

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, April 22, 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. **Public Hearing and Decision** on a Conditional Use Permit request by Jessica Howard to authorize the use of a "Child Care and Preschool involving 8 to 16 Children" to occur at the property located at 1664 N Ashlin Court in the R1-7 Single Family Residential zoning district on .17 acres.
4. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code 7-14-11; Landscaping and Water Conservation with New Development, regarding the use of sod in residential landscaping and the use of irrigation systems associated with residential landscaping.
5. **Discussion and Decision** on Resolution 2026-01 Public Comment Policy Amendments and Open Meetings.
6. **City Council Reports**
7. **Review and Decision** – April 8, 2026 Planning Commission meeting minutes.
8. **Training** – Conditional Use Permits
9. **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

April 16, 2026

To: Tooele City Planning Commission
Business Date: April 22, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin, City Planner and Zoning Administrator

Re: Overlake Early Learning Center Home Day Care – Conditional Use permit Request

Application No.: 2026019
Applicant: Jessica Howard
Project Location: 1664 N Ashlin Court
Zoning: R1-7 Residential Zone
Acreage: .17 Acres (Approximately 7,400 ft²)
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone to authorize the use of “Child Care and Preschool involving 8 to 16 Children” to occur at the property.

BACKGROUND

The applicant is requesting approval of a Conditional Use Permit (CUP) for a home-based childcare facility on approximately 0.17 acres located at 1664 N Ashlin Court. The property is zoned R1-7 (Residential).

The proposed daycare would serve between 8 and 16 children and include one additional staff member who does not reside at the home. Pursuant to Section 7-2-19(14)(a) of the Tooele City Ordinance, one non-residential employee is permitted. Hours of operation are proposed as Monday through Friday, from 6:00 AM to 6:00 PM. All children would be dropped off and picked up by parents or guardians.

Home occupations are typically eligible for administrative approval under Section 7-5-4 of the Tooele City Ordinance. In accordance with the required process, notice was mailed on March 16, 2026, to property owners within 200 feet of the subject site.

Following public notification, Planning Staff received an email on March 24, 2026 regarding the proposed daycare. In response, staff conducted a site visit to verify existing conditions.

Based on the nature of the public comment and observations from the site visit, Planning Staff determined that the application warrants review by the Planning Commission rather than administrative approval.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. All of the surrounding properties are currently zoned as R1-7 Residential and are utilized as single-family residential homes. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Existing Conditions. During the site visit, staff observed that the majority of the driveway was occupied by parked vehicles, with an additional vehicle parked in front of the home. This left approximately one available parking space for a potential daycare use (see attachments under Exhibit B). Upon discussing these observations with the applicant, staff learned that a non-related married couple was residing in the home. This arrangement did not meet the City’s definition of “family,” which is defined as:

Family –

- 1) *An individual person.*
- 2) *Two or more persons related by blood, marriage, or adoption, including foster children, living together in a dwelling; and up to two additional persons residing in the dwelling as domestic employees.*
- 3) *Up to four unrelated persons living together in a dwelling.*
- 4) *A group of persons with a disability living in a residential facility, as permitted by Chapter 7-15 of this Title.*

Due to the applicant renting the basement to a married couple, the property was considered to be occupied by two separate families, which resulted in a violation of the City ordinance. This issue needed to be corrected prior to approval of the application. Since that time, the basement occupants have vacated the property, and the home is now in compliance with the ordinance according to the applicant.

Site Plan Layout. The applicant submitted a site plan; however, it lacked sufficient clarity. As a result, staff relied on aerial photographs to assess the site layout. Based on these images, the property includes a standard-sized driveway capable of accommodating up to four vehicles, along with a two-car garage. The lot is approximately 65 feet wide and provides adequate frontage to allow parking for about two additional vehicles without obstructing adjacent driveways. The aerial imagery also indicates that the rear yard is fully fenced, which is a requirement for home daycares. Additionally, the applicant submitted a photograph confirming that the designated outdoor play area will comply with home daycare standards.

Child Drop-off and Pick-up. A primary basis for requiring a conditional use permit for child daycares serving 8 to 16 children is the potential for traffic disruptions and impacts to neighboring properties from vehicle queuing during drop-off and pick-up. Such activity may block driveways, mailboxes, and trash collection, or otherwise create nuisances. The ordinance therefore requires submission of a traffic and parking plan, which the applicant has provided (see Attachment C).

The subject property includes a driveway and sufficient street frontage to accommodate anticipated vehicle activity. Staff does not anticipate significant impacts to the neighborhood or adjacent properties based on available on-site and frontage parking due to daycare operations typically generate more staggered drop-off and pick-up activity compared to preschools, which operate on fixed schedules and produce concentrated traffic at set times.

The applicant coming into compliance with the definition of family is also expected to reduce prior parking demand associated with additional occupants. To help mitigate any issues the daycare may cause from additional traffic, staff recommends a condition requiring that all drop-off and pick-up occur within the applicant’s driveway or on the street directly in front of the residence and that such activity not obstruct access to neighboring properties.

