

Tooele City Planning Commission
Business Meeting Minutes

Date: March 26, 2025

Time: 7:00 pm

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

Commission Members Present:

Matt Robinson

Chris Sloan

Tyson Hamilton

Melanie Hammer

Jon Proctor

Kelley Anderson

Weston Jensen

Jon Gossett (alternate)

Alison Dunn (alternate)

City Council Members Present:

Maresa Manzione

Ed Hansen

City Employees Present:

Kent Page, City Planner

Roger Baker, City Attorney

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

Zack Lawrence, I.T. Intern

Minutes prepared by Alicia Fairbourne

1. Pledge of Allegiance

Chairman Robinson called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

2. Roll Call

Melanie Hammer, Present

Jon Proctor, Present

Chris Sloan, Present

Matt Robinson, Present

Tyson Hamilton, Present

Weston Jensen, Present

Kelley Anderson, Present

3. **Public Hearing and Recommendation on a Zoning Map Amendment request by DR Horton to amend the standards of the Western Acres PUD for approximately 86 acres (affecting 4.5 acres) located at approximately 2000 N Copper Canyon Drive in the MR-16 PUD zoning district.**

Mr. Aagard explained that the amendment was prompted by potential changes in ownership of the Middle Canyon Drainage corridor, which currently runs through the development as an easement. DR Horton had improved this corridor with a trail system and had indicated its intent to either create a separate parcel or dedicate the drainage corridor to the City. If that occurred, the easement would become a property line, and several existing townhouse units – currently set back 8 to 10 feet from the easement – would no longer comply with required rear and side yard setbacks under the existing code.

To address this, the applicant requested the addition of specific setback standards to the PUD overlay for townhomes adjacent to property lines in the MR-16 zone: an eight-foot rear yard setback and a one-foot side yard setback, provided the setback is not adjacent to public or private streets. Setbacks adjacent to streets would remain between 10 and 20 feet, per existing multifamily design standards.

Commissioner Jensen asked whether the City desired to assume responsibility for the drainage corridor. Mr. Aagard and Mr. Hansen both expressed that City ownership would be beneficial for trail connectivity and flood management. Mr. Hansen added that previous developments with similar drainage parcels had led to unintended tax sales and City reacquisition. He noted that DR Horton had made significant investments in stabilizing the drainage and installing the trail system, making City ownership a practical option.

Commissioner Jensen also questioned the purpose of parceling the drainage area. Mr. Aagard clarified it was a prerequisite for transferring ownership, and the applicant, Mr. David Lewis IV, later confirmed that the intent was solely for facilitating such a transfer to the City.

There being no further questions, Chairman Robinson opened the floor for public comment at 7:09 pm.

Cynthia Carpio, who resides in the development raised concerns about the impact of the proposed dedication on nearby homeowners, specifically in terms of potential costs and health issues from dust during construction. Chairman Robinson noted that these were developer issues and directed her to follow up with City Council Members or DR Horton for answers to her concerns.

There being no further public comments, Chairman Robinson closed the floor at 7:12 pm.

Motion: Commissioner Proctor moved to forward a positive recommendation to the City Council for the Western Acres PUD Zoning Map Amendment Request by David Lewis IV, representing DR Horton to amend the standards of the Western Acres PUD regarding town home setbacks, application number 2025028, based on the findings listed in the Staff Report dated March 20, 2025. Commissioner Jensen seconded the motion.

Discussion on the motion: Commissioner Anderson noted the Staff Report was dated March 26, 2025.

Amended Motion: Commissioner Proctor moved to forward a positive recommendation to the City Council for the Western Acres PUD Zoning Map Amendment Request by David Lewis IV, representing DR Horton to amend the standards of the Western Acres PUD regarding town home setbacks, application number 2025028, based on the findings listed in the Staff Report dated March 26, 2025.

Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion passed.

4. Public Hearing and Recommendation on proposed amendments to Tooele City Code 719; Subdivisions, Regarding Non-Standard Divisions of Land in Tooele City.

Mr. Aagard presented the proposed changes, which originated from a suggestion by a member of the Planning Commission.

Mr. Aagard explained that subdividing property in Tooele City traditionally required costly engineering, utility infrastructure, and the dedication or purchase of water rights. However, Utah State Code 10-9a-103 already allowed non-standard divisions of land by deed, provided such divisions were not tied to land use approvals and had not been approved by the land use authority. These types of divisions occurred regularly through the County Recorder, often without the City's knowledge.

