

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council and the Redevelopment Agency (RDA) of Tooele City will meet in a Work Meeting, on Wednesday, September 18, 2024, at 5:30 p.m. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website www.utah.gov, the Tooele City Website www.tooelecitey.gov, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or michellep@tooelecitey.gov.

*We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecitey> or by going to YouTube.com and searching "Tooele City Channel".*

AGENDA

1. **Open City Council Meeting**
2. **Roll Call**
3. **Mayor's Report**
4. **Council Members' Report**
5. **Discussion Items**
 - a. **Storm Water and Street Light Fees**
Presented by Jamie Grandpre, Public Works Director
 - b. **Land Use Map Amendment for Property Located at Approximately 300 East 1000 North to Re-Assign the Land Use Designation from Medium Density Residential (MDR) to High Density Residential (HDR)**
Presented by Andrew Aagard, Community Development Director
 - c. **Land Use Map Amendment for Property Located at Approximately 105 East 1000 North to Re-Assign the Land Use Designation from Regional Commercial (RC) to Mixed Use (MU)**
Presented by Andrew Aagard, Community Development Director
 - d. **Discussion on Proposed Amendments to Tooele City Code 7-4-9; Parking Lots, Tooele City Code 7-19-26; Park Strip Landscaping in Commercial and Industrial Subdivisions, and 7-16-4; Table of Development Standards, Regarding Changes to the Landscaping Requirements for Properties Located in the Industrial Zoning District**
Presented by Andrew Aagard, Community Development Director
6. **Closed Meeting**
~ Litigation, Property Acquisition, and/or Personnel
7. **Adjourn**

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or Michellep@Tooelecitey.gov, prior to the meeting.

TOOELE CITY CORPORATION

ORDINANCE 2024-25

AN ORDINANCE OF TOOELE CITY REASSIGNING THE LAND USE DESIGNATION FOR APPROXIMATELY 9.81 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 300 EAST 1000 NORTH FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO HIGH DENSITY RESIDENTIAL (HDR).

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City’s elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of “land use [i.e., zoning] ordinances and a zoning map” that constitute a portion of the City’s regulations (hereinafter “Zoning”) for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City received an Amendment Petition for Land Use Map amendment for 9.81 acres of property located at approximately 300 East 1000 North on July 18, 2024, requesting that the Subject Property be reassigned from the MDR Land Use designation to the HDR Land Use designation (see Amendment Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by Julia Laboriel and are currently designated as Medium Density Residential in the Land Use Element of the General Plan; and,

WHEREAS, the High Density Residential land use designation includes the MR-8, MR-12, MR-16 and MR-20 Multi-Family Residential Zoning districts; and,

WHEREAS, the MR Multi-Family Residential zones permit exclusively three or more attached residential units such as townhomes, condominiums and apartments; and,

WHEREAS, the Medium Density land use designation includes the R1-7, R1-8 and R1-10 Residential zoning districts; and,

WHEREAS, the Moderate Income Housing Plan, an element of the Tooele City General Plan, includes state mandated strategies that the City must employ to facilitate the construction of moderate income housing and that by amending the land use to HDR the City will be able to rezone to densities allowing the construction of a broader range of moderate income housing and fulfill the strategies mandated by the state; and,

WHEREAS, on September 11, 2024, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on September 18, 2024, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that:

1. this Ordinance and the Land Use Map amendment proposed therein is in the best interest of the City in that it will create additional opportunities to rezone to densities that will permit the construction of a greater range of moderate income housing; and,
2. enable and facilitate the construction of more housing units; and,
3. the Land Use map is hereby amended reassigning the Land Use designation to High Density Residential for approximately 9.81 acres of property located at approximately 300 East 1000 North, according to the map attached as Exhibit A and staff report attached as Exhibit B.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

