# PUBLIC NOTICE

Notice is hereby given that the Tooele City Council will meet in a Work Meeting on Wednesday, November 18, 2026 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.tooelecity.gov, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Shilo Baker, City Recorder at (435) 843-2111 or shilob@tooelecity.gov.

*Tooele City public meetings may be recorded and transcribed for documentation and quality assurance purposes. By attending this meeting, you consent to being recorded. If you do not consent, 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. **Discussion on Regulations for Short Term Rentals in Residential Zoning Districts in Tooele City.**
    *Presented by Andrew Aagard, Community Development Director*

    b. **Ordinance 2026-32 An Ordinance of Tooele City Amending the Tooele City General Plan Land Use Map for Approximately 13.69 Acres of Property Located at 1200 North and 180 East (Fire Station Business Park Phase 3) From Medium Density Residential (MDR) to Light Industrial (LI).**
    *Presented by Andrew Aagard, Community Development Director*

    c. **Discussion on Amending the Ordinance Definitions for the Land Uses of Warehouse, Research Facility, Accessory Use, and Accessory Outdoor Storage Regarding the Construction of Data Centers in Conjunction with these Land Uses.**
    *Presented by Andrew Aagard, Community Development Director*

    d. **Cemetery Irrigation Update**
    *Presented by Darwin Cook, Parks and Recreation Director*

6. **Closed Meeting**
    *~ Litigation, Property Acquisition, and/or Personnel*
7. **Adjourn**

Shilo Baker, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Shilo Baker, Tooele City Recorder, at (435) 843-2111 or shilob@tooelecity.gov, prior to the meeting.

# MEMORANDUM

**To:** Tooele City Council

**Cc:** Mayor Maresa Manzione

**From:** Andrew Aagard, AICP, Director

**Date:** November 10, 2026

**Re:** Discussion on regulations for short term rentals in residential zoning districts in Tooele City.

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## Current Conditions in the City

**Tooele City's zoning ordinance is structured as a "permissive" ordinance, meaning, if a particular use is not expressly permitted by the ordinance it is generally determined as not permitted, or, in order to have a use permitted in the city, the zoning ordinance must expressly permit it. In terms of short term rentals such as an Air BNB or a VRBO the city ordinance does not address them. At all. The closest use we have to a short term rental situation would be a hotel or a motel and both of those land uses are not permitted in residential zoning districts.**

**A short term rental is typically defined as being a building or a portion of a building that is constructed as a dwelling and where lodging is offered for a period less than 30 days. Short term rentals are not classified as hotels, motels or bed and breakfasts. The core difference between a short term rental and a hotel or motel is a hotel provides structured stay with on-site staff and private individual rooms while a short term rental offers entirely private and stand-alone properties maintained by individual hosts who may or may not be available on the site.**

**This land use is relatively new in terms of land use definitions. The reason it is being brought to the City Council for discussion is we in the Community Development Department are receiving some complaints from residents in the City expressing concerns about properties near their homes being used as short term rentals. When these concerns are expressed to the City, the City staff are asked to take action because the use is not permitted in the City as it is not addressed in the City code.**

**In this case staff is at a loss as to what to do to enforce these short term rentals. Tooele City code enforcement officers are not going to physically remove temporary occupants from their homes. They are not going to cordon off or condemn a property for use and in these cases repeated fines are ignored by the short term rental owner as the profits generated by the short term rental can greatly exceed a City's imposed fines. We also encounter other situations where we cannot locate the short term rental property owner.**

**City Staff have begun the process of researching what other cities do to regulate this use and the results vary considerably. A lot of cities simply do not permit short term rentals, or, their ordinances specifically prohibit them. Some cities have vague regulations about distance separation and parking but do not require any type of registration or business licensing. Other cities have extensive ordinances requiring that short term rentals obtain specific business licenses and registrations, requirements about the ownership or management being available, parking and landscaping standards and enforcement procedures when violations occur. Staff will present more information to the City Council regarding these during their presentation as the work session meeting.**

