

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, June 24, 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/@tooelecity or searching for our YouTube handle **@tooelecity**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecity.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 Recommendation** on a proposed Land Use Map Amendment request by Boyd Brown, representing Grow Development, LLC, for a 4.1-acre parcel located at approximately 1280 North and 200 East from "Medium Density Residential" to "Light Industrial" to facilitate a light industrial development at this location.
4. **Public Hearing and Decision** to consider a Conditional Use Permit request by Jake Finlinson, representing Perry Commercial to authorize the use of an "Accessory Drive Through Facility" for property located at approximately 2400 North and SR-36 on approximately 1.56 acres in the GC General Commercial zoning district.
5. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code 7-16a-3, Residential Special Districts Eligibility and Size, Regarding the Minimum Land Requirements Necessary to Qualify for a Commercial Special District.
6. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code Title 7, Chapter 25: Signs; regarding the display of political signs in public rights-of-way, the removal of such political signs from public rights-of-way, the regulations of such political signs, and other such regulations concerning political signs as required by Utah Code Title 20A, Chapter 17.
7. **Decision** on a Preliminary Subdivision Plan Review requested by Larry Jacobson, representing SandRock Development, for the Millennial Park Phase 2 Townhomes Subdivision, a proposed 24-unit townhome development on approximately 1.5 acres located at the northeast corner of 400 North and 300 West in the MR-16 Multi-Family Residential zoning district.
8. **City Council Reports**
9. **Review and Decision** – June 10, 2026 Planning Commission meeting minutes.
10. **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

June 24, 2026

To: Tooele City Planning Commission
Business Date: June 18, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin, City Planner/ Zoning Administrator

Re: Fire Station Business Park North LUMA – Land Use Map Amendment Request

Application No.: 2025042
Applicant: Boyd Brown Representing Grow Development LLC
Project Location: 1280 North and 200 East
Zoning: R1-8 Medium Density Residential Zone
Acreage: 4.1 Acres
Request: Request for approval of a Land Use Map Amendment to re-assign approximately 4.1 acres of land from the Medium Density Residential (MDR) Land Use Designation to the Light Industrial (LI) Land Use Designation.

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 4.1 acres located at 1280 North and 200 East. The property is currently designated as Medium Density Residential (MDR) on the Tooele City General Plan Land Use Map. The applicant is requesting that the future land use designation be amended from Medium Density Residential (MDR) to Light Industrial (LI) to facilitate a subsequent Zoning Map Amendment that would ultimately facilitate the development of a light industrial business park.

The subject property represents the Phase two of a larger development that received City Council approval for a Land Use Map Amendment and corresponding Zoning Map Amendment in May 2025. Approval of this request would extend the Light Industrial land use designation to the remaining property under the developer's ownership, creating a unified land use pattern across the development area and allowing the applicant to pursue a cohesive light industrial business park consistent with the City's long-term planning objectives.

ANALYSIS

General Plan and Zoning. The Tooele City General Plan Land Use Map designates the subject property as Medium Density Residential (MDR). Consistent with that designation, the property is currently zoned R1-8 Medium Density Residential, which permits one dwelling unit per 8,000-square-foot lot. The R1-8 zoning district is identified in the General Plan as a preferred zoning classification for properties designated Medium Density Residential.

Surrounding properties exhibit a mix of residential and industrial zoning classifications. Properties to the north and east are zoned MR-16 Multi-Family Residential, properties to the south are zoned RR-5 Rural Residential, and properties to the west are zoned LI Light Industrial. The requested amendment would extend the existing Light Industrial land use designation eastward and include the remaining portion of the applicant's property, creating a more cohesive land use pattern with the adjacent industrial

development while transitioning away from the current residential designation. Maps pertinent to the subject request are included in Exhibit "A" of this report.

Tooele City Code Section 7-1A-5 requires that any amendment to the Zoning Map be consistent with the adopted Tooele City General Plan. Accordingly, before a Zoning Map Amendment can be considered, the requested zoning district must first be supported by the property's future land use designation as identified on the General Plan Land Use Map. Therefore, approval of the requested Land Use Map Amendment is a necessary prerequisite to any future request to rezone the property to Light Industrial.