S E A L

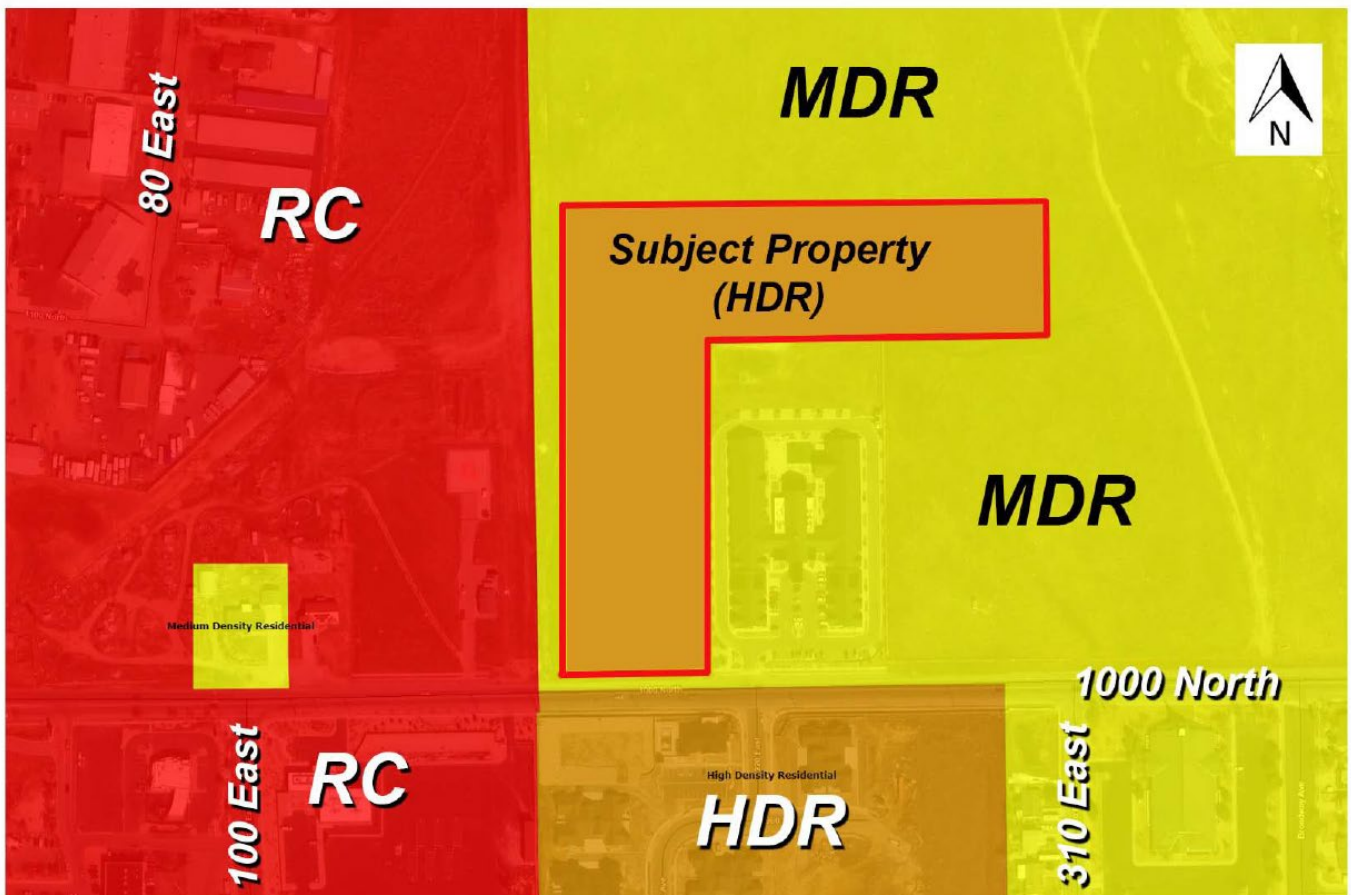
Approved as to Form:

Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Land Use Map Amendment

Townhomes at 1000 North Land Use Map Amendment



Proposed Land Use

Exhibit B

Staff Report

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 28, 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 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 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 Decision** – Application #2024-038, a request by Natsu Healthcare for Conditional use Permit approval to allow the operation of a medical clinic including social and medical detoxification services on property located at 1959 N. Aaron Drive in the Overlake Highway Commercial zoning district.
Jared Hall, City Planner presenting
4. **Public Hearing and Recommendation** – Application #2024-031, a request by Julia Laboriel and GL Home Investments to amend the Land use Map designation of 9.81 acres of property located at approximately 300 East 1000 North from Medium Density Residential to High Density Residential.
Jared Hall, City Planner presenting
5. **City Council Reports**
6. **Review and Approval** – Planning Commission Minutes for the meeting held on August 14, 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

August 23, 2024

To: Tooele City Planning Commission
Business Date: August 28, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Townhomes at 1000 North – Land Use Map Amendment Request

Application No.: 2024-031
 Applicant: Julia Laboriel, GL Home Investments
 Project Location: Approximately 300 East 1000 North
 LU Designation: Medium Density Residential
 Current Zoning: RR-5, Rural Residential
 Acreage: 9.81 acres
 Request: Land Use Map Amendment to High Density Residential

BACKGROUND

The applicant is requesting an amendment to the Land Use Map of the General Plan, re-assigning the 9.81-acre subject property from the Medium Density Residential (MDR) designation to the High Density Residential (HDR) designation in order to facilitate a potential change of zoning that would allow development of townhomes on the property. The HDR designation would align with multi-family zones, allowing higher density residential uses such as townhomes, apartments and condominiums.

ANALYSIS

General Plan Considerations. Land Use Map designations are intended in part to help inform and guide decisions related to the zoning of properties. Different land use designations support some zoning types over others. The current Land Use Map designation of the subject property is Medium Density Residential (MDR).

Preferred Zoning Districts, by Land Use Designation			
Medium Density Residential, 0.6 – 3.5 dwelling units per acre	R1-10	R1-8	R1-7
High Density Residential, 8-20 dwelling units per acre	MR-8	MR-16	MR-20

Zoning districts supported by the requested HDR designation are the MR-8, MR-12, MR-16 and MR-20, Multi-Family Residential zoning districts. Single family homes and duplex type residential units are not permitted in the MR zoning districts.

