

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, March 11, 2026** 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. **Recommendation** on a proposed text amendment to Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks, regarding the accommodation of recreational vehicles in parking lots of non-profit 501-c3 organization whose purpose is to assist persons who are unhoused (*tabled from February 25, 2026 Planning Commission Meeting*).
4. **Public Hearing and Decision** on a Conditional Use Permit request by Suzanne Jameson representing Buy Right Enterprise to authorize the use of "Automobile Sales and Rental" to occur at the property located at 397 N Main Street in the GC General Commercial zoning district on .26 acres.
5. **City Council Reports**
6. **Review and Decision** – February 25, 2026 Planning Commission meeting minutes.
7. **Adjourn**

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

STAFF REPORT

February 5, 2026

To: Tooele City Planning Commission
Business Date: February 11, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Recreational Vehicles Location and Use – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks; Location and Use Requirements.

BACKGROUND

This application is a request for approval of a City Code Text Amendment for Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks; Location and Use Requirements. The amendment will affect only section 7-9-2 regarding the use of recreational vehicles in conjunction with non-profit 501c3 organizations whose purpose is to assist those persons who are unhoused.

ANALYSIS

Purpose. The ordinance amendment is designed in a manner that will permit certain non-profit 501c3 operations to utilize temporary recreational vehicles in designated locations on the site to help assist in the provision of temporary housing for individuals in need of such housing. The primary, if not the only location where this will be permitted to occur, will be the Switchpoint facility, or the old Harris Elementary Site.

The proposed amendments will:

1. Require the organization to provide access to a daily meal.
2. Require the organization to provide access to showers.
3. Require the organization to provide access to bathrooms.
4. Limit the number of recreational vehicles on the site at any given time to three (3).
5. Limit the amount of time recreational vehicles may stay at the site to 6 months.

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 not issued any comments regarding this proposed text amendment:

Engineering & Public Works Review. The Tooele City Engineering Division and Public Works Division have not issued any comments regarding this proposed text amendment.

Fire Department. The Tooele City Fire Marshall has not issued any comments regarding this proposed text amendment.

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 Recreational Vehicles Location and Use Amendment request by Tooele City for the purpose of amending Tooele City Code 7-9-2, Recreational Vehicles and Recreational Vehicle Parks, to permit the use of recreational vehicles for temporary housing associated only with non-profit 510c3 organizations.”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Recreational Vehicles Location and Use Amendment request by Tooele City for the purpose of amending Tooele City Code 7-9-2, Recreational Vehicles and Recreational Vehicle Parks, to permit the use of recreational vehicles for temporary housing associated only with non-profit 510c3 organizations.”

1. List findings ...

EXHIBIT A

PROPOSED ORDINANCE AMENDMENTS

TOOELE CITY CORPORATION

ORDINANCE 2025-32

AN ORDINANCE OF TOOELE CITY UPDATING THE CITY CODE BY AMENDING TOOELE CITY CODE TITLE 7 (RECREATIONAL VEHICLES AND RECREATIONAL PARKS) CHAPTER 9 PART 2.

WHEREAS, Tooele City Code Title 7 regulates recreational vehicles in Tooele City, and,

WHEREAS, the City Administration recommends amending Title 7 Chapter 9 Part 2 as shown in Exhibit A; and,

- Chapter 9-2 (Location and Use): correct, modernize, or supplement.

WHEREAS, the proposed amendments shown in Exhibit A have been formulated by the City Attorney in cooperation with the Tooele City Police Department, which enforces RECREATIONAL VEHICLE code; and,

WHEREAS, the proposed amendments serve to modernize, correct, supplement, and clarify Title 7, making Title 7 serve the best interests of Tooele City and the public:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that

1. Tooele City Code Title 7 Chapter 9 Part 2 is hereby amended as shown in Exhibit A.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, and welfare of Tooele City and its residents and businesses and shall become effective 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 _____, 2025.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Shilo Baker, City Recorder

S E A L

Approved as to Form: _____
Matt Johnson, City Attorney

CHAPTER 9. RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

7-9-1. Purpose.

7-9-1a. Definition.

7-9-2. Location and use.

7-9-3. Approval.

7-9-4. Recreational vehicle park development application.

7-9-1. Purpose.

To permit development of facilities for recreational vehicles in appropriate districts and to require that recreational vehicle accommodations will be of such character as to promote the objectives and purposes of this Title, to protect the integrity and character of the districts contiguous to those in which recreational vehicle parks are located, and to protect other use values contiguous to or near recreational vehicle park uses. (Ord. 83-05, 04-20-83)

7-9-1a. Definition.

“Recreational vehicle” means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, that is either self-propelled or pulled by another vehicle. “Recreational vehicle” includes a travel trailer, a camping trailer, a motor home, a fifth wheel trailer, and a van. (Ord. 2010-14, 11-03-10)

7-9-2. Location and use.