The subject property is rectangular in shape and is directly adjacent to an established area designated and zoned for Light Industrial uses. Surrounding properties are currently undeveloped. The property immediately west is part of the existing Light Industrial area, while the property to the south remains vacant with no known development plans. The property to the northwest is currently utilized as a personal storage facility. Properties to the north and east are also vacant but are included within the proposed Western Acres PUD residential development, which is anticipated to include higher-density residential uses.

Under the current Medium Density Residential (MDR) land use designation, the General Plan identifies the R1-7, R1-8, and R1-10 zoning districts as the preferred implementing zones. These districts are intended primarily for single-family and two-family residential development, along with compatible institutional uses such as schools, churches, parks, and certain public utilities. Commercial activities are generally limited to home occupations that are clearly incidental and subordinate to a residential use.

The proposed Light Industrial (LI) land use designation supports the LI Light Industrial and IS Industrial Service zoning districts. These districts are intended to accommodate light industrial operations, warehousing, contractor services, flex-space, and other employment-generating uses that are designed to minimize off-site impacts related to noise, vibration, odor, dust, glare, and similar operational characteristics. The proposed amendment would also create a more contiguous industrial land use pattern by extending the existing Light Industrial designation to the east and the remaining property under the applicant's ownership. See Exhibit "B" for the complete list of permitted and conditional uses in light industrial zones.

While there are currently no existing residential uses immediately adjacent to the subject property, the proposed Western Acres PUD Development to the north and east is expected to introduce higher density residential uses in the future. As a result, if the requested Land Use Map Amendment and subsequent Zoning Map Amendment are approved, careful consideration should be given during future site plan review to the design of appropriate buffering, screening, landscaping, building orientation, and other mitigation measures to ensure compatibility between future industrial development and nearby residential neighborhoods.

Site Plan Layout. The applicant has provided some site plans and those plans are provided for the Planning Commission and City Council's reference. Please keep in mind that this site plan has not been reviewed for compliance with the City's development standards and ordinances and should not be viewed as the final product, if this Land Use Map Amendment is approved. These plans will still need to undergo full site plan design review.

Subdivision Layout. This is an existing parcel of record.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:

- (a) The effect of the proposed amendment on the character of the surrounding area;
- (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
- (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
- (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
- (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
- (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed its review of the proposed Land Use Map Amendment and has identified the following consideration for the future development of the property:

1. If the requested Land Use Map Amendment and any subsequent Zoning Map Amendment are approved, future site plan review should incorporate appropriate buffering, screening, landscaping, building orientation, and other design measures to minimize potential land use conflicts and ensure compatibility between future light industrial development and the planned residential neighborhoods to the north and east.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have not issued any comments concerning this application.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning this request.

Noticing. The applicant has expressed their desire to re-assign the land use 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 the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.

6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Fire Station Business Park Land Use Map Amendment request by Boyd Brown, representing Grow Development, LLC to re-assign the land use for 4.1 acres from Medium Density Residential to Light Industrial, application number 2026043, based on the findings listed in the Staff Report dated June 18, 2026.”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Fire Station Business Park Land Use Map Amendment request by Boyd Brown, representing Grow Development, LLC to re-assign the land use for 4.1 acres from Medium Density Residential to Light Industrial, application number 2026043, based on the findings listed in the Staff Report dated June 18, 2026.”