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. Home occupations involving the care of 8 to 16 children have a potential of vehicle queuing as parents and guardian's drop-off or pick-up their children. Vehicle queuing can block mail boxes, driveways or create problems with trash pick-up. Vehicle queuing can also impede roadways and prevent adequate vehicle circulation if not controlled or appropriately managed. staff recommends a condition of approval requiring that all drop-off and pick-up occur within the applicant's driveway or on the street directly in front of the residence and that such activity not obstruct access to neighboring properties.

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 condition to mitigate the anticipated detrimental effects identified in the findings of fact:

1. The applicant shall instruct their clients that all drop-off and pick-up activities need to occur within the applicant's driveway or on the street directly in front of the residence and that such activity not obstruct access to neighboring properties.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this conditional use permit application.

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

1. The home occupation will be subject to and need to pass a fire inspection prior to operation. This inspection will be conducted in conjunction with the business license approvals.

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 Jessica Howard, representing the application number 2026019, subject to the following conditions:

1. The applicant shall instruct their clients that all drop-off and pick-up activities need to occur within the applicant's driveway or on the street directly in front of the residence and that such activity not obstruct access to neighboring properties.

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. 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 Jessica Howard, to authorize the use of a “Child Care and Preschool involving 8 to 16 Children” to occur at 1664 N Ashlin Court, application number 2026019, based on the findings and subject to the condition listed in the Staff Report dated April 16, 2026:”

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

Sample Motion for Denial – “I move we deny the Conditional Use permit Request by Jessica Howard, to authorize the use of a “Child Care and Preschool involving 8 to 16 Children” to occur at 1664 N Ashlin Court, application number 2026019, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

MAPPING PERTINENT TO THE OVERLAKE EARLY LEARNING CENTER HOME DAY CARE CONDITIONAL USE PERMIT

VICINITY MAP



Overlake Early Learning Center Home Day Care

CURRENT ZONING



Overlake Early Learning Center Home Day Care

SITE PLAN

SWENSON KENNETH RUSSEL JT
21-052-0-0133
R097956
0.23 Acres
1674 NASHLIN CT

WISEMAN RICHARD JT
21-052-0-0132
R097955
0.17 Acres
1664 NASHLIN CT

AHMED MOWLID M
21-052-0-0131
R097954
0.3 Acres
1654 N ASHLIN CT



Overlake Early Learning Center Home Day Care

EXHIBIT B

**SITE PICTURES OF THE OVERLAKE EARLY LEARNING CENTER HOME DAY
CARE CONDITIONAL USE PERMIT**





Backyard Play Area



EXHIBIT C

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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		2026019	
Date of Submission: 2/20/26	Current Zoning:	Parcel # (s): 21-052-0-0182	
Project Name: Overlake Early Learning Daycare		Acres:	
Project Address: 1664 N Ashlin CT, Tooele UT 84074		Units:	
Project Description: First Floor home Daycare.			
Current Use of Property:			
Property Owner(s): Richard + Ashley Wiseman		Applicant(s): Jessica Harward	
Address: 17453 W. Rock ledge rd		Address: 1664 N Ashlin CT	
City: Goodyear	State: AZ	City: Tooele	State: UT
Zip: 85338		Zip: 84074	
Phone: 385 227 9291		Phone: 435 553 2780	
Contact Person:		Address:	
Phone:		City:	State: Zip:
Cellular:	Fax:	Email:	
Signature of Applicant:			
			Date: 2/2/26

*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				2260067
Fee: \$150.00	(213)	Received By:	Date Received: 3-9-24	Receipt #: 836198

Request for Surrounding Property Owners

Description: Please allow our mapping department 2 business days to complete your request	Created by:	Jessica Harward
	Created on:	February 23, 2026
	Status:	Closed
	Case ID:	h82mg3pl