(1) No recreational vehicle as herein defined shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed recreational vehicle parks and except as otherwise provided herein. Each person residing in a recreational vehicle in violation of this Section and each property owner permitting persons to reside in a recreational vehicle on the owner’s property is guilty of a class C misdemeanor. Each day of residence shall be a separate offense.

(2) Recreational vehicle parks shall be generally located:

- (a) Adjacent to or in close proximity to a major traffic artery or highway.
- (b) Near adequate shopping facilities.
- (c) Within or adjacent to a mobile home park.

(3) No individual space in a recreational vehicle park shall be used by one individual vehicle for more than thirty (30) consecutive days, nor shall such space be rented or leased to any one individual for a period longer than thirty (30) days.

(4) Recreational vehicles may be stored, but not used for permanent living quarters.

(5) Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in a Commercial or Manufacturing district when

such use is a permitted or a conditional use.

(6) Recreational vehicles may be accommodated in an approved and licensed mobile home park, provided that:

(a) The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.

(b) The recreational vehicle use area shall have direct access to a collector or arterial street.

(c) Separate ingress and egress shall be provided for recreational vehicles when required by the Planning Commission.

(7) Recreational vehicles may be accommodated in the parking lot of a non-profit 501(c)(3) organization whose purpose is to assist those persons who are unsheltered. In addition, the organization shall:

- a) Provide access to a daily meal
- b) Provide access to showers
- c) Provide access to bathrooms
- d) Shall not have more than 3 recreational vehicles in its lot at any given time.
- e) Shall not allow any recreational vehicle to stay for more than 6 months.

(Ord. 2010-14, 11-03-10); (Ord. 83-05, 04-20-83)

7-9-3. Approval.

A recreational vehicle park may not be constructed unless first approved by the Planning Commission and City Council, after review of plans for said park which satisfy the Commission that the proposed development will:

(1) Be in keeping with the general character of the district where it is proposed to be located.

(2) Be located on a parcel of land containing not less than five (5) acres, unless attached to a mobile home park, in which case no minimum area is required.

(3) Have at least ten (10) spaces completed and ready for occupancy before first occupancy permit is issued.

(4) Meet all requirements of the State of Utah Code of Camp, Trailer Court, Hotel, Motel, and Resort Sanitation Regulations which are intended to apply to trailer, camper, and ten camps as defined in such Code.

(5) Be designed by a professional architect, engineer or land surveyor.

(6) Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development. The remaining land not contained in individual trailer spaces, roads or parking, shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the development and of visitors thereto. (Ord. 83-05, 04-20-83)

7-9-4. Recreational vehicle park development

application.

(1) An overall plan for development of a recreational vehicle park shall be submitted to the planning commission for review. The plan shall be drawn to a scale not smaller than one inch to 50 feet. At

(b) the proposed street and recreational vehicle space pad layout, with convenient means of vehicular and pedestrian access to recreational vehicles, parking areas and accessory buildings, including access for firefighting equipment, delivery trucks, and garbage trucks, as well as occupant's automobiles;

(c) tabulations showing the percent of area to be devoted to parks, playgrounds and open space, the number of trailer spaces and total area to be developed;

(d) proposed location, number, and design of parking spaces and accessory buildings;

(e) a generalized landscaping and utility plan, including location of water, sewer, electricity, gas lines, and fire hydrants;

(f) any other data the city engineer or planning commission may require.

(2) Applications for approval shall be in writing, submitted to the planning commission.

(3) It shall be the duty of the city engineer to investigate and examine all such premises to determine that licenses or keepers thereof have complied with the provisions of this Code.

(4) Every licensee of such premises shall keep a daily register of all guests or tenants of such premises. The register shall be available at all times and for one year thereafter for inspection by Tooele City.

(5) After the installation of all required improvements and service facilities in accordance with specifications as indicated by a statement from the city engineer, and upon the payment of a fee as per an adopted schedule, which fee shall be effective for the balance of the calendar year in which it is issued, the city recorder shall issue a license to operate a recreational vehicle park.

(6) Upon the recommendation of the city engineer, and after a hearing and due cause shown at such hearing, the city council may refuse to grant any license under this Chapter and may revoke any license theretofore issued. It shall be unlawful for any person to operate any recreational vehicle park after the revocation of the license; provided, that all applicants or licensees shall be given a reasonable notice of any hearing as specified in this Chapter.

(7) The City is hereby authorized to make and to adopt such written regulations as may be necessary for the proper enforcement of the provisions of this Chapter provided, that such regulations shall not be in conflict with the provisions of this Chapter, and the penalty for violation of the provisions thereof shall be the same as the penalty for violation of any provisions of the Code.