Properties to the east and north are designated MDR. Properties to the west are designated Regional Commercial (RC). Crossing 1000 North, the properties to the south are designated HDR. The applicant would argue that this request represents a natural expansion of that designation, allowing higher density zoning

adjacent to the Commercial development to the west. Additionally, it should be noted that there is a higher density residential senior living community to the south and a nursing home immediately adjacent. Not far to the north is Western Acres, a large higher density residential townhome development. Western Acres will not extend south to the subject property but it will be close to it. There are no existing single-family residential subdivisions within close proximity to the subject property.

Goals & Objectives. The Land Use Map is a part of the Land Use Element of the General Plan. The Land Use Element includes general goals and objectives as well as several more goals that are more specific to the requested High Density category itself. In reviewing the Land Use Element, staff suggests that the following goals and objectives could be considered as they relate to the current proposal.

- From the High Density Residential Land Use Category: *“Developments in these areas should be situated in close proximity to recreation facilities, services, schools, transit opportunities, commercial centers, and employment centers...”*

“These areas should provide a buffer to single-family neighborhoods and be integrated between those and surrounding nonresidential uses.”

The subject property is located adjacent to land that is designated RC, and is zoned Light Industrial (LI). The proposed change may support these statements linked to the requested High Density Residential designation.

- From the General Land Use Goals and Objectives, Goal #4: *“Maintain a balance of land uses that support a high quality of life, a diverse economic base, and a rich mixture of housing and leisure opportunities.”*

The proposed change is in support of higher density residential uses that would align with those to the south and north, and could be viewed as forming an appropriate transition from the commercial/industrial development to the west and the single-family detached uses further east. The proposed re-assignment of this property to HDR could be viewed as supporting this goal.

Zoning. The subject property is currently zoned Rural Residential, RR-5. As discussed previously, the proposed reassignment from MDR to HDR would support zoning changes to multi-family zones as opposed to single-family zones.

Criteria for Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (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 vis-à-vis the suitability of the properties for the uses identified by the General Plan; and

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

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding higher density uses being located near services and transportation corridors.
2. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding higher density uses providing buffers between lower density residential uses and non-residential uses.
3. The proposed change can be viewed as supporting a more diverse range of housing for the larger area, and places that density within close proximity to the area's major transportation route, SR-36 and to the services along that route and immediately adjacent.

Engineering Review & Public Works Review. The Tooele City Engineering Division and Public Works Department have concerns about providing water for additional density where no current zoning exists.

Fire Department Review. *The Fire Department had no comments about this application.*

Noticing. Notice of the public hearing has been publicly posted and properly issued to area property owners in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map 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 of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.

7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. 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 application number 2024-031: the request by Julia Laboriel and GL Home Investments to amend the Land Use Map designation of the 9.81-acre property located at approximately 300 East and 1000 North from Medium Density Residential to High Density Residential based on the following findings and conditions:”

1. List findings and any conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for application number 2024-031: the request by Julia Laboriel and GL Home Investments to amend the Land Use Map designation of the 9.81-acre property located at approximately 300 East and 1000 North from Medium Density Residential to High Density Residential based on the following findings:”

1. List findings...

Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

ORDINANCE 2024-26

AN ORDINANCE OF TOOELE CITY REASSIGNING THE LAND USE DESIGNATION FOR APPROXIMATELY 4.9 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 105 EAST 1000 NORTH FROM REGIONAL COMMERCIAL (RC) TO MIXED USE (MU).

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City’s elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of “land use [i.e., zoning] ordinances and a zoning map” that constitute a portion of the City’s regulations (hereinafter “Zoning”) for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City received an Amendment Petition for Land Use Map amendment for 4.9 acres of property located at approximately 105 East 1000 North on July 26, 2024, requesting that the Subject Property be reassigned from the RC Land Use designation to the MU Land Use designation (see Amendment Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Property is owned by the Skinner Johnson Family and are currently designated as Regional Commercial in the Land Use Element of the General Plan; and,

WHEREAS, the Mixed Use land use designation includes the MR-G Mixed Use General and the Mixed Use Broadway Zoning districts; and,

WHEREAS, the MU zones permit many commercial uses and all types of residential housing including buildings where the upper floor is a residential use and the bottom floor is a commercial use and the applicant is desirous to construct townhome type structures where the owner can live and work; and,

WHEREAS, the Regional Commercial land use designation requires the RD Research and Development zone and the RC Regional Commercial zone and neither zoning district permits residential uses in conjunction with commercial uses; and,

WHEREAS, the Moderate Income Housing Plan, an element of the Tooele City General Plan, includes state mandated strategies that the City must employ to facilitate the construction of moderate income housing and that by amending the land use to HDR the City will be able to rezone to densities allowing the construction of a broader range of moderate income housing and fulfill the strategies mandated by the state; and,

WHEREAS, on September 11, 2024, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on September 18, 2024, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that:

1. this Ordinance and the Land Use Map amendment proposed therein is in the best interest of the City in that it will create additional opportunities to rezone to densities that will permit the construction of a greater range of moderate income housing; and,
2. enable the creation of a commercial development where the business owners may both live and work, a land uses that has not been utilized in Tooele City previously; and,
3. enable the development of a limited access property and provide commercial space to certain businesses that do not have space readily available such as art studios, galleries, etc; and,
4. the Land Use map is hereby amended reassigning the Land Use designation to Mixed Use (MU) for approximately 4.9 acres of property located at approximately 105 East 1000 North, according to the map attached as Exhibit A and staff report attached as Exhibit B.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