1. List findings...

EXHIBITS

- A. Mapping Pertinent to The Fire Station Business Park Land Use Map Amendment
- B. Table of Permitted Uses in Light Industrial Zones
- C. Applicant Submitted Information

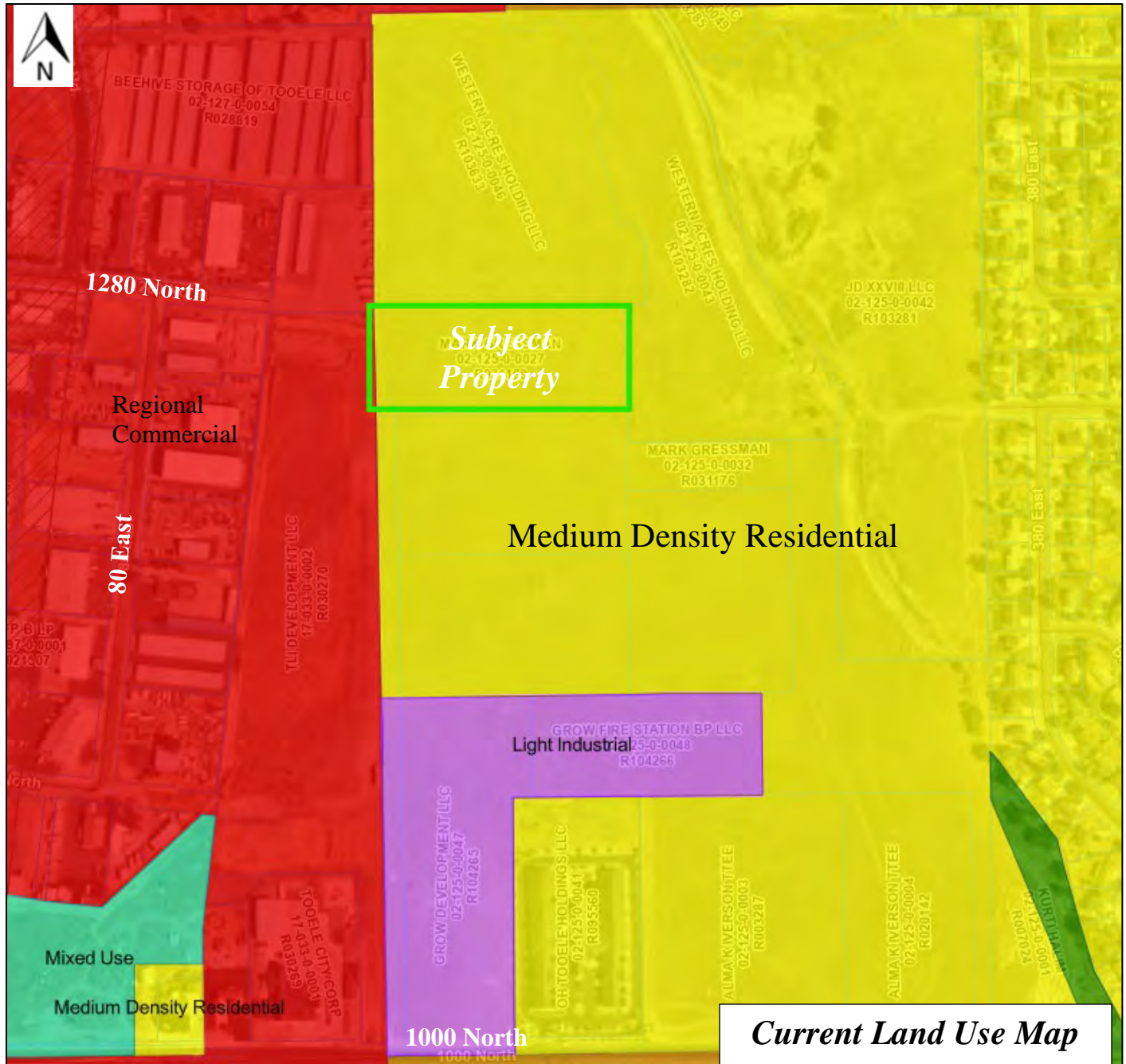
EXHIBIT A

MAPPING PERTINENT TO THE FIRE STATION BUSINESS PARK LAND USE MAP AMENDMENT

Fire Station Business Park Phase 2 Land Use Map Amendment



Fire Station Business Park Phase 2 Land Use Map Amendment



Fire Station Business Park Phase 2 Land Use Map Amendment

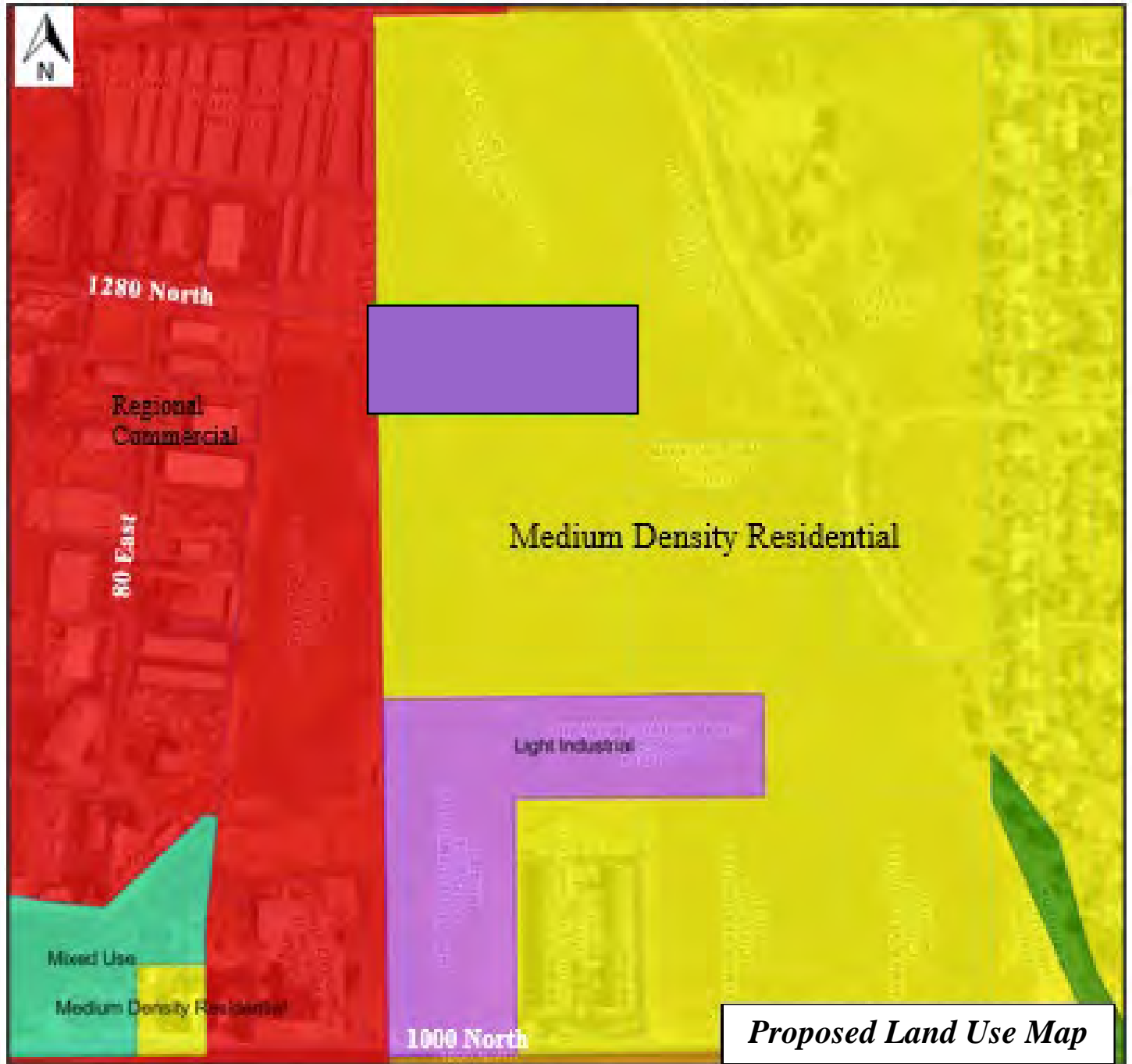


EXHIBIT B

TABLE OF PERMITTED USES IN LIGHT INDUSTRIAL ZONES

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neigh- bor- hood Commer- cial (Maxi- mum individual lot Size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Accessory Building	P	P	P	P	P	P	P	P	P
Accessory Drive Through Facility (considered as a Conditional Use for a Use allowed in the District, see Note #3 and Table 2)	C	C		C	C	C	C		C
Accessory Dwelling Unit for Caretaker Only (must be located within primary structure. See Table 2)	C	C	C	C/P <i>See Note 7</i>		C	C	C	C
Accessory Dwelling Unit (internal and attached: located above ground floor. See Table 2)	P	P	P	C	C				
Accessory Dwelling Unit (detached: located on the same lot as primary structure. See Table 2)	P	P	P						
Accessory Outdoor Sales and Display Incidental to an Allowed Use (considered as a Conditional Use for a Use allowed in the District, see Note #4 and Table 2)				C	C	C	C	C	