(8) The license to conduct or maintain a recreational vehicle park shall be conspicuously

least six copies of the plan shall be submitted. The plan shall show:

(a) the topography of the site, when required by the planning commission, represented by contours shown at not greater than two foot intervals; displayed in the recreational park office located upon the premises.

(9) The dimensions and improvement specifications of recreational vehicle parks shall be as follows:

(a) Each recreational vehicle space shall be not less than 1,250 square feet in area and shall be at least 25 feet wide. All spaces shall be clearly marked and shall be accessible from all sides. Only one recreational vehicle shall be parked in one recreation vehicle space.

(b) The minimum spacing between recreational vehicles and between recreational vehicles and buildings shall be as follows:

(i) side-to-side spacing, 15 feet;

(ii) end-to-end spacing, ten feet.

(c) No recreational vehicle shall be located closer than 25 feet from the right-of-way line of a street or highway nor closer than ten feet from the recreational vehicle park boundary.

(d) All roads within the recreational vehicle park shall be at least 20 feet wide, exclusive of parking space, and shall be continuous.

(e) Each recreational vehicle space shall be provided with parking space of not less than 200 square feet for at least one vehicle, exclusive of roadways.

(f) Walks of not less than three feet in width shall be provided from the entrance exclusive of roadways.

(g) In any recreational vehicle park designed for, or licensed to permit, one or more dependent recreational vehicles, service buildings shall be provided within 200 feet from any such recreational vehicle space as follows:

(i) There shall be separate men's and women's toilet rooms, distinctly marked and separated by a sound-resistant wall. A vestibule or screen shall be provided to prevent direct view into toilet rooms when exterior doors are open.

(ii) For each ten dependent recreational vehicles or fraction thereof, there shall be:

(a) one laundry tray or washing machine;

(b) for men, one water closet, but urinals may be substituted for one-third of the number of required water closets; one lavatory or wash basin; one bathtub or shower; one sink with hot and cold running water;

(c) for women, one water closet; one lavatory or wash basin; one bathtub or shower; one sink with hot and cold running water;

(iii) All water closets and bathtubs for women and water closets and bathtubs for men shall be

located in separate compartments. Gangtype shower compartments may be used for men. The room containing the laundry units shall be separated from the toilet rooms and have an exterior entrance only.

(iv) Heating facilities capable of maintaining a temperature in the service buildings of 70 degrees Fahrenheit in cold weather shall be provided.

(j) Fly-tight and rodent-tight containers of not less than 20 gallons capacity shall be provided and maintained for each recreational vehicle space.

(10) Utilities, including culinary water, sewage electricity, shall be available to each recreational vehicle space. (Ord. 94-56, 01-31-95); (Ord. 88-18, 07-06-88); (Ord. 83-05, 04-20-83)

(h) Hot water facilities capable of maintaining a continuous supply of two to three gallons of 180 degrees hot water per trailer shall be provided.

(i) Mechanical laundry drying equipment or laundry drying yards of at least 50 square feet per recreational vehicle space shall be provided.

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7-9-2. Location and use.

7-9-3. Approval.

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7-9-2. Location and use.

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(2) Recreational vehicle parks shall be generally located:

(a) Adjacent to or in close proximity to a major traffic artery or highway.

(b) Near adequate shopping facilities.

(c) Within or adjacent to a mobile home park.

(3) No individual space in a recreational vehicle park shall be used by one individual vehicle for more than thirty (30) consecutive days, nor shall such space be rented or leased to any one individual for a period longer than thirty (30) days.

(4) Recreational vehicles may be stored, but not used for permanent living quarters.

(5) Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in a Commercial or Manufacturing district when

such use is a permitted or a conditional use.

(6) Recreational vehicles may be accommodated in an approved and licensed mobile home park, provided that:

(a) The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.

(b) The recreational vehicle use area shall have direct access to a collector or arterial street.

(c) Separate ingress and egress shall be provided for recreational vehicles when required by the Planning Commission.

(7) Notwithstanding the foregoing, recreational vehicles may be accommodated for up to two weeks in the parking lot of a homeless shelter facility that has paved parking available while services are being rendered. Once accommodated, the same recreational vehicle shall not be accommodated again. In addition, the homeless shelter:

a) Must provide a meal a day to those staying in the recreational vehicle;

b) Must provide access to showers and bathrooms for those staying in the recreational vehicle;

c) May only allow two recreational vehicles at any given time;

d) Must not allow the accumulation of garbage, refuse, or unsightly or deleterious objects. The homeless shelter may be found in violation of any applicable City Code jointly and severally with any individuals responsible for the violations.

e) Will be responsible for the cost of an impound if mechanical failure occurs to the recreational vehicle.