**Ultimately, what City staff desires from the City Council is some direction on how you want to proceed, or if you want to proceed at all. If the Council determines a need to regulate these uses we can do so in whatever manner you are comfortable regulating them. If the Council decides that the use is inappropriate for Tooele City we should at least have an enforcement mechanism adopted, such as accumulating fines of a significant amount that will eventually get the owner's attention and bring the property into compliance with the ordinance.**

**Staff looks forward to discussing this with you in greater detail at your work session meeting.**

# MEMORANDUM

**To:** Tooele City Council

**Cc:** Mayor Maresa Manzione

**From:** Andrew Aagard, AICP, Director

**Date:** November 10, 2026

**Re:** Discussion on amending the ordinance definitions for the land uses of warehouse, research facility, accessory use, and accessory outdoor storage regarding the construction of data centers in conjunction with these land uses.

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## Current Ordinance Conditions

A few months ago during one of its work session meetings Staff presented to the City Council the current conditions of the City's code regarding permitting the land use of data centers in Tooele City. At that time it was determined that because the ordinance is structured as a permissible ordinance that the use of data centers, which is not expressly permitted by the code, is not a use that can currently occur in Tooele City. At that meeting the City Council was not ready to move one way or another in regards to amending the code to permit or prohibit data centers in Tooele City but chose to wait and see if the need ever arises.

It was, however, discussed that City Staff should look at other land uses that a potential data center could "tag team" with in order to get approval to locate within the City. It has been determined that there are some land uses that could be construed or creatively interpreted in a manner that would enable construction of a data center without formally considering the land use as a data center. Those land uses are, 1) Warehouse, 2) Research Facility, 3) Accessory Use, and 4) Accessory Outdoor Storage. If there are other land uses that the City Council believes could be creatively interpreted for a data center, staff welcomes any suggestions.

When an applicant comes to the City and proposes a land use for a parcel of land City staff often will refer to Tooele City Code 7-1-5. Definitions, for determination on what a land use is or how it is defined by the City Code and if the use qualifies for that zoning district. This ordinance is a depository of a large number of terms used throughout Tooele City Code Title 7 and includes many types of land uses. If a proposed land use meets the qualifications defined in this ordinance staff is obligated approve the land use according to the definition. Many of these definitions are somewhat ambiguous or vague leaving the definition open to colorful and creative interpretations. This vagueness can be a benefit to help a business desiring to locate in the City and give staff the flexibility to be business friendly. This vagueness can also be a detriment and can be used to bring locally unwanted land uses into zones where the land use is not favorable. It is wise from time to time to review these definitions and amend them accordingly as new land uses are introduced in our society.

Staff wishes to firm up the definitions of these land uses in order to avoid any ambiguity or fluidity in terms of loose interpretations of the code and firmly define that these land uses shall not include a data center. By firming up these definitions, when and if the time comes that a data center is proposed to locate in Tooele City they will need to undergo a full ordinance review and not develop under the guise of a different land use.

1. Accessory Outside Storage. It is possible that data centers can locate in small shipping container sized units and could be interpreted to be storage of computer parts and hardware. The ordinance amendment can be as simple as adding the language "and shall not include data centers" to the definition.

2. Accessory Use. It is possible that any business could construct a data center adjacent to or in association with that business and as the ordinance is currently constructed there is no means for the City to deny this request.
3. Research Facility. This definition is very vague and it is possible that a data center could claim that the facility is designed and utilized to conduct research which is highly plausible as computers are and can be integral in research activities.
4. Warehouse. In similar manner to that of a research facility, the definition for a warehouse is somewhat vague. It would be simple for a data center to locate to Tooele City and claim that the facility is a warehouse because it specializes in the storage of computers and computer related equipment.

## Proposed Ordinance Amendments

Staff suggests that the following proposed amendments occur to the definitions of the four land uses listed in this report:

### 7-1-5. Definitions.

Accessory Outside Storage – The outside placement of items which are customary and incidental to the principal use of the property but excluding the outside storage and placement of flammable and hazardous materials *and shall not include data centers*.

Accessory Use – A use of land or structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel with the principal use *and shall not include data centers*.

Research Facility – A facility that conducts research and development work *and shall not include data centers*.

Warehouse – A building used primarily for the inside storage of nonhazardous goods and materials and including accessory office facilities *and shall not include data centers*.