Accessory Outside Storage (considered as a Conditional Use for a Use allowed in the District, see Note #2 and Table 2)				C		C	C	C	

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor hood Commer- cial (Maxi- mum individual lot size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Accessory Outside Storage of Flammable or Hazardous Materials (considered as a Conditional Use for a Use allowed in the District, see Note #2 and Table 2)								C	
Accessory Vehicle Storage Yard (only with Automobile Sales and Rental, see Note #8)						C	C	C	
Agriculture (horticulture)						P	P	P	C
Airport							C	C	
Amusement Facility		C	C	P	P	P	P		
Auto Impound Yard							C	C	
Automobile Sales and Rental	C	C Minimum Lot size 30,000 square feet with access from arterial road only		C	C	P	P	P	
Automobile Service and Repair	C			C		P	P	P	
Automobile Service and Repair Accessory to a Principal Use					C		P		
Automobile Body and Fender Service and Repair						C	C	P	
Bed and Breakfast Inn (located in an existing structure)	C	C	C	P					
Boarding House	C	C	C						

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor- hood Commer- cial (Maxi- mum individual lot size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Building Maintenance Services						C	P	P	P
Business Office				P	P	P	P	P	P
Business Office (located within an existing structure)	C	C	C	P	P	P	P	P	P
Campground, Travel Trailer Park							C	C	
Car Wash				C		P	P	P	C
Chemical Manufacture and Storage								C	
Church	C	C	C	C					P
Conference Center				P	P	P	P		P
Contractor's Display/Office				C		P	P	P	P