Within the meaning of this subsection, a homeless shelter is a facility that provides temporary shelter for individuals experiencing homelessness operating 24 hours a day, 7 days a week. A homeless shelter is not an overflow shelter, micro-shelter community, correctional facility, behavioral health transition facility, psychiatric, or medical facility.

(Ord. 2010-14, 11-03-10); (Ord. 83-05, 04-20-83)

7-9-3. Approval.

A recreational vehicle park may not be constructed unless first approved by the Planning Commission and City Council, after review of plans for said park which satisfy the Commission that the proposed development will:

(1) Be in keeping with the general character of the district where it is proposed to be located.

(2) Be located on a parcel of land containing not less than five (5) acres, unless attached to a mobile home park, in which case no minimum area is required.

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7-9-2. Location and use.

(1) No recreational vehicle as herein defined shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed recreational vehicle parks and except as otherwise provided herein. Each person residing in a recreational vehicle in violation of this Section and each property owner permitting persons to reside in a recreational vehicle on the owner’s property is guilty of a class C misdemeanor. Each day of residence shall be a separate offense.

(2) Recreational vehicle parks shall be generally located:

(a) Adjacent to or in close proximity to a major traffic artery or highway.

(b) Near adequate shopping facilities.

(c) Within or adjacent to a mobile home park.

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(4) Recreational vehicles may be stored, but not used for permanent living quarters.

(5) Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in a Commercial or Manufacturing district when

such use is a permitted or a conditional use.

(6) Recreational vehicles may be accommodated in an approved and licensed mobile home park, provided that:

(a) The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.

(b) The recreational vehicle use area shall have direct access to a collector or arterial street.

(c) Separate ingress and egress shall be provided for recreational vehicles when required by the Planning Commission.

(7) Notwithstanding the foregoing provisions of this Section, in addition to recreational vehicle parks, recreational vehicles may be accommodated for up to two weeks in the parking lot of a homeless shelter facility that has paved parking available while services are being rendered. The two-week time period must consist of consecutive days, for up to 14 nights. Once accommodated, the same recreational vehicle shall not be accommodated again for 6 months. In addition, the homeless shelter:

a) Must provide a meal a day to those staying in the recreational vehicle;

b) Must provide access to showers and bathrooms for those staying in the recreational vehicle;

c) May only allow two recreational vehicles at any given time;

d) Must not allow the accumulation of garbage, refuse, or unsightly or deleterious objects. ~~If this does occur~~ The homeless shelter may be found in violation of any applicable City Ceode jointly and severally with any individuals responsible for the violations 8-4-4 and will be subject to city code violations.

e) Will be responsible for the cost of an impound if mechanical failure occurs to the recreational vehicle.

~~e)f)~~ May not allow any storage of any recreational vehicle for any purpose other than the one described in this Subsection (7).

Within the meaning of this subsection, a homeless shelter is a facility that provides temporary shelter for individuals experiencing homelessness operating 24 hours a day, 7 days a week. A homeless shelter is not an overflow shelter, micro-shelter community, correctional facility, behavioral health transition facility, psychiatric, or medical facility.

(Ord. 2010-14, 11-03-10); (Ord. 83-05, 04-20-83)

7-9-3. Approval.

A recreational vehicle park may not be constructed unless first approved by the Planning Commission and City Council, after review of plans for said park which

STAFF REPORT

March 5, 2026

To: Tooele City Planning Commission
Business Date: March 11, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Department Director

Re: Buy Right Enterprise – Conditional Use Permit Request

Application No.: 2026012
Applicant: Suzanne Jameson
Project Location: 397 North Main Street
Zoning: GC General Commercial Zone
Acreage: .26 Acres (Approximately 11,325 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone to authorize the use of “Automobile Sales and Rental” to occur at the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .26 acres located, at 397 North Main Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to permit the display and sales of automobiles at the subject property.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The subject property is surrounded on all sides by properties bearing the GC General Commercial zoning district, however, the adjacent properties are utilized as residential and are therefore considered legally non-conforming residential uses in the GC zoning district, meaning, they are legal but they do not conform to the zoning. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Buy Right Enterprise would like to open a second location in Tooele City. Their first location is located immediately north of Tooele City Hall where they have been in operation for nearly 5 years. They would like to expand vehicle sales to the subject property.

This is an existing commercial property and has had various commercial activities located therein over the years. The most recent commercial business was an auto glass repair business and the structure has sat vacant since the auto glass repair business ceased operations.

The property, due to its age and length of time since construction at this location, has many legal non-conformities. Tooele City Code 7-3; Non-conforming Uses permits such situations to continue on in perpetuity as long as the structure or site is not enlarged or altered in any way. Non-conforming uses may also be maintained and repaired. The ordinance does not prohibit the change of one conforming land use to another nor does it require that, when a change of use occurs, that the structure and site be amended to conforming status. Therefore, as long as the applicant does not make any changes to the structure or site, other than standard maintenance, the property may continue on in an “as is” condition in perpetuity.