Submit Request Information

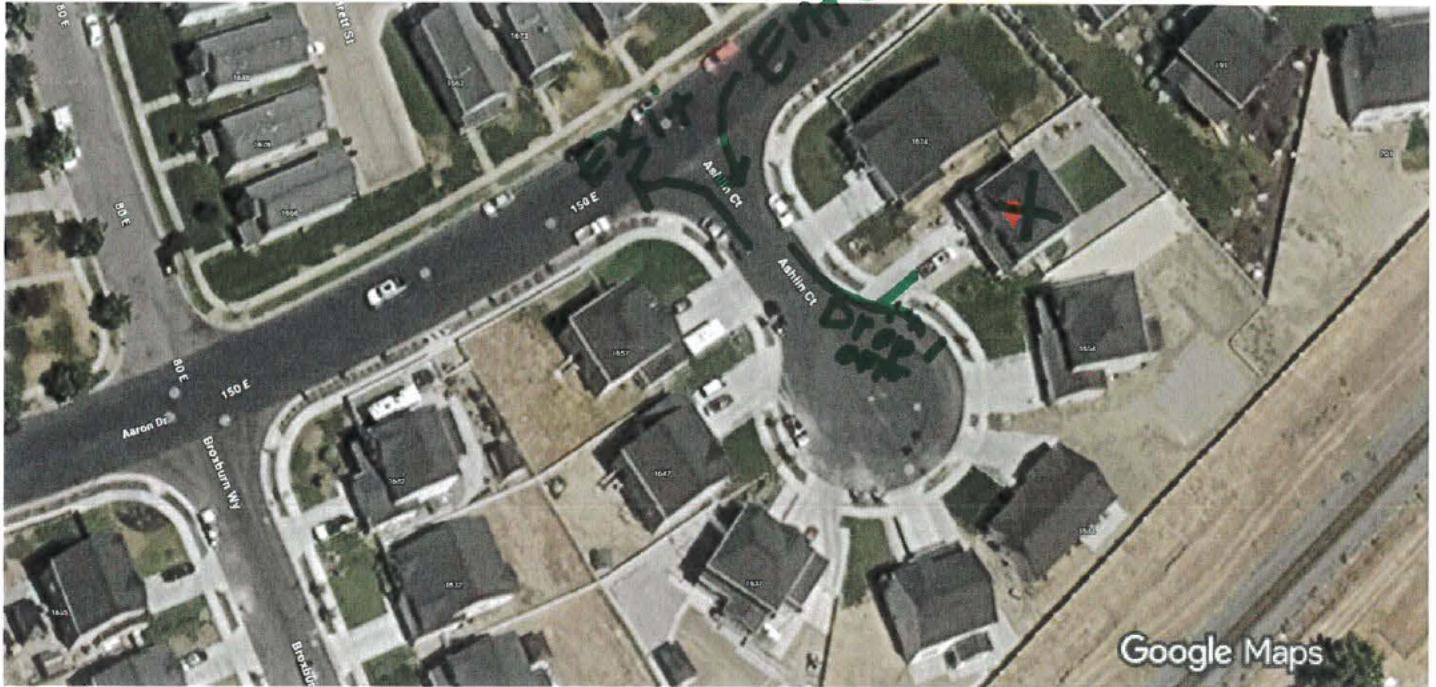
Completed by Jessica Harward on February 23, 2026 at 01:23 PM MST

Property Address	1664 North Ashlin Court, Tooele, Utah 84074
Parcel #	21-052-0-0132
Contact Information	Jessica Harward 1664 North Ashlin Court, Tooele, Utah 84074 overlakenextsteplearning@gmail.com 4355532780
Please choose one of the following	200-foot radius includes mailing labels / maps
How do you want your boundary map and mailing labels sent to you? <i>NOTE: If you choose to have your labels emailed to you, you are responsible for printing them before submitting them to the city.</i>	Pick up in person

Google Maps

1664 Ashlin Ct

EXIT



Google Maps

Imagery ©2026 Airbus, Map data ©2026 Google 20 ft



EXIT - Ashton CT
 Enter - Ashton CT
 Drop off - Driveway or
 Front of House.

Pick up - Driveway or
 Front of House.

Home

Building



Directions



Saved



Nearby



Send to
phone



Share



Saved in Favorites



1664 Ashlin Ct, Tooele, UT 84074

EXHIBIT D
PUBLIC COMMENT

From: Kenneth Swenson [REDACTED]
Sent: Tuesday, March 24, 2026 10:53 AM
To: Anna Anglin
Subject: Daycare Use Permit for 1664 N Ashlin Ct

[External Email]
Anna,

Thank you for reaching out to us regarding the conditional use permit for our neighbors to run a daycare out of their home.

As the next door neighbor to the property under review, I would like to voice several concerns we have over this request, along with a recommendation to deny the permit to operate a daycare out of the subject property.

First and foremost, we are concerned for the safety of the upwards of 16 children that would be attending the daycare. We have observed a resident of the subject property, an elderly woman smoking on the property multiple times per day. This activity would be in violation of the Utah Indoor Clean Air Act, as the act explicitly prohibits smoking within 25 feet of a licensed or unlicensed daycare.

In addition, there are several occupants of the home that will not be staff of the daycare. There are 5-6 adults that we have seen regularly in and out of the home, along with up to five cars parked in the driveway and on the street nearby. The use permit request states that only one of these 5-6 occupants will be an employee of the daycare. Knowing that there are multiple adults living on the premises and using what would be shared amenities with 16 children during the day is alarming, and we would personally feel unsafe sending our own child to this type of operation.

We are also concerned over space in the cul-de-sac. As of this morning, there are five cars in front of this home, parked both in the driveway and on the street. This is already encroaching on our space, as we rely on curb space adjacent to our property to put out garbage cans for Friday collection. This issue isn't unique to the subject property, as multiple neighbors nearby are filling the streets with their parked cars. We don't foresee the added traffic from this daycare being safe or feasible, given the existing space constraints.

Finally, on a personal note, we are already experiencing noise issues in the neighborhood that have adversely impacted our quality of life and likely our property value. With the added traffic and commotion from up to 16 children in and out of the home daily, along with the pickup vehicles, it is very possible that this could harm our property value. It is estimated that the nuisance and external obsolescence resulting from daycares opening near a residence can reduce property value by 5-10%.