Contractor's Storage Yard						C	C	P	
Convenience Store, without Gasoline Sales	P	P	P	P	P	P	P	P	P
Convenience Store, with Gasoline Sales	C	C	C	P	C	P	P	P	P
Cultural activities and uses	C	C		P	C	P	P		P
Day-Care/Pre-School (Home Occupation)	P	P							
Day Care/ Pre-School Center	C	C	C	P		C	C		C
Distribution Center						C	C	P	
Dwelling: Single Family (Detached)	P	P							
Dwelling: Two family	P	C							

USE	DISTRICT								
	MU-B Mixed Use- Broadway	MU-G Mixed Use- General	NC Neighborhood Commercial (Maximum individual lot Size 15,000 square feet)	GC General Commercial	RC Regional Commercial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Development
Dwelling; Multi-Family	C <small>See Note 6</small>	C <small>See Note 6</small>	<small>See Note 6</small>	<small>See Note 6</small>	<small>See Note 6</small>				
Extractive Industry									
Fast Food Restaurant	C	C		P	P	P	P		P
Financial Services	C	C	C	P	P	P	P		P
Food and Beverage Processing								C	
Funeral Home/Mortuary	C	C		P		P	P		P
Garden Center	C	C		P	P	P	P		
General Industrial Activity						P	P	P	P
Hardware and Garden Supply Store	C			P	P	P	P		
Hazardous Material Storage									
Hazardous Waste In-Transit Facility								C	
Health Care Facility				C	C	P	P	P	C
Health Care Provider	C	C	C	P	P	P	P		P
Health Care Provider (located within an existing structure)	C	C		P	P	P	P	P	P
Health Club	C	C		P	P	P	P	P	P
Heavy Equipment Sales and Rental						C	C	P	
Heavy Equipment Sales and Rental as an Accessory Use to an Established Retail Use				C	C				