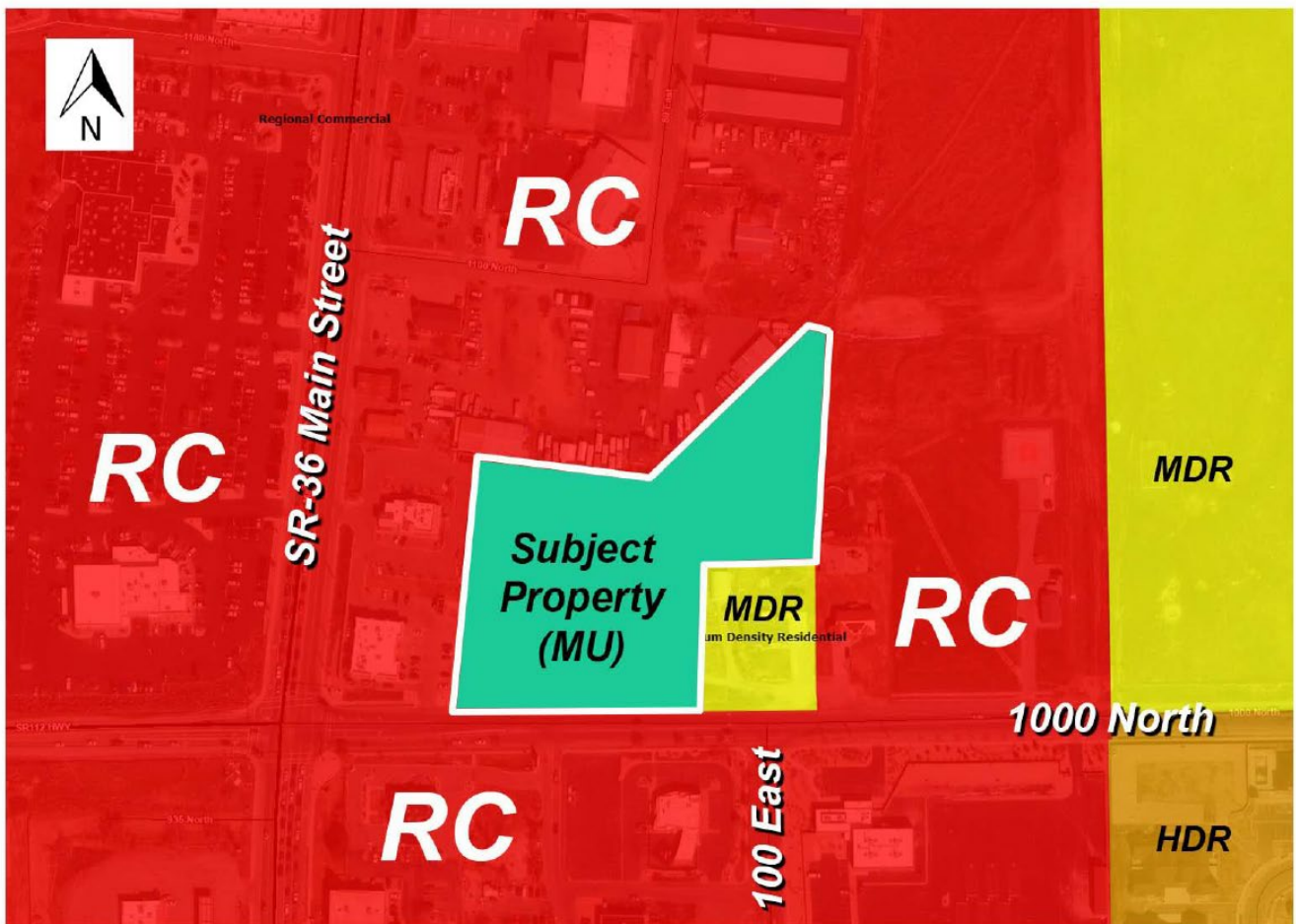
S E A L

Approved as to Form: _____
Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Zoning Map Amendment

Desert Rose Business Loft Land Use Map Amendment



Proposed Land Use

Exhibit B

Staff Report

STAFF REPORT
September 6, 2024

To: Tooele City Planning Commission
Business Date: September 11, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: **Desert Rose Business Lofts – Land Use Map Amendment Request**
 Application No.: 2024-040
 Applicant: Amy Johnson
 Project Location: 105 East 1000 North
 LU Designation: Regional Commercial
 Current Zoning: RR-1, Rural Residential
 Acreage: 4.9 acres
 Request: Land Use Map Amendment to Mixed Use

BACKGROUND

The applicant is requesting an amendment to the Land Use Map of the General Plan, re-assigning the 4.9-acre subject property from the Regional Commercial (RC) designation to the Mixed Use (MU) designation in order to facilitate a potential change of zoning that would allow development of live-work style townhomes on the property. The MU designation would align with mixed-use zones such as MU-G, Mixed-Use General, which would allow a mix of residential and commercial uses on the property. The applicant’s intent is to construct live-work townhouse style units, where the main floors are commercial spaces and the upper floors are living spaces for use by the same owner. The current zoning of the property is RR-1, Rural Residential, which does not align with the existing land use designation. Some change of zoning is already anticipated by the General Plan.

