

## 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, October 2, 2024, at 6:00 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](http://www.utah.gov), the Tooele City Website [www.tooelecity.gov](http://www.tooelecity.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@tooelecity.gov](mailto:michellep@tooelecity.gov).

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> 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. **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*
6. **Closed Meeting**  
*~ Litigation, Property Acquisition, and/or Personnel*
7. **Adjourn**

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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@Tooelecity.gov](mailto:Michellep@Tooelecity.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)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

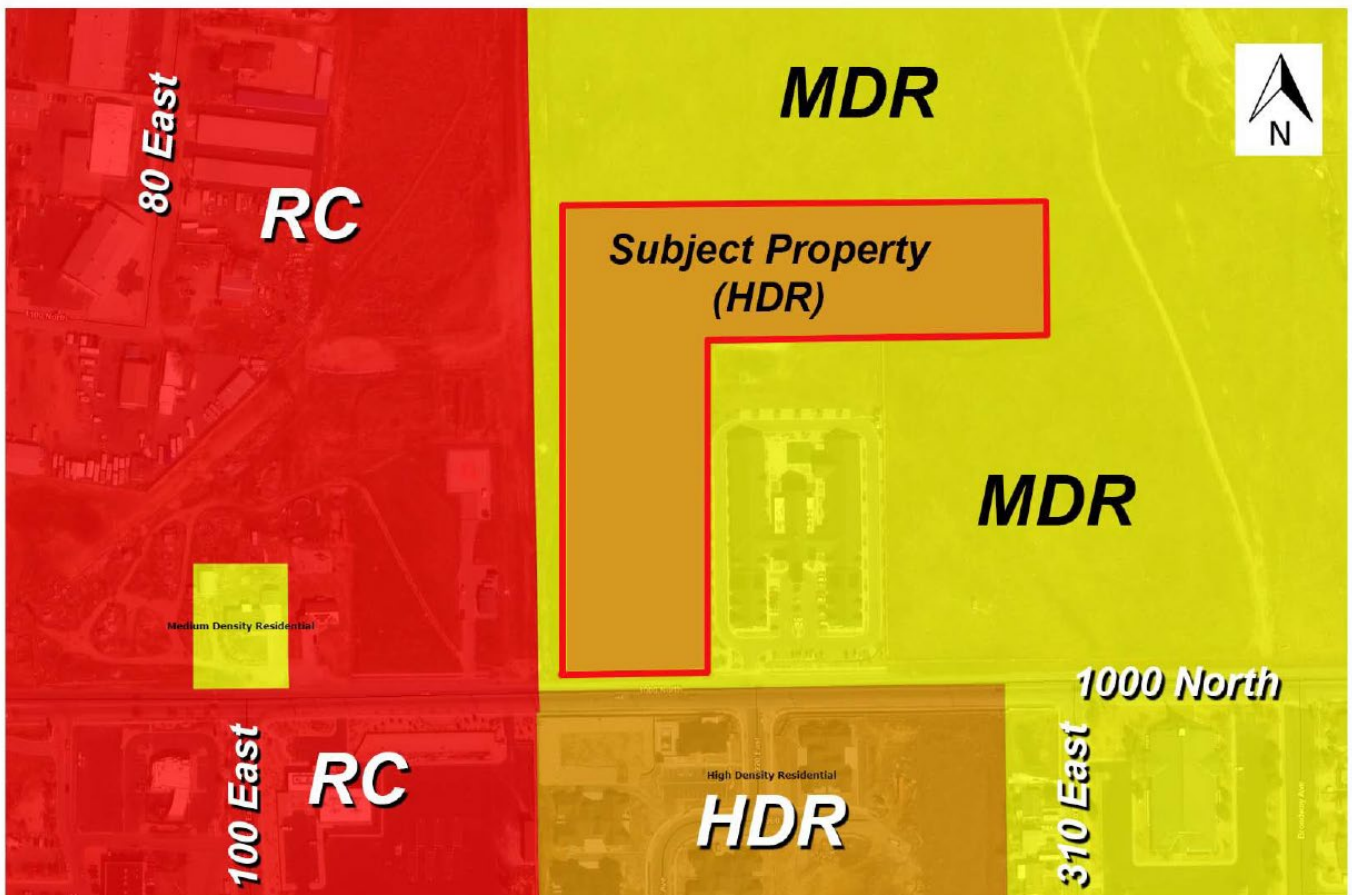
S E A L

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](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 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