Site Plan Layout. This is an existing site and the applicant has not been required to submit a site plan document. Aerial photographs demonstrate the conditions on the site sufficiently for consideration of the proposed use on the subject property. As mentioned previously, commercial activities in this location are not new to this application. There have been auto repair businesses, painting businesses, auto glass repair businesses among others in this property in the past.

The property has a small parking area on the east side of the building that has approximately 5 dedicated parking spaces. The property also has a small lot located to the west side of the building where more vehicles can be parked and stored for display purposes.

The property does have multiple drive approaches and accesses to 400 North which is a City owned and maintained right-of-way. There is also a large drive approach and access to Main Street. This access is shared with the residential property to the south. All access to Main Street is controlled and managed by UDOT. There are not any anticipated changes to the points of access associated with this proposed use.

Parking. Automobile dealerships will utilize a large portion of the site for the display of vehicles for sale. It is anticipated that this property is desired due to the frontage on Main Street and the subsequent visibility and therefore display of vehicles will occur at the front of the property. The applicant will need to provide adequate parking space for customers and employees and maintain at least 1 accessible parking stall which can be seen in the provided aerial photograph.

Fencing. There is currently, a wrought iron fence surrounding the portion of the property located west of the building.

Security and Site Lighting. There may be a need for additional lighting on the site for security purposes. Due to the close proximity of existing residential uses to the proposed vehicle dealership site lighting should be installed in a manner that directs light down and into the site and should be provided on the building itself. Lighting installed away from the building should be bollard type lighting that minimizes light pollution to the neighboring properties. As mentioned before, this property has been commercial for many years but staff still wants to minimize light pollution as much as possible.

Ancillary Uses. All commercial businesses have ancillary uses that fall under the umbrella of the main land use. In this case there may be some small vehicle repair and servicing such as the replacement of a bad turn signal bulb, wind shield or wind shield wipers. There may also be some vehicle detailing and washing that may occur to prepare dirty vehicles for display and sale. These type of small ancillary uses are considered part of the automobile dealerships daily operations.

However, there are vehicle bays available with this building. It needs to be emphasized that this property is NOT being considered for automobile service and repair and is NOT being considered for a car wash. If the applicant desires to conduct these types of businesses within the structure the Conditional Use Permit will need to be altered to consider these uses.

A car wash itself is not a use that would be permitted to occur at this property as the applicant would need to provide considerable water rights to accommodate the car wash. The available vehicle bays cannot be converted to wash bays of any kind.

Criteria For Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application, the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) the evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) the reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) the reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) the evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. The close proximity of existing non-conforming residential uses presents the possibility that if bright and intrusive site lighting is installed on the building or in the site that light pollution could result in night time sleep disruptions for neighboring properties. The applicant should be considerate of these uses and utilize all means to ensure sight lighting is directed down and into the site if it is installed on the building exterior or the use of low bollard lighting directing light into the site from the perimeter if installed away from the building.
2. This application presents the likelihood of some vehicle cleaning and detailing in preparing the vehicles for display and sale. Ancillary vehicle washing and detailing is anticipated with any automobile dealership, however the building itself contains vehicle bays that could be converted to full vehicle wash bays. A car wash will present a significant increase in water use and will require the applicant to dedicate water rights to compensate for such increases in water use. Therefore, without the dedication of additional water rights for a car wash facility the applicant cannot be permitted to convert the building's vehicle bays into vehicle wash bays unless fully approved by the City after the necessary building permits, conditional use permits and water rights dedication.
3. This application presents the likelihood that customers will be visiting the site to inspect desired vehicles for purchasing. Customer parking should be convenient to use and provide safe access to the building itself. The applicant should provide a minimum of three parking stalls, including one accessible stall, on the east side of the building.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request with the following

proposed conditions:

1. All new site lighting installed on the building shall use cabinetry or be designed to direct the light down and into the site. All site lighting installed in the site away from the building shall be at the perimeter of the site and shall direct light down and into the site.
2. The vehicle bays shall not be converted to vehicle wash bays without full approvals from Tooele City and dedication of additional water rights to satisfy the water requirements of a car wash.
3. The applicant shall provide and maintain three designated customer parking stalls, including one accessible parking stall on the east side of the building in close proximity to the main building entrance.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this proposed Conditional Use Permit.