ANALYSIS

General Plan Considerations. Land Use Map designations are intended in part to help inform and guide decisions related to the zoning of properties. Different land use designations support some zoning types over others. The current Land Use Map designation of the subject property is Regional Commercial, RC. The proposed change is to Mixed-Use, MU. The following table displays the preferred zoning designations for the existing and proposed land use categories.

Preferred Zoning Districts, by Land Use Designation		
REGIONAL COMMERCIAL, RC (Commercial Land Uses Categories)	RC	RD
MIXED-USE, MU (Special Land Uses Categories)	MU-G	MU-B

Zoning districts supported by the existing land use category are Regional Commercial (RC) and Research & Development (RD). Zoning districts supported by the requested Mixed-Use category include the Mixed-Use

General (MU-G) and the Mixed-Use Broadway (MU-B).

Discussion / Comparison of Land Use Categories. In making a determination to alter the Land Use Map, a discussion and analysis of the differences between the existing and proposed categories should be part of the process. The applicant has requested a reassignment of the property from the Regional Commercial (RC) category to the Mixed-Use (MU) category.

- **PROPOSED: Mixed-Use.** In addition to supporting the MU-G and MU-B zoning as shown in the previous section, the General Plan states that the Mixed-Use category “...supports the mix of land uses, primarily single-family and multi-family residential, office, commercial and institutional. It requires a commitment to exceptional levels of quality and a specific plan of development that meets the approval of the City. The intent of this category is to identify underutilized, marginal, or blighted areas that could be rejuvenated, upgraded, or simply be replaced with quality development. Critical features that should be encouraged in these areas include reasonable scale, secondary forms of circulation such as bicycling and walking, well-conceived sites with access to and integration with transit opportunities, well designed buildings that capitalize on the area’s history and values, and quality amenities.”
- **EXISTING: Regional Commercial.** In addition to supporting the RC and RD zoning as shown in the previous section, the General Plan states that the Regional Commercial category is “...intended to provide for general commercial opportunities that include a wide range of uses that serve the community and the region. This category permits the full scope of commercial land uses that are destination-oriented. The areas may include large-scale, master-planned commercial centers, big-box stores, and offices. Specific uses in this land use category include a wide range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, professional offices, and housing. Regional Commercial land uses are primarily located along major transportation corridors.”

Goals & Objectives. The Land Use Map is a part of the Land Use Element of the General Plan. The Land Use Element includes general goals and objectives as well as several more goals that are more specific to the requested and existing categories. In reviewing the Land Use Element, staff suggests that the following goals and objectives could be considered as they relate to the current proposal.

- From the Special Land Use (Mixed-Use) Category, Goal #1: “Provide a broad variety of land uses that create a high level of synergy within mixed-use areas.”

The proposed change in support of a mixed-use, live-work development supports this goal, and two strategies in this section as well, specifically:

- Incorporate a diverse range of residential and non-residential uses within mixed-use areas.
- Encourage redevelopment that invigorates an area while also respecting the character of adjacent neighborhoods.

The scale and design of a mixed-use project in this area would be compatible with the surrounding area and the current pattern of land use development, considering the heavier retail and service uses to the west and the more residential development to the east.

- From the General Land Use Goals and Objectives, Goal #1: “Recognize Tooele’s role as a community having an assortment of commerce and housing opportunities.”

Mixed-use developments, and in particular a live-work development, provides an opportunity for a unique type of housing and commerce.

- From the General Land Use Goals and Objectives, Goal #4: “*Maintain a balance of land uses that support a high quality of life, a diverse economic base, and a rich mixture of housing and leisure opportunities.*”

Opportunities for mixed-use developments are limited, but true mixed-use development where both commercial and residential uses are present on the same property or in the same buildings provides diversity in both housing and economics.

The proposed change to the Mixed Use land use category can be viewed as supporting these goals of the General Plan.

Access Considerations. While the Regional Commercial category is not inappropriate, it should be noted that the subject property lacks direct access to Main Street and the heavier traffic there. Traffic volumes such as those on Main Street are important to the kind of large-scale commercial development anticipated by the Regional Commercial category. Additionally, access to the subject property from 1000 North will be limited to right-in and right-out only turning movements by a raised median which is planned for that area. Lacking direct access on Main Street and lacking full access on 1000 North, re-assignment of the subject property to the Mixed Use category may be an opportunity to bring a unique commercial development style to the area, while still supporting the goals of the General Plan.

Zoning. The subject property is currently zoned Rural Residential, RR-1. As discussed previously, the proposed reassignment from RC to MU would support zoning changes to mixed-use zones as opposed to more traditional regional commercial zoning.

Criteria for Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (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 vis-à-vis the suitability of the properties for the uses identified by the General Plan; and
 - (f) The overall community benefit of the proposed amendment.