Thank you for taking our concerns into consideration. We want to reiterate our strong opposition to the proposed use permit to open a daycare. We don't usually get involved

in matters like this, but we are fearful of the adverse effects this will have on our quality of life and our home value.

Ken and Sarah Swenson

[REDACTED]

[REDACTED]

Tooele, UT 84074

STAFF REPORT

April 16, 2026

To: Tooele City Planning Commission
Business Date: April 22, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Parking in Residential Zones – Landscaping and Water Conservation Amendments

Applicant: Tooele City

Request: Request for approval of a City Code text amendment to Tooele City Code 7-14-11: Parking Location; regarding landscaping and irrigation associated with new residential development.

BACKGROUND

In May of 2023 Tooele City adopted ordinance amendments that prohibited the use of turf grass in the park strips of new residential properties and limited the amount of sod in the front and side yards to 50% of total area. The ordinance amendments also required that all plantings shall be irrigated with drip style irrigation systems. The ordinance, as it was originally written, utilizes complicated language that renders the ordinance fairly difficult to understand. There are also some requirements in the ordinance that are redundant and un-necessary. At the direction of the Tooele City Mayor, Staff is proposing amendments to the code to eliminate the confusing and contradictory elements and re-word the code to render it easier to read and understand.

ANALYSIS

Purpose. The purpose of this code is to limit the amount of water that is being used to irrigate front yards and difficult to irrigate areas such as park strips. The ordinance encourages the use of drought tolerant plantings and water free ground covers such as paving, cobbles and mulches. This ordinance was created to assist the City's continuing efforts to conserve water resources and reduce the strain on the ground water supplies. However, the ordinance as written has confusing elements and is worded in a manner that is somewhat difficult to understand. Staff is proposing the following changes to the code:

1. 7-14-11 (1): Eliminate the language that prohibits sod in areas less than eight feet in width. The ordinance doesn't specify if this applies to side yards, front yards or the rear yard and is, for all intents and purposes unenforceable and contradictory to the 50% sod limitation. Many of the side yards in R1-7 and R1-8 Residential zones are 6 feet wide. This code essentially prohibits sod in side yards and results in contradictions with the section 2 of the code.
2. 7-14-11(2): Eliminate the language that states this ordinance applies to any lot with more than 250 square feet of landscape area in the lot. All lots have more than 250 square feet of landscape area. Staff is not sure why this language was included. It is not necessary.
3. 7-14-11 (2): Amends the ordinance language regarding artificial turf and encourages it to be used as a contributing material instead of a predominant landscaping material. The proposed ordinance limits the use of artificial turf to 50% of the front and side yard areas and would require the property owner to use other water wise landscaping methods in addition to the artificial turf.
4. 7-14-11 (2): Other grammatical changes to help the code become easier to read and understand.

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 does not have any additional comments above and beyond what is included in the body of this staff report.

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

Fire Department. The Tooele City Fire Marshall has not reviewed this ordinance amendment and have not issued any comments.

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 proposed amendments to Tooele City Code 7-14-11: Landscaping and Water Conservation with New Development, as described in the exhibits of this Staff Report.

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the proposed amendments to Tooele City Code 7-14-11: Landscaping and Water Conservation with New Development, as described in the exhibits of this Staff Report.

1. List findings ...

EXHIBIT A

PROPOSED ORDINANCE AMENDMENTS

Existing Language

7-14-11. Landscaping and Water Conservation With New Development.

(1) Sod or seeded lawn grass shall be prohibited from park strips and areas on the lot less than eight feet in width.

(2) Lots within subdivisions whose preliminary plan approval occurred after April 1, 2023 and which has at least 250 square feet of total landscaped area within the lot shall be landscaped with no more than 50% of front and side yards landscaped area as natural lawn grass. Front and side yards shall be landscaped and maintained. Landscaping is strongly encouraged to necessitate no or low water use. The use of artificial turf is strongly encouraged for the appearance or desire of lawn. Where irrigation is needed for plantings outside of lawn areas shall be of a drip-style irrigation system.

Proposed Changes

7-14-11. Landscaping and Water Conservation With New Development.

(1) Sod or seeded lawn grass shall be prohibited ~~from~~ in all park strips. ~~and areas on the lot less than eight feet in width.~~

(2) Lots within subdivisions whose preliminary plan approval occurred after April 1, 2023 ~~and which has at least 250 square feet of total landscaped area within the lot~~ shall be landscaped with no more than 50% of front and side yards ~~landscaped~~ area as natural lawn grass. Front and side yards landscaping shall be ~~landscaped and~~ regularly maintained by the property owner. Landscaping is strongly encouraged to ~~necessitate result in~~ no or low reduced water use. ~~The use of Artificial turf is strongly encouraged for the appearance or desire of lawn~~ may be used as long as it does not exceed 50% of the total front and side yard area. ~~Where~~ irrigation ~~is~~ needed for plantings outside of lawn areas shall be of a drip-style irrigation system.

Proposed Language

7-14-11. Landscaping and Water Conservation With New Development.

(1) Sod or seeded lawn grass shall be prohibited in all park strips.