Tooele City Fire Department Review. The Tooele City Fire Department has not issued any comments regarding this proposed Conditional Use Permit.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit for the subject property 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 approval of the request for a Conditional Use Permit by Suzanne Jameson, application number 2026012, subject to the following conditions:

1. All new site lighting installed on the building shall use cabinetry or be designed to direct the light down and into the site. All site lighting installed in the site away from the building shall be at the perimeter of the site and shall direct light down and into the site.
2. The vehicle bays shall not be converted to vehicle wash bays without full approvals from Tooele City and dedication of additional water rights to satisfy the water requirements of a car wash.
3. The applicant shall provide and maintain three designated customer parking stalls, including one accessible parking stall on the east side of the building in close proximity to the main building entrance.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. This is an existing long time commercial location that has seen many commercial activities come and go through the years.
7. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit request by Suzanne Jameson, to authorize the use of “Automobile Sales and Rental” to occur at the subject property, application number 2026012, based on the findings and subject to the conditions listed in the Staff Report dated March 5, 2026.”

1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we deny approve the Conditional Use Permit Request by Suzanne Jameson, to authorize the use of “Automobile Sales and Rental” to occur at the subject property, application number 2026012, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
BUY RIGHT ENTERPRISE CONDITIONAL USE PERMIT**

Buy Right Enterprise Conditional Use



Aerial View

Buy Right Enterprise Conditional Use



Current Zoning



EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Conditional Use Permit Application

Community Development Department
 90 North Main Street, Tooele, UT 84074
 (435) 843-2132 Fax (435) 843-2139



Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 2-24-20		Current Zoning: GC		Parcel #(s): 2026012 02-036-b-0021	
Project Name: Buy Right Enterprise				Acres: .26	
Project Address: 397 N Main St. Tooele, UT 84074				Units:	
Project Description: pre owned car sales					
Current Use of Property: Empty					
Property Owner(s): Suzanne Jameson			Applicant(s):		
Address: 451 W. Wrathall Lane			Address:		
City: Grantsville	State: UT	Zip: 84029	City:	State:	Zip:
Phone: 970-214-2602			Phone:		
Contact Person: Suzanne Jameson			Address:		
Phone: 970-214-2602			City:	State:	Zip:
Cellular: 970-214-2602	Fax:		Email: brl3114@yahoo.com		
Signature of Applicant: 					Date: 2-24-20

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only			
Fee: \$600.00	Received By: Jade	Date Received: 2/24/20	Receipt #: 832783

Additional Project information for 397 N Main Street Tooele, UT 84074:

There will be no automobile service and repairs occurring at this sight in conjunction with the auto dealership

There will not be a designated wash bay in conjunction with this auto dealership

This location will be used as a auto dealership, sales of pre-owned vehicles.

We will not be changing the structure of the building, all current plans will stay the same using what the county as already set in place.

Tooele City Planning Commission
Business Meeting Minutes

Date: February 25, 2026

Time: 7:00 p.m.

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

Planning Commissioners Present:

Melanie Hammer
Chris Sloan
Jon Proctor
Tyson Hamilton
Weston Jensen
Kelley Anderson
Sarah Faircloth

Excused:

Amanda Cordova
Frank Linford, Alternate

Council Member Liaisons:

Ed Hansen
Jon Gossett, Excused

Staff Present:

Andrew Aagard, Community Development Director
Anna Anglin, City Planner
Matt Johnson, City Attorney
Police Chief Adrian Day

Minutes Prepared by Teresa Young

1. **Pledge of Allegiance**

Chairman Hamilton called the meeting to order at 7:00 p.m.

2. **Roll Call**

Melanie Hammer, Present
Chris Sloan, Present
Jon Proctor, Present
Sarah Faircloth, Present
Weston Jensen, Present
Kelley Anderson, Present
Tyson Hamilton, Present

3. **Recommendation on a proposed text amendment to Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks, regarding the accommodation of recreational vehicles in parking lots of non-profit 501-c3 organization whose purpose is to assist persons who are unhoused (tabled from February 11, 2026 Planning Commission Meeting)**

Mr. Aagard reintroduced the proposed ordinance amendment allowing limited, temporary use of recreational vehicles (RVs) at a homeless shelter facility. This item was previously tabled to allow staff and the Police Chief to address questions raised by the Planning Commission.

Before beginning the presentation, Mr. Aagard introduced the city's new planner, Anna Anglin, noting that she recently joined the team and brings more than 20 years of planning experience from Salt Lake City, Moab City, and Wasatch County, and will be taking on planning responsibilities to support department operations.

Mr. Aagard explained that the amendment would permit up to three recreational vehicles to stay in the paved parking lot of a homeless shelter for a maximum of four weeks while services are being provided. Under the proposal, the shelter must provide at least one meal per day and access to bathrooms and showers for individuals staying in the RVs. The ordinance prohibits the accumulation of garbage or unsightly conditions and clarifies that RVs may not be used for storage. Violations would be enforced against the shelter operator under existing city code. The definition of a homeless shelter was refined to exclude overflow shelters, micro-shelters, medical facilities, correctional facilities, and behavioral health facilities. Mr. Aagard also noted that the Mr. Johnson, City Attorney provided comments, including concerns that the use of "notwithstanding the foregoing" language could override other applicable code requirements.

