shipping containers and other similar containers are prohibited as accessory storage structures in all residential zoning districts.

**STAFF REPORT**

May 2, 2024

**To:** Tooele City Planning Commission  
Business Date: May 8, 2024

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re:** Rear Yard Setbacks – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-14-4, Table 3, Site Planning and Development Standards for Primary Buildings and Structures.

**BACKGROUND**

Tooele City is proposing amendments to its Rear Yard Setbacks ordinance in regards to uncovered architectural structures such as decks, porches and basement entry stair-wells.

**ANALYSIS**

*History.* The reasons for this proposed text amendment originate in the last Utah State legislative session in which a new bill was passed into law prohibiting cities from restricting certain building elements from encroaching within the rear yard setback. This new state requirement will affect Tooele City’s ordinances as found in Tooele City Code 7-14-4, Table 3, Site Planning and Development Standards for Primary Buildings and Structures.

The state has passed legislation that permits certain building structures to encroach into the rear yard setback of a residential property. Basically, any architectural element such as a deck, balcony, porch, a walk out basement stairwell or anything similar to this may encroach into the setback as long as they are uncovered.

The proposed amendments insert a foot note #5 on the “minimum rear yard” setback row in the table of site planning and development standards and then refers the reader to note number 5 at the bottom of the table. The note then states that uncovered porches, stairwells, decks and balconies may extend or encroach into the rear yard setback. There is no restriction upon how far into the setback they may extend or how close to the property line they may be.

This is actually a beneficial change and, in staff’s opinion, the state got this one right as this is a good opportunity to correct a long standing ambiguity resulting in difficult interpretations with city residents and developers. Tooele City’s ordinances do not currently address decks, balconies, porches and stair wells and this was actually an ordinance correction that was on my “to do” list. The reason the current ordinance is fairly ambiguous is because these architectural items, if they are not covered by a roof held up by walls or columns, do not meet the definition of a structure and therefore are not subject the same restrictions as a covered structure.

That being said, if a deck, porch, balcony or walk out basement stairwell are proposed to be covered they then become a structure or an extension of the main structure and are subject to the setback requirements. Note #5 states that only “uncovered” elements may be able to encroach into the rear setback. If someone comes back later and requests to cover a deck or a porch and that porch is extending into the rear setback, they will not be able to obtain a building permit.

It should also be noted that the state legislative changes as well as these proposed amendments do not change or alter in anyway the side yard setbacks. These architectural elements are not permitted to encroach into a side yard setback and the state law does not mandate that we permit them to.

Ordinances Affected. The following ordinances are those that will be affected by the proposed changes.

**1. Title 7; Uniform Zoning Title of Tooele City, Chapter 7-14-4, Table 3, Site Planning and Development Standards for Primary Buildings and Structures**

Proposed Changes to Table 3

1. Adds foot note number 5 on the “minimum rear yard setback” columns.
2. Adds note number 5 at the bottom of the table which states that uncovered decks, porches and basement entry stair-wells may encroach within the rear yard setback.

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Sections 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (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.

**REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendments request and has issued and approval for the request with the following comment:

1. This ordinance amendment will resolve what has been a common dispute between developers and staff especially regarding basement entry stair-wells which have been interpreted, in the past, as an extension of the main dwelling’s foundation.
2. This ordinance amendment will bring Tooele City’s zoning code into compliance with the mandates of House Bill 476, passed by the Utah State Legislature in the spring of 2024.

Engineering & Public Works Division Review. The Tooele City Engineering and Public Works Divisions have not reviewed the proposed text amendment and have not offered any feedback.

Fire Department Review: The Tooele City Fire Department have not reviewed the proposed text amendment and have no offered any feedback.

*Noticing.* The applicant has expressed their desire to amend the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Rear Yard Setbacks text amendment request by Tooele City for the purpose of permitting uncovered architectural elements to encroach within the rear yard setback on residential properties, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Rear Yard Setbacks text amendment request by Tooele City for the purpose of permitting uncovered architectural elements to encroach within the rear yard setback on residential properties, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**REAR YARD SETBACKS REQUIREMENTS AMENDMENT LANGUAGE**



Total Lot Coverage (All Buildings)	40%	40%	40%	40%	35%	35%	35%	35%	35%	25%	20%	10%	10%	10%
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Table 7-14 Site Planning and Development Standards for Primary Buildings and Structures

(Ord. 2022-22, 07-06-2022) (Ord. 2020-45, 11-18-2020)

<sup>1</sup> The minimum rear yard setback may be reduced by up to 25% for not more than 20% of the width of the rear yard, measured at the rear yard property line.