(2) Lots within subdivisions whose preliminary plan approval occurred after April 1, 2023 shall be landscaped with no more than 50% of front and side yards area as natural lawn grass. Front and side yard landscaping shall be regularly maintained by the property owner. Landscaping is strongly encouraged to result in no or reduced water use. Artificial turf may be used as long as it does not exceed 50% of the total front and side yard area. Irrigation needed for plantings outside of lawn areas shall be of a drip-style irrigation system.

TOOELE CITY PLANNING COMMISSION

RESOLUTION 2026-01

A RESOLUTION OF THE TOOELE CITY PLANNING COMMISSION AMENDING ITS POLICY REGARDING PUBLIC COMMENTS AT PUBLIC HEARINGS.

WHEREAS, Tooele City Charter Article 5 calls for the creation of a seven-member Planning Commission, with enumerated terms and powers; and,

WHEREAS, Utah Code Chapter 10-20 Part 3 (Part of the Municipal Land Use, Development, and Management Act, or MLUDMA) requires municipalities to enact ordinances creating a Planning Commission; and,

WHEREAS, Tooele City Code Chapter 2-3 creates the Tooele City Planning Commission, with enumerated terms, powers, and duties, including compliance with the Utah Open and Public Meetings Act (OPMA; UCA Chapter 52-4) for its public meetings; and,

WHEREAS, OPMA includes a provision stating “at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting” (UCA Section 52-4-202(6)(b)); and,

WHEREAS, the First Amendment to the Constitution of the United States recognizes freedom of speech: “Congress shall make no law...abridging the freedom of speech...or the right of the people...to petition the Government for a redress of grievances”; and,

WHEREAS, Article I Section 15 of the Constitution of the State of Utah recognizes freedom of speech: “No law shall be passed to abridge or restrain the freedom of speech”; and,

WHEREAS, the Supreme Court of the United States has held through many cases the existence of several distinct forums within which the freedom of speech is protected, including traditional public forum, designated public forum, and limited public forum, in the latter of which the freedom of speech but can be limited; and,

WHEREAS, on June 26, 2024, the Planning Commission approved PC Resolution 2024-01 adopting its Policy for Public Comment, applicable to public hearings; and,

WHEREAS, on February 18, 2026, the City Council approved Resolution 2026-06, amending its Policy for Public Comment, applicable to the public comment period and

public hearings (see CC Resolution 2026-06 and its Exhibit A attached as PC Exhibit A), those amendments particularly focusing on more precisely detailing the procedures and standards applicable to written comment submissions, as well as to amend generally for clarity and consistency; and,

WHEREAS, the Planning Commission desires to amend its Policy for Public Comment, with particular focus on more precisely detailing the procedures and standards applicable to written comment submissions, as well as to amend generally for clarity and consistency; and,

WHEREAS, the Planning Commission conducts public hearings in which time, place, and manner regulations are constitutionally permissible to maintain the orderly, civil, and efficient conduct of the Commission's business while still allowing public speech:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY PLANNING COMMISSION that the public comment policy attached as PC Exhibit B is hereby adopted.

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

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Planning Commission this ____ day of _____, 2026.

TOOELE CITY PLANNING COMMISSION

(For)

(Against)

ABSTAINING: _____

ATTEST:

Shilo Baker, City Recorder

S E A L

Approved as to Form: _____
Matthew C. Johnson, Tooele City Attorney

Exhibit A

CC Resolution 2026-06 with Exhibit

TOOELE CITY CORPORATION

RESOLUTION 2026-06

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING THE LEGISLATIVE POLICY REGARDING PUBLIC COMMENTS IN PUBLIC MEETINGS, APPLICABLE TO THE PUBLIC COMMENT PERIOD AND PUBLIC HEARINGS.

WHEREAS, Tooele City Charter Section 2-02 vests Tooele City's legislative authority with the City Council; and,

WHEREAS, the conduct of City Council meetings is governed by Charter Section 2-04, which provides that "The Council shall have the power to make and enforce such rules and regulations for the administration of the Council, the preservation of order, and the transaction of the business of the Council as may be necessary and proper"; and,

WHEREAS, Tooele City Code (TCC) Chapter 1-5 regards the Tooele City Council, and provides that "The city council shall exercise the legislative powers of the city" (Section 1-5-2); and,

WHEREAS, the conduct of City Council meetings is governed by the Utah Open and Public Meetings Act, UCA Chapter 52-4, and includes a provision stating "at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting" (UCA Section 52-4-202(6)(b)); and,

WHEREAS, the First Amendment to the Constitution of the United States recognizes freedom of speech: "Congress shall make no law...abridging the freedom of speech...or the right of the people...to petition the Government for a redress of grievances"; and,

WHEREAS, Article I Section 15 of the Constitution of the State of Utah recognizes freedom of speech: "No law shall be passed to abridge or restrain the freedom of speech"; and,

WHEREAS, the Supreme Court of the United States has held through many cases the existence of several distinct forums within which the freedom of speech is protected, including traditional public forum, designated public forum, and limited public forum, in the latter of which the freedom of speech but can be limited; and,