Applicant Provided Materials. In addition to a narrative answer to the questions posed in the application form, the applicant has provided a conceptual site plan and several concepts of live-work units. Please remember that this application is only for the Land Use Map amendment, and is not itself an application to develop the property. If the application is granted, zoning map amendments and other development applications would be necessary. These plans and elevations have been included only as illustrations of

how a live-work, mixed-use project might be developed on the property. The applicant's narrative arguments, site plan, and elevations have been attached for your review.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding diversity of commercial and residential opportunities.
2. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding appropriate scale of development and respecting the character of adjacent uses.
3. The proposed change can be viewed as supporting an opportunity for unique development types that fit into the larger area, and capitalize on proximity to the major transportation route, but do not require direct access or immediate adjacency to it.

Engineering Review & Public Works Review. The Tooele City Engineering Division and Public Works Department had no comments about this application.

Fire Department Review. The Fire Department had no comments about this application.

Noticing. Notice of the public hearing has been publicly posted and properly issued to area property owners in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map 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 of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.

6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. 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 application number 2024-040: the request by Amy Johnson to amend the Land Use Map designation of the 4.9-acre property located at 105 East 1000 North from Regional Commercial to Mixed-Use based on the following findings and conditions:”

1. List findings and any conditions

Sample Motion for a Negative Recommendation – I move we forward a negative recommendation to the City Council for application number 2024-040: the request by Amy Johnson to amend the Land Use Map designation of the 4.9-acre property located at 105 East 1000 North from Regional Commercial to Mixed-Use based on the following findings and conditions:”

1. List findings and any conditions

Exhibit C

Planning Commission Minutes

MEMORANDUM

To: Tooele City Council
Cc: Mayor Debbie Winn
From: Andrew Aagard, AICP, Director
Date: September 12, 2024
Re: Landscaping Requirements in the Industrial (I) Zoning District

Subject:

At the request of the City Administration and working with a member of the City Council, I was asked to look into the Industrial zoning district's landscaping requirements and re-consider the need for landscaping in an industrial area.

The City's Industrial zoning district encompasses the Peterson and Ninigret Industrial Depots which, as you know, were formerly part of the Tooele Army Depot. The area contains many heavy industrial type businesses and many of the businesses are operating within aged, ex-military structures. Anyone who is familiar with the area can attest to the non-aesthetic appearance of the location. In other words, it isn't the prettiest area. A few businesses have taken significant steps and efforts to install landscaping to beautify their properties, but, for the most part, the area is home to recycling yards, auto wrecking and storage yards, impound lots, concrete batch plants and many other heavy industrial uses. The questions have been asked if landscaping in this area is necessary and appropriate.

Landscaping requirements for the industrial area come from three City codes. The first is Tooele City Code 7-4; Off-Street Parking Requirements. The second is Tooele City Code 7-16-4; Table of Development Standards. The third is Tooele City Code 7-19-26; Park Strip Landscaping in Commercial and Industrial Subdivisions.

In order to provide relief from landscaping requirements for industrial businesses desiring to locate in the Industrial Depot Tooele City Staff is proposing the following amendments to these three codes.

Tooele City Code 7-4-9; Parking Lots:

The changes proposed in this code include the addition of new language that will remove the requirement that all parking lots include one landscape island for every 15 parking stalls. This proposed amendment does not remove the requirement for parking row end caps but does remove the requirement to include 1 tree per end cap and other landscaping requirements. The proposed amendments also remove landscaping requirements for parking islands that run the length of the parking rows.

Tooele City Code 7-19-26; Park Strip Landscaping in Commercial and Industrial Subdivisions.

The changes proposed in this code include adding Light Industrial and Industrial Service to the section title, thus clarifying a distinct difference between the heavier Industrial zone and the lighter industrial zones. The amendment then adds a new section that specifically removes park strip landscaping requirements in industrial zones. Thus the landscaping requirements in the Light Industrial and Industrial Service zones remains unchanged. The changes will only affect the Industrial zone.

The proposed amendment will remove park strip landscaping requirements from properties located in the Industrial zone but also requires that the developer shall take efforts to reclaim areas disturbed during

construction by providing a seed mix composed of native Utah grasses and shrubs and that they provide a disturbed area reclamation plan during the time of site plan design review.

Tooele City Code 7-16-4; Table 2; Table of Development Standards

There is one change proposed for the table and one change proposed for the note section referenced by the table. The first change removes the 15 foot front yard landscaping requirement from the table for properties in the Industrial zone.

The second change adds an additional paragraph to note F2 requiring the developer to reclaim areas disturbed during construction by providing a seed mix composed of native Utah grasses and shrubs and that they provide a disturbed area reclamation plan during the time of site plan design review. A disturbed area reclamation plan is necessary because landscaping does more than just add aesthetics to a site. Landscaping serves to assist in storm water management by reducing water run-off, reducing soil erosion and controlling the spread of noxious weeds. In Utah, when one looks at areas of undisturbed soils they will see a mix of tall grasses, sage brush, rubber rabbit brush, mallow and other plants. These native plants hold the soil in place and prevent the germination of seeds and spores of noxious, non-native, invasive weed species. Once the soil is disturbed these aggressive, fast growing, invasive species seeds will germinate resulting in a proliferation of Russian Thistle (commonly known as the tumbleweed), Goat Heads (commonly known as the sticker weed), Spurge and even the Sunflower. A properly administered disturbed area mitigation plan will assist in reclaiming the disturbed area to, hopefully, maintain the native Utah landscape appearance and keep the noxious weeds under control.