Police Chief Day stated that the proposal originated from a request by the Tooele County Housing Authority due to ongoing enforcement challenges related to homeless individuals living in RVs throughout the city. He explained that towing RVs is often difficult, costly, and may require the use of force, creating safety concerns for officers. The intent of the ordinance is to reduce repeated citations, avoid forced removals when possible, and allow individuals to access services while repairing their vehicles or transitioning to more stable housing. Police Chief Day emphasized that while enforcement remains the city's responsibility, the shelter operator could be cited for code violations if conditions are not maintained.

The Planning Commissioners raised several concerns during the discussion. Questions were asked about how the four-week time limit would be enforced and whether individuals could leave briefly and return to restart the allowed time period. The Planning Commissioners discussed limiting the allowance to a specific RV or individual within a defined timeframe, such as four weeks within six or twelve months. Additional concerns focused on enforcement responsibilities, including whether the shelter operator should be responsible for towing costs if an RV must be removed. The Planning Commissioners also expressed concern that the "notwithstanding" language could unintentionally eliminate other important code requirements related to setbacks, screening, and utilities.

The Planning Commissioners further discussed the physical placement of RVs on the property and whether additional standards should be included to require parking in the rear of the lot, increased distance from streets or neighboring properties, or visual screening. The importance of keeping the ordinance narrowly tailored to avoid loopholes and unintended long-term use was emphasized throughout the discussion. The possibility of requiring a conditional use permit was also discussed as a way to address site-specific impacts, though concerns were raised about practicality and how such a requirement would apply over time.

At the conclusion of the discussion, the Planning Commissioners agreed that additional clarification and refinement of the ordinance language were necessary.

Motion: Commissioner Proctor moved to table until the Planning Commissioners questions and concerns are addressed within the code. Commissioner Anderson seconded the motion.

The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”; Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton “Aye”. Motion passed 7-0.

4. **Public Hearing and Decision on a Conditional Use Permit request by Dave Stapel, on behalf of PH Utah Holdings, LLC (property owner), for approximately 2.81 acres located in the Light Industrial (LI) zoning district to authorize the use of a warehouse that may consist of office and industrial/warehouse uses, located approximately at 1121 West Utah Avenue**

Mr. Aagard presented the conditional use permit request for a flex space–type project on a light industrial–zoned property. A similar request for this property was brought to the Planning Commission several years ago, but no action was taken and the prior conditional use permit has since expired. The current application proposes essentially the same use and applies to the property identified on the aerial map, bounded by Utah Avenue to the north, 1100 West to the east, the Union Pacific Railroad to the west, and vacant land to the south. Surrounding uses include residential zoning to the north and south, a nonconforming mobile home park to the north, and light industrial uses to the northwest and southeast.

Mr. Aagard explained that the applicant provided a conceptual site plan but emphasized that a conditional use permit approves the use, not the site plan itself. Because the zoning ordinance does not specifically list “flex space,” planning staff recommended treating the proposal as a warehouse use, which would allow storage and contractor-related functions, while office uses are already permitted in the zone. Planning Staff recommended approval of the conditional use permit with standard conditions outlined in the staff report. The application was properly noticed to property owners within 200 feet, and no public comments were received.

Chairman Hamilton opened the public hearing at 7:27 p.m. Seeing no members of the public coming forward Chairman Hamilton closed the public hearing at 7:28 p.m.

The applicant, Dave Stapel, addressed the Planning Commission and expressed appreciation for the opportunity to present the project. He explained that similar properties developed by his company exist throughout the state and provide value by offering small, flexible spaces that allow individuals to move business activities out of their homes and grow locally. Mr. Stapel emphasized that his company maintains strict standards for cleanliness and property upkeep. He clarified that while the concept plan shows four buildings, one building on the western portion of the site would likely be delayed due to its location within a flood zone and would only proceed if FEMA mapping is revised. He also stated the willingness to comply with all construction codes and city requirements to ensure the project is a good fit for the community.

During the Planning Commission discussion, Commissioner Sloan raised concerns about traffic safety at the nearby intersection of 1100 West and 200 North, noting high speeds, limited stopping, and proximity to the railroad tracks. While expressing support for the project, Commissioner Sloan emphasized the importance of carefully reviewing ingress and egress during the site plan process. Mr. Aagard responded that the city controls both roadways and that access spacing, safety standards, and potential traffic study requirements would be addressed during site plan review, or could be included as a condition of the conditional use permit.