(Ord. 2020-45, 11-18-2020) (Ord. 2005-15, 06-15-2005) (Ord. 2003-24, 11-05-2003) (Ord. 2000-08, 06-07-2000)

<sup>2</sup> Multi-family developments subject to Chapter 7-11a of this Title shall follow setback requirements in Section 7-11a-6.

(Ord. 2019-08, 03-20-2019)

<sup>3</sup> Minimum lot width for corner lots may be reduced to the minimum lot width requirement of interior lots when proper notation on the approved plat determines and restricts the orientation of the primary residential structure on the lot to that frontage only.

(Ord. 2020-45, 11-18-2020)

<sup>4</sup> For churches and religious worship facilities over 50,000 square feet see Section 7-2-8.

<sup>5</sup> [All uncovered porches, walk out basement stairwells, decks, and balconies may extend or encroach into the rear yard setback, subject to adopted uniform codes. .](#)

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, April 24, 2024

**Time:** 7:00 p.m.

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

**Commission Members Present:**

Melanie Hammer

Chris Sloan

Weston Jensen

Matt Robinson

Jon Proctor

Kelley Anderson

**City Council Members Present:**

Justin Brady

**Commission Members Excused:**

Tyson Hamilton

Alison Dunn

**City Employees Present:**

Andrew Aagard, City Development Director

Jared Hall, City Planner

Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

Vice-Chairman Sloan called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Vice-Chairman Sloan.

**2. Roll Call**

Melanie Hammer, Present

Weston Jensen, Present

Chris Sloan, Present

Jon Proctor, Present

Matt Robinson, Present

Kelley Anderson, Present

Tyson Hamilton, Excused

Alison Dunn, Excused

**3. Public Hearing and Decision – Request by the Church of Jesus Christ of Latter-day Saints for Conditional Use Permit approval for a religious facility (new seminary building) on property located at the northwest corner of Berra Boulevard and 2200 North in the R1-8 zoning district.**

*Presented by Jared Hall, City Planner*

Mr. Hall presented a Conditional Use Permit by the Church of Jesus Christ of Latter-day Saints for a religious facility located near Berra Boulevard and 2200 North. Churches and schools are allowed in residential zones with a Conditional Use Permit. It is zoned R1-8. This is located west of the new high school. There will be 15 parking spots available. Staff is recommending the applicant works with the public works department to have safer crossings.

The Planning Commission asked the following:

Does the Planning Commission need to list out specific items for the applicant to work on with the public works department?

Mr. Hall addressed the Commission. Staff would like the applicant to explore other ideas to make sure the crossings are as safe as they can be.

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

**Commissioner Robinson motioned to approve the conditional use permit Request by the Church of Jesus Christ of Latter-day Saints for Conditional Use Permit approval for a religious facility (new seminary building) on property located at the northwest corner of Berra Boulevard and 2200 North in the R1-8 zoning district with specifics on working with public works to find the safest route for the public crossings.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Sloan, “Aye”. The motion passed.

**4. Review and Decision – Request by the Tooele County Housing Authority for Preliminary Plan approval of the Harvey Subdivision, a single-family residential subdivision located at approximately 188 West 600 North in the R1-7 zoning district**

*Presented by Jared Hall, City Planner*

Mr. Hall presented a Preliminary Plan approval for Harvey Subdivision located at 188 West 600 North. The applicant is Tooele Housing Authority. It is zoned R1-7. If approved, city staff will finalize final plats.

**Commissioner Proctor motioned to approve the Request by the Tooele County Housing Authority for Preliminary Plan approval of the Harvey Subdivision, a single-family residential subdivision located at approximately 188 West 600 North in the R1-7 zoning district with the findings and subject to the conditions in the staff report.** Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”,

Commissioner Proctor, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Sloan, “Aye”. The motion passed.

### **5. City Council Reports**

Council Member Brady shared the following information from the City Council Meeting: April 17<sup>th</sup> meeting was canceled for a conference.

### **6. Review and Approval – Planning Commission Minutes**

There are no changes to the minutes.

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

### **7. Adjourn**

**Vice-Chairman Sloan adjourned the meeting at 7:11 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 \_\_\_\_ day of May, 2024

\_\_\_\_\_  
Tyson Hamilton, Tooele City Planning Commission Chair