7-4-9. Parking Lots.

Every parcel of land containing a public or private parking lot shall be developed and maintained in accordance with the following requirements:

(1) Each off street parking lot shall be surfaced with a bituminous surface course, Portland cement concrete or other approved surface to provide a dustless surface. The Planning Commission, following a recommendation from the City Engineer, must approve any surface that is not bituminous surface course or Portland cement concrete.

(2) The sides and rear of any off-street parking lot which face or abut a residential district shall be adequately screened from such district by a masonry wall or solid visual barrier fence not less than three or more than six feet in height as measured from the high side.

(3) Landscaping.

(a) Each parking lot shall be landscaped and permanently maintained. All landscaping is strongly encouraged to be low or no water use design and varieties. There shall be no natural turf, seed, or sod used for landscaping within parking lot areas. Artificial turf shall be utilized in areas where a sod-like appearance is desired. Trees and shrubs within parking lot areas shall utilize drip-style irrigation systems.

(b) Landscaping area within the parking lot shall also be eligible for calculation into the required site landscaping requirement.

(c) At least 5% of the total area used for parking and related activities shall be landscaped by planting new or preserving existing trees or shrubs.

(d) For the purpose of identifying areas in and around a parking lot that are eligible for consideration, Figure 7-4-2 identifies areas anticipated for consideration.

(e) Landscaping end caps not less than eight feet in width, exclusive of curbing, and extending the entire length of the parking stall it borders, shall be provided at each end of single and double parking rows. Landscape end caps shall be outlined with curbing to ensure the viability of the landscaping and separation between parking and landscaping. These end caps shall include one tree for each single row end cap and two trees for double row end caps.

(i) Parking end caps within the Industrial zoning district are exempt from the landscaping requirements.

(f) Landscaped Islands. Landscaping islands shall be provided in all parking areas as follows:

(i) Parking areas containing less than 75 parking spaces shall not be required to provide landscaped islands that break up rows of parking.

(ii) Parking areas containing less than 75 parking spaces which are part of a phased development that will result in the expansion of the parking for the development to be more than 75 parking spaces shall be required to provide landscaped islands as described in Subsection (f)(iii) herein.

(iii) When required, the maximum number of parking spaces in a row without separation by a landscaping island shall be 15. Landscaping islands shall include 1 tree for single row islands and 2 trees for double row islands. Tree requirement may be waived where pedestrian walkways are provided within the landscape islands.

(iv) All parking lots within the Industrial zoning district are exempt from the parking island requirement and island landscaping requirements.

(g) Where landscaping islands are proposed to run the length of parking rows:

(i) those areas shall include plantings and ground covers with at least one tree per four parking stalls that front upon that landscaping;

(ii) trees shall be evenly spaced through the landscaping area;

(iii) landscaping areas may be broken up by pedestrian pathways that cross the landscaping area only when that pathway is a segment of an established and identified pedestrian pathway beyond the landscaping area and through the parking area

(iv) pedestrian pathways running the length of the landscaping island shall be not less than five feet in width;

(v) pedestrian pathways running the length of the landscaping island may be included in the calculation of landscaping only when landscaping of at least three feet in width is provided between the walkway and the parking spaces it borders.

(vi) All parking lots within the Industrial zoning district are exempt from the landscaping requirements for parking islands that run the length of the parking rows.

7-19-26. Park Strip Landscaping in Commercial and Industrial, Light Industrial and Industrial Service zoned Subdivisions.

(1) All park strip areas in commercial and industrial subdivisions, with the exception of paved drive approaches and sidewalks as approved in the site plan, shall be landscaped and perpetually maintained by the owner of the appurtenant property with low or no water use materials and plantings with drip-style irrigation systems for trees and where irrigation is necessary. The use of seeded or sodded lawn grasses in park strips areas of non-residential subdivisions shall be prohibited. The decorative aesthetic or appearance of lawn grass may be accomplished through the use of artificial turf.

(2) (a) The commercial or industrial subdivision developer shall be responsible for the cost of purchasing and planting trees on both sides of all proposed subdivision streets within all park strip areas, except where there are existing trees acceptable to the Director of the Parks and Recreation Departments. Newly planted trees shall not be farther apart than 35 feet. Trees planted in park strip areas shall be of a type listed in the Tooele City Street Tree Selection Guide. Newly planted trees shall not be less than two inches in caliper, measured one foot from the ground, and shall not be shorter than eight feet in height. Trees shall be planted during a season of the year when it reasonably can be expected that they will survive. In no case shall trees be planted sooner than seven days prior to the issuance of an occupancy permit for any structure on the property appurtenant to the park strip.

(b) Commercial or industrial subdivision developers shall do one of the following to ensure compliance with the park strip tree requirement:

(i) post a bond in accordance with the provisions of Section 7-19-12 of the Tooele City Code, in the amount of \$200 per required park strip tree; or

(ii) make a non-refundable payment to Tooele City in the amount of \$200 per required tree, which shall be used by the Director of the Parks and Recreation Department to plant trees within the park strips of the subdivision.