WHEREAS, the City Council has operated its public meetings as a limited public forum, in which time, place, and manner regulations are constitutionally permissible to

maintain the orderly, civil, and efficient conduct of the Council's business while still allowing public speech; and,

WHEREAS, the City Council has historically, for two decades or more, placed on the agenda of its public meetings an Open Forum or a Public Comment Period, during which the public is invited to speak to the Council; and,

WHEREAS, the City Council has historically limited Public Comment Period speakers to three minutes of speech each, and has not engaged in a substantive dialog but rather the acceptance of comments for later action, if any, by the Council or by the Mayor and Administration; and,

WHEREAS, on June 15, 2022, the City Council approved Resolution 2022-46, adopting a Public Comment Procedure of limited scope; and,

WHEREAS, on June 19, 2024, the City Council approved Resolution 2024-51, adopting a more detailed Public Comment Policy, with application also to statutorily required public hearings, in order to achieve order, civility, and efficiency in its public meetings, including to require speech to address matters within the Council's jurisdictional authority and to the topics for which a public hearing was noticed; and,

WHEREAS, the City Council desires to amend the Public Comment Policy, with particular focus on more precisely detailing the procedures and standards applicable to written comment submissions, as well as to amend generally for clarity and consistency; and,

WHEREAS, the City Council discussed amendments to the Public Comment Policy during its public work meeting of February 4, 2026; and,

WHEREAS, consistent with instruction from the City Council, the City Administration has prepared a draft Public Comment Policy incorporating the above-described amendments, attached as Exhibit A, for the Council's consideration:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Public Comment Policy attached as Exhibit A is hereby adopted.

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

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2026.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

TOOELE CITY MAYOR

(Approved)

(Disapproved)

ATTEST:

Shilo Baker, City Recorder

S E A L

Approved as to Form: _____
Matthew C. Johnson, Tooele City Attorney

Exhibit A

Policy: Public Comment
(redline version, followed by clean version)

Policy: Public Comments

This policy is adopted to facilitate meaningful public engagement while ensuring that City Council meetings remain orderly and respectful. Beyond mandated Public Hearings, in its discretion, the City Council may in its sole discretion notice a general Public Comment Period on its meeting agendas. During all City Council meetings, the City Council Chambers shall be a Limited Public Forum, subject to this Policy. When a Public Comment Period or a Public Hearing is noticed, the time, place, and manner regulations of this Policy shall apply. The City Council's failure to strictly enforce each regulation shall not limit the Council's ability to require substantial compliance from speakers. This Policy shall apply to all Public Comment Periods and City Council meetings. Public Hearings that take place during City Council meetings. The term "Chair" as used in this policy means: (1) the Council Chairperson; or, (2) a person lawfully presiding at a City Council meeting in the Council Chairperson's absence.

Verbal Comments

- Speakers will identify themselves verbally and in writing by first and last name.
- Speakers will identify their local geographical area of residence (e.g. Tooele City). The Chair may restrict comments to Tooele City residents, businesses, and other stakeholders.
- Speakers will address comments directly to the City Council (not to the Mayor, City staff, development applicants, presenters, members of the public, or others).
- Comments will be limited to 3 minutes per speaker. A timer may be displayed. After 3 minutes, the microphone may be cut off, and a timer may sound.
- For any one particular Public Comment Period or Public Hearing, the Chair may designate a total reasonable length of time for comments. If no time limitation is designated, the length of time for comments shall be limited to thirty (30) minutes per Public Comment Period and per Public Hearing, unless indicated otherwise by the Chair.
- The Public Comment Period and Public Hearings are not free-for-all open-mic opportunities. Speakers will limit their comments to topics within the City Council's jurisdictional authority. In the case of a Public Hearing, speakers will limit their comments to the topics for which the Public Hearing was noticed.
- Speakers will not engage in disrespectful, disruptive, attacking, threatening, or violent behavior.
- Speakers will not make obscene comments or gestures.
- Clapping, booing, hissing, cheering, and other similar disruptive behavior is prohibited.
- No verbal comments may be made remotely via electronic means except as a reasonable ADA accommodation, upon request. Written comments may be submitted remotely in advance of the meeting, as described in the written comment regulations below.

Written Comments

- Speakers may submit written comments to the City Recorder or electronically to cmpubliccomment@tooelecity.gov.
- Written comments for a Public Hearing shall be submitted delivered no later than 5-0011:59 PM the day prior to the Public Hearing meeting, and must reasonably express the author's intention that they be considered in connection with the Public Hearing.
- Written comments for a Public Comment Period that are submitted later than 5-0011:59 PM the day prior to a meeting will be considered for the next calendared meeting.
- The City Recorder will deliver the comments to the City Council.

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- The Chair will indicate during the Public Comment Period or Public Hearing the receipt of written comments and at least the substance of their content.
- Individuals submitting written comments will identify themselves in writing by first and last name, and written submissions will otherwise adhere to the standards set forth in All of the verbal comment regulations listed above shall also apply to written comments.
- The Chair has discretion to disregard any written submission that fails to comply with any regulation in this policy, or which fails to reasonably express the author's intention that it be considered during a City Council meeting.