The proposed amendments aimed to bring Tooele City's code into compliance with state law and to formally clarify that non-standard divisions do not constitute legal subdivisions. The amendment to Section 7-15 would add language specifying that subdivisions do not include non-standard divisions under Section 7-19-6.2. The new Section 7-19-6.2 would mirror state law, while also giving the City authority to require full subdivision approval – including improvements, bonding, and water rights – before any land use approvals could be granted on those parcels.

Mr. Aagard provided an example involving a recent proposal from Holiday Oil, which created a parcel through a non-standard division and submitted a site plan assuming development could proceed. Staff had to require the applicant to go through the formal subdivision process, though existing code lacked explicit support for doing so.

There were no questions or discussion from the Commission, and therefore, at 7:23 pm, Chairman Robinson opened the floor for public comment.

Richard Stribling questioned why the City needed to restate state law rather than simply referencing it, and suggested that any parcels created through non-standard division should be required to meet minimum zoning standards to avoid creating unusable or nonconforming lots. Mr. Baker responded, agreeing with the concerns and noting that state law was oftentimes vague and indirect. He emphasized that the proposed local code would provide clarity and authority not granted by state law alone.

There being no further comments, Chairman Robinson closed the floor at 7:27 pm.

Commissioner Hamilton asked whether a change at the state level would be necessary to fully resolve the issue. Mr. Baker clarified that the City could work within the framework already provided by the state to strengthen its own ordinances.

Motion: Commissioner Hammer moved to forward a positive recommendation to the City Council for the Non-Standard Division of Land Text Amendment requests by Tooele City for the purpose of amending the Tooele City Code to enable non-standard divisions of land and to codify the requirement that parcels created by such means shall be required to obtain necessary subdivision approvals at time of development, based on the findings listed in the Staff Report. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". There were none opposed. The motion passed.

5. City Council Reports

Councilwoman Manzione thanked the Planning Commissioners who attended the most recent City Council meeting. She noted that the Council approved payments related to asphalt preservation methods such as slurry seal and chip seal, and commended the Public Works Director for his comprehensive road maintenance plan, which supported the City's broader transportation goals.

She reported that during the Work Meeting, the Council discussed the same non-standard divisions of land topic that had just been reviewed by the Planning Commission. The Council also considered amendments to the nuisance abatement ordinance, specifically concerning six-inch weed height restrictions, but tabled that discussion for further clarification.

Additionally, the Council discussed a topic previously referred by the Planning Commission regarding the placement of accessory structures in commercial and mixed-use zoning districts. She stated that work would continue on establishing clear guidelines and expected the matter to return to the Commission in the future.

6. Review and Decision – Minutes of the Planning Commission meeting held March 12, 2025.

There were no corrections to the minutes.

Motion: Commissioner Hamilton moved to approve the minutes of the Planning Commission meeting held March 12, 2025 as presented. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion passed.

7. Discussion

Mr. Aagard initiated a discussion item regarding the predevelopment meeting attendance schedule. He reminded the Commission that predevelopment meetings were held on Wednesdays at 3:30 pm on an as-needed basis and stated that staff would like one Commissioner to attend each meeting. He asked for volunteers to sign up for the meetings starting in April.

The Commissioners volunteered to attend as follows:

- April – Commissioner Proctor
- May – Commissioner Andersen
- June – Commissioner Sloan
- July- Commissioner Robinson
- August – Commissioner Jensen
- September – Commissioner Hamilton
- October – Commissioner Hammer
- November – Commissioner Proctor
- December – Commissioner Sloan

Mr. Aagard noted that when the meetings were scheduled, Alissa Thompson would send the packet and invitation to the assigned Commissioner. He expressed appreciation for Commissioner participation, noting their input provided valuable perspective from the Planning Commission.

Following the conclusion of the predevelopment meeting assignments, Commissioner Sloan brought up a clarification regarding a previous discussion about an accessory structure located in front of CAL Ranch. He recalled that the Planning Commission had agreed the structure should have reflective material on all four corners, extending from the ground up to 48 inches. After visiting the site, he observed that only small reflectors had been installed at the 48-inch mark, which did not align with the Commission’s intent. He acknowledged that the property owner had attended the meeting when this was discussed and that a misunderstanding may have occurred. He urged staff to ensure the upcoming letter to the applicant accurately reflected the Commission’s directive. Other commissioners confirmed their understanding matched his, including the expectation that the reflective material be continuous from the ground up to 48 inches.

8. **Adjourn**

There being no further business, Chairman Robinson adjourned the meeting at 7:35 pm.

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

Approved this 9th day of April, 2025



Matt Robinson, Tooele City Planning Commission Chair