(3) Protective screen planting may be required to secure a reasonably effective physical barrier between residential properties and adjoining uses which minimizes adverse visual, auditory, and other conditions. The screen planting plan shall be approved by the land use authority upon the recommendation of the Community Development and Parks and Recreation Departments.

7-19-26A Park Strip Landscaping in Industrial Subdivisions

1. All Properties located within the Industrial zoning district shall be exempt from any landscaping requirements provided the following are completed:
 - i. All areas disturbed by construction shall be reclaimed with a seed mixture composed of native Utah grasses and shrubs.
 - ii. A disturbed area reclamation plan is provided in lieu of a landscape and irrigation plan during the site plan review process.

7-16-4. Table 2, Table of Development Standards.

Development Requirement	District									
	Mixed Use (MU-G) (MU-B)	Neighborhood Commercial (NC)	General Commercial (GC)	Regional Commercial (RC)	Light Industrial (LI)	Industrial Service (IS)	Industrial (I)	Research & Development (RD)	Downtown Overlay (DO)	Gateway Overlay (GO)
Minimum Required Front Yard Landscape Area (measured from front property line) See Note F1	20 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	20 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	15 Feet See Note F1	40 Feet See Note F1	15 Feet See Note F1	15 Feet See Note F1	15 Feet. No landscaping required for auto impound yard, military surplus yards, or vehicle storage yards. See Note H See "Minimum Required Landscape Area" below	15 Feet See Note F1	10 Feet. May be reduced to 0 Feet following approval by the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	20 Feet See Note F1

Development Requirement	District									
	Mixed Use (MU-G) (MU-B)	Neighborhood Commercial (NC)	General Commercial (GC)	Regional Commercial (RC)	Light Industrial (LI)	Industrial Service (IS)	Industrial (I)	Research & Development (RD)	Downtown Overlay (DO)	Gateway Overlay (GO)
Minimum Required Landscape Area (percentage of total site area which may include required landscaping within parking areas)	No Requirement but must comply with requirements of the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	No Requirement but must comply with requirements of the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	10% See Note F1	15% See Note F1	See Note F2	See Note F2	See Note F2	10% See Note F1	No Requirement but must comply with requirements of the Planning Commission for compliance with Chapter 7-11 Tooele City Code See Note F1	15%, provided a greater percentage may be required by the Planning Commission for compliance with Chapter 7-11 Tooele City Code See

Notes:

F1.

No plans for any primary building or structure shall be approved by the Planning Commission or Community Development Department unless a Landscaping Plan is submitted and approved by the Planning Commission or Community Development Department, consistent with the considerations of Tooele City Code §7-11-8. Landscaping in accordance with the approved Landscaping Plan shall be installed prior to issuance of a Certificate of Occupancy unless a bond is posted pursuant to Tooele City Code §7-22-4. The Landscaping Plan shall include at a minimum:

1. A 50/50 mix of evergreen and deciduous trees and shrubs;
2. 60% of trees and shrubs with a minimum caliper of 2 inches and a minimum height of 5 feet;
3. park strip trees, at least one for every 30 feet of right-of-way frontage, in compliance with Tooele City Code §4-11-20 and be of a variety identified in the Tooele City Street Tree Selection Guide.

F2.

1. Critical Areas. "Critical Areas" shall mean those areas of a development site which have a particular sensitivity to environmental considerations, aesthetics, and employee and public convenience, health, and well being. Critical areas shall be determined administratively during discussions/negotiations between Tooele City staff and the developer, and shall address at least the following areas: principle vehicle entrances for employees and customers; principle pedestrian building entrances for employees and customers; employee gathering and rest areas; storm water drainage, detention, and retention facilities; and, screening of exterior building equipment.
2. Minimum Acreage. The 1% site acreage requirement is in addition to, not inclusive of, Critical Area landscaping.
3. Minimum Acreage Requirement Mitigation. In lieu of the 1% acreage landscaping requirement, the developer may pay to Tooele City a mitigation sum equal to the requirement, multiplied by \$20,000 per acre, a reasonable average landscaping budget based upon the most current Tooele City Parks and Recreation master planning documents. For example, the optional mitigation sum for a 200-acre site would be \$40,000; for a five-acre site, \$1,000. Tooele City will apply mitigation funds to landscaping improvements in Tooele City Parks.
4. Critical Area Requirement Mitigation. In the event that Tooele city staff and the developer conclude that landscaping of a given Critical Area is not possible or practicable due to feasibility or engineering difficulties, the developer shall pay a mitigation sum equal to the area of the Critical Area not landscaped, multiplied by \$20,000 per acre, in lieu of installing

the subject Critical Area landscaping. Financial or budgetary difficulties shall not be considered grounds for a determination of impossibility or impracticability or for payment of a Critical Area requirement mitigation sum.

5. Administrative Appeal. Development applicants affected by the administrative determination referenced above may appeal in writing to the Planning Commission, which shall uphold, modify, or reject the determination. No further administrative appeal shall exist.

6. Areas disturbed during the construction process shall complete the following:

- i. All areas disturbed by construction shall be reclaimed with a seed mixture of composed of native Utah grasses and shrubs.
- ii. A disturbed area reclamation plan shall be provided in lieu of a landscape and irrigation plan during the site plan review process.