Mr. Stapel further responded that traffic and intersection safety are already being addressed through a traffic engineering study conducted at the applicant’s expense. The study includes coordination with the railroad and will determine appropriate access locations and necessary improvements. He indicated that intersection improvements are planned and will be constructed by the applicant, with the goal of improving overall

safety in the area. The Planning Commissioners acknowledged the response and noted appreciation for the proactive approach to traffic and safety concerns.

Motion: Commissioner Jensen moved to approve we the conditional use permit request by Dave Stapel to authorize the use of warehouse to occur at the subject property located at 1121 Utah Avenue, application number 2026010, based on the findings and subject to the conditions lifted in the staff report dated February 19, 2026. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”; Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 7-0.

5. **Public Hearing and Decision on a consider a Conditional Use Permit request by Tim Fries, on behalf of Tooele 1000, LLC (property owner), for approximately 1.04 acres located in the General Commercial (GC) zoning district to authorize the operation of an accessory drive-thru facility, located approximately at 975 North Main Street**

Ms. Anglin presented a conditional use permit request for a proposed drive-through facility located at 975 North Main Street. The project is on a vacant 1.04-acre parcel within the General Commercial zone, where drive-through facilities require conditional use approval. The site is surrounded by commercial uses, with a mix of developed and undeveloped properties nearby.

Ms. Anglin noted that the site contains existing trees and evidence of prior grading, and emphasized that any trees that can be preserved should remain. The proposed site plan includes shared access via an easement from 1000 North that will serve future commercial development, and planning staff recommends requiring a maintenance agreement for the shared driveway. The drive-through design includes two lanes, an escape lane, and separate ingress and egress.

Ms. Anglin advised that in addition to standard conditional use conditions, planning staff recommends requiring notification and justification for removal of any existing trees and submission of a maintenance agreement for the shared access driveway. The Planning staff also raised potential concerns about vehicle headlights facing Main Street and noted that additional landscaping or screening may be required to mitigate impacts. The Planning Commissioners acknowledged that the request was for a conditional use permit only, not site plan approval, and no questions were raised by the Planning Commissioners.

Chairman Hamilton opened the public hearing at 7:30 p.m.

Kalani Mascherino expressed concern about traffic safety at the nearby intersection, particularly questioning whether a traffic study would be required for the proposed project. Ms. Mascherino noted the intersection’s history of serious accidents, including a recent fatality, and stated that adding additional traffic makes the area feel unsafe. She also raised concerns that landscaping alone may not adequately mitigate headlight glare or other impacts associated with increased traffic.

Seeing no other members of the public coming forward Chairman Hamilton closed the public hearing at 7:32 p.m.

Ms. Anglin addressed public concerns regarding traffic safety, confirming that a traffic study will be conducted and reviewed by the city engineer to ensure safety standards are met. It was noted that when the site was originally developed by Kimball, a traffic study was completed for the entire development, and many improvements to 1000 North and Main Street were implemented based on that study. Ms. Anglin

emphasized that ongoing efforts will continue to prioritize safety, while acknowledging the challenge that the intersection is controlled by the UDOT (Utah Department of Transportation).

Tim Fries, representing Encore Restaurant Enterprises, addressed the Planning Commission regarding traffic concerns raised by the public. He explained that their CUP application included a traffic analysis and clarified that Seven Brew Coffee is not a primary destination but a secondary, ancillary location. Most customers stop by incidentally while already on the road, such as when dropping children off at school or visiting nearby businesses. While acknowledging that any business contributes some traffic, he emphasized that the coffee shop is not expected to significantly increase traffic at the intersection. He noted that the traffic study is expected to confirm this and expressed appreciation to the Planning Commission for their consideration.

Motion: Commissioner Proctor moved to approve the conditional use permit request by Justin Kimball to authorize an accessory drive through facility for the commercial development located at 973 North Main Street, application number 2026009, based on the findings, is subject to the conditions listed in a staff report dated February 20, 2026. Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”; Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 7-0.

6. City Council Reports

Councilman Hansen expressed appreciation to the Planning Commission, commending their thorough discussion and thoughtful consideration of the agenda items. He noted that their insights help him recognize important details he might otherwise miss and praised the Commission for contributing valuable ideas that support local businesses and city development.

7. Review and Decision – February 11, 2026 Planning Commission Meeting Minutes

There were no corrections made to the minutes.

Motion: Commissioner Anderson moved to approve the February 11, 2026 Planning Commission Meeting Minutes. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”; Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 7-0.

8. Adjourn

Chairman Hamilton adjourned the meeting at 7:47 p.m.

Note: The content of the minutes is not intended, nor submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this _____ day of March, 2026

Tyson Hamilton, Tooele City Planning Commission Chair