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Signs.

- Signs of any size or type displayed by the public are prohibited in the City Council chambers.
- Signs may be displayed in the City Hall rotunda so long as they do not disrupt the meeting or interfere with patron attendance, in the City Council's discretion, if the comments comply with the verbal comment regulations, above.

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The City Council retains discretion in the administration of this Policy, and may alter or add to these regulations for meeting decorum and efficiency. The City Council may utilize all legal means to enforce this Policy. The Council Chairperson is primarily responsible for the enforcement of this Policy.

Council Chairperson: _____ Date: _____

Policy: Public Comments

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- The City Recorder will deliver the comments to the City Council.

- The Chair will indicate during the Public Comment Period or Public Hearing the receipt of written comments and at least the substance of their content.
- Individuals submitting written comments will identify themselves in writing by first and last name, and written submissions will otherwise adhere to the standards set forth in the verbal comment regulations listed above.
- The Chair has discretion to disregard any written submission that fails to comply with any regulation in this policy, or which fails to reasonably express the author's intention that it be considered during a City Council meeting.

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Council Chairperson: _____

Date: _____

Exhibit B

Planning Commission Policy: Public Comment

(redline version, followed by clean version)

Policy: Public Comments

This policy is adopted to facilitate meaningful public engagement while ensuring that Tooele City Planning Commission meetings remain orderly and respectful. As required by law, the Planning Commission schedules Public Hearings regarding items being considered on its business meeting agendas. During these meetings, ~~the City Council chambers~~ (the Commission’s meeting venue) (typically the City Council chambers at City Hall) shall be a Limited Public Forum, subject to this Policy. When a Public Hearing is noticed, the time, place, and manner regulations of this Policy shall apply. The Commission’s failure to strictly enforce each regulation shall not limit the Commission’s ability to require substantial compliance from speakers. The term “Chair” as used in this policy means: (1) the Chairperson of the Commission, or, (2) a person lawfully presiding at a Planning Commission meeting in the absence of the Chairperson of the Commission.

Verbal Comments

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- The Public Hearings are not free-for-all open-mic opportunities. Speakers will limit their comments to topics within the Commission’s jurisdictional authority and to the topics for which the Public Hearing was noticed.
- Speakers will not engage in disrespectful, disruptive, attacking, threatening, or violent behavior.
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Written Comments

- Speakers may submit written comments to the City Planner or electronically to pcpubliccomment@tooelecity.gov.
- Written comments shall be submitted no later than 11:59 PM the day prior to the Public Hearing meeting, and must reasonably express the author’s intention that they be considered in connection with the Public Hearing.
- The City Planner will deliver the comments to the Commission.
- The Chair will indicate during the Public Hearing the receipt of written comments and at least the substance of their content.
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Planning Commission

- The Chair has discretion to disregard any written submission that fails to comply with any regulation in this policy, or which fails to reasonably express the author's intention that it be considered during a Public Hearing.

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Commission Chairperson: _____ Date: _____

Policy: Public Comments

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Commission Chairperson: _____ Date: _____

**Tooele City Planning Commission
Business Meeting Minutes**

Date: April 8, 2026

Time: 7:00 p.m.

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

Planning Commissioners Present:

Melanie Hammer
Frank Linford
Jon Proctor
Tyson Hamilton
Amanda Cordova
Weston Jensen
Kelley Anderson
Sarah Faircloth, Alternate

Excused:

Chris Sloan

Council Member Liaisons:

Dave McCall
Ed Hansen, Excused
Jon Gossett, Excused

Staff Present:

Andrew Aagard, Community Development Director
Anna Anglin, City Planner
Matt Johnson, City Attorney

Minutes Prepared by Teresa Young

1. **Pledge of Allegiance**

Chairman Hamilton opened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

Before Chairman Hamilton conducted a roll call he provided a quick announcement for applicants, the public, and everyone involved: There has been a significant increase in fraudulent phishing requests using information from public notices related to Planning Commission meetings. Please be aware that Tooele City only collects fees at the time of application submittal and will never request additional payments via wire transfer. All official emails from Tooele City will end in @tooelecity.gov. If you receive a payment request from any other email after submitting your application, it is fraudulent. Do not send money, and please contact the Tooele City Community Development Department immediately to report it. Stay vigilant and protect your information and assets.

2. **Roll Call**

Melanie Hammer, Present

Frank Linford, Present
Jon Proctor, Present
Amanda Cordova, Present
Weston Jensen, Present
Kelley Anderson, Present
Tyson Hamilton, Present

3. **Public Hearing and Decision Steve Mros on behalf of Suzanne Jameson, (property owner), to authorize the use of “Automobile Service and Repair” to occur at the property located at 397 N Main Street in the General Commercial (GC) zoning district on .26 acres.**

Ms. Anglin explained that the applicant previously received a conditional use approval for a car dealership but now plans to lease the property to an automotive repair and service business, requiring a new conditional use review. The site is in the General Commercial zone with nearby nonconforming residential uses, prompting staff to recommend conditions to mitigate potential impacts such as noise, lighting, and parking. Proposed hours are Monday through Friday, 8:00 a.m. to 6:00 p.m., and Saturday, 8:00 a.m. to 3:00 p.m., with a recommended limitation on the use of louder tools during certain times.

Ms. Anglin also recommended continuing prior conditions, including no on-street parking, downward-shielded lighting, and improved fencing. Because portions of the property currently have wrought iron or temporary fencing, she suggested installing solid, site-obscuring fencing where it is lacking, particularly adjacent to residential uses.

Planning Commission members discussed clarifying that both customers and employees should be prohibited from on-street parking and raised concerns about vehicle storage, potential towing operations, and the number of vehicles allowed on-site. Ms. Anglin noted the applicant was present to address those questions, and the recommendation was to approve the conditional use permit with the discussed conditions.

Chairman Hamilton opened the public hearing at 7:14 p.m.

Lorraine Mascarenes, a neighboring property owner to the west, expressed concerns about the proposed auto repair use. She asked whether the new approval would replace the previously approved use and inquired about potential dumpster placement and early morning pickups. Her primary concern focused on environmental impacts, including how waste, oil, and water runoff would be managed, whether floor drains would include proper oil and grease traps, and where waste would be stored prior to disposal. She referenced past issues with improper oil disposal at the site and observed water being washed into the street during recent cleaning. She also reminded the Planning Commission about ADA accessibility, emphasizing that vehicles should not be parked on sidewalks or driveways, noting the importance of maintaining clear pedestrian access.

Kip Mautner, a resident living north of the property expressed concerns about parking and site appearance. He noted that when the parking lot becomes full, vehicles are placed on or near the sidewalk, creating accessibility issues and preventing pedestrian use. He requested limiting the number of vehicles on-site to 10 to reduce congestion and discourage street parking. Mr. Mautner also asked for additional privacy screening along the wrought iron fence, stating he did not want to view a cluttered site similar to a previous auto repair business at the location. His primary concerns focused on parking, congestion, sidewalk access, and improved visual screening.

Seeing no other members of the public coming forward, Chairman Hamilton closed the public hearing at 7:20 p.m.

Mr. Mros, the applicant, responded to questions regarding operations of the proposed auto repair business. He stated that spill prevention measures would be in place, including absorbent materials, floor dry, and proper disposal in a designated container, with waste oil stored in containment systems and removed by a licensed oil company. He indicated the site would accommodate service and oil trucks, and towing would occur only as needed by customers, with vehicles moved to the back lot when appropriate. To prevent clutter, he plans to limit on-site vehicles and charge fees for cars left longer than four days to a week, after which they may be towed.

Mr. Mros advised that vendors and larger trucks would access the site through an open gate during business hours, reducing the likelihood of sidewalk obstruction, and additional off-site parking may be used for employees if needed. Most repair work would occur inside the building, with only minor tasks performed outside. He also confirmed that dumpster pickups would occur during business hours, lighting would remain unchanged and directed downward, and noise levels would be similar to nearby commercial uses. He supported limiting the number of vehicles on-site and asked whether his personal vehicle could occupy one additional parking stall, bringing the total to 11.

Mr. Aagard informed the public that the city already has ordinances prohibiting vehicles from parking on or obstructing sidewalks. Such violations are enforceable by the Tooele City Police department, and the public was encouraged to contact the city if issues occur so enforcement action can be taken.

Chairman Hamilton explained that the Planning Commission's role in reviewing a conditional use permit is to identify potential safety and compatibility concerns and determine whether they can be adequately mitigated. He noted that the key issues raised during the discussion—including noise, lighting, on-street and sidewalk parking, customer behavior, business hours, and site visibility—had been addressed through proposed conditions and mitigation measures.

Motion: Commissioner Linford moved to approve the conditional use permit request by Steve Mros, to authorize the use of the automotive service and repair to occur at the subject property, application number 2026023, based on the findings and subject to the conditions listed in the staff report dated April 3, 2026, with the additional condition of parking no more than 11 vehicles. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Linford, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". Motion passed 7-0.

4. City Council Reports

Councilman McCall reported that the City Council recently approved Ordinance 2026-08, amending City Code §7-4-7 regarding the parking of operable motorized vehicles in the front and side yards of single-family residential properties. He explained the ordinance was intended to address concerns about excessive vehicle parking in residential yards, which can negatively impact neighboring properties and neighborhood appearance. He noted the issue relates to concerns about parking and encouraged continued attention to maintaining community standards.

5. Review and Decision – March 25, 2026, Planning Commission Meeting Minutes

There were no corrections to the minutes

Motion: Commissioner Proctor approve minutes as prepared. Commissioner Linford seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Linford, “Aye”; Commissioner Proctor, “Aye”; Commissioner Cordova, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. Motion passed 7-0.

6. **Adjourn**

Chairman Hamilton adjourned the meeting at 7:38 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 April, 2026

Tyson Hamilton, Tooele City Planning Commission Chair