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor hood Commer- cial (Maxi- mum individual lot Size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Heavy Industrial Manufacturing and Assembly								C	
Heliport				C	C	C	C	C	C
Home Occupation (must comply with all requirements of a Home Occupation)	P	P							
Hotel	C	C		P	P	P	P		P
Junkyard/Salvage Yard								C	
Kennel						C	C	P	
Laundromat	C	C	C	P		P	P	P	
Light Manufacturing and Assembly						P		P	
Liquor Store				C	C				C
Medical Cannabis Pharmacy			P	P	P	P	P	P	P
Medical Cannabis Production Establishment								P	
Membership Club				C		C	C	C	
Military Surplus Yard								C	
Motel	C	C		P	P	P	P		P
Nursery	C	C				P	P	P	C
Nursing Home, Convalescent Care Facility	C	C	C	P	P				
Open Space Areas, Trails	P	P	P	P	P	P	P	P	P
Park and Ride Facilities				C	C	C	P	C	C
Personal Services	C	C		P	P	P	P		P

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor- hood Commer- cial (Maxi- mum individual lot Size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Pet Shop / Pet Grooming	C	C		C					
Public or Private Educational Facility	C	C		C	C	C	C	C	C
Personal Storage Facility (Mini-Storage)						C	C	P	
Private Club/Bar	C			C	C	C	C	C	C
Professional Office	C	C	C	P	P	P	P	P	P
Professional Office (located within an existing structure)	C	C	C	P	P	P	P	P	P
Public Use	C	C	C	C	C	C	C	C	C
Reception Center	C	C		P	P	P	P		P
Reception Center (located within an existing structure)	C	C		P	P	P			P
Recreational Facility (Indoor)				P		P	P	P	C
Recreational Facility (Outdoor)				C		C	C		C
Recycling Collection Site				C		C	C	P	
Recycling Processing Center								C	
Repair Shop (household and personal goods with no outside storage)	C	C		P		P	P	P	P
Research Facility				P		P	P	P	P
Residential Treatment Facilities and Programs		C							
Restaurant	C	C		P	P	P	P	P	P
Restaurant (located within an existing structure)	C	C		P	P	P	P		P

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor hood Commer- cial (Maxi- mum individual lot Size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Retail Sales Accessory to an Allowed Use				P	P	P	P	P	P
Retail Store (located within an existing structure)	C	C	C	P	P				
Retail Store (Total maximum 3,000 square footage)	C	C	C	P		P	P		P
Retail Store or Commercial Center				P	P				
Retail Store or Commercial Center (Minimum 120,000 building square foot and planned and phased by approval of a Master Development Site Plan)				P	P				
Retirement Center	C	C							
Rock, Sand and Gravel Storage and Distribution								P	
Sexually Oriented Business								P	
Shooting Range, Indoor				C		C	C	C	C
Telecommunication s Site/Facility						C	C	C	C
Temporary Construction Office	C	C	C	P	P	P	P	P	P
Temporary Seasonal Use	C	C	P	P	P	P	P	P	
Temporary Use	C	C	C	C	C	P	P	P	
Theater (Indoor)	C	C		P	P				P
Theater (Outdoor)				C		P	P	P	
Tobacco Specialty Store (see Note #5)				C	C	C	C	C	C

USE	DISTRICT								
	MU-B Mixed Use- Broad- way	MU-G Mixed Use- General	NC Neighbor hood Commer- cial (Maxi- mum individual lot size 15,000 square feet)	GC General Commer- cial	RC Regional Commer- cial	LI Light Industrial	IS Industrial Service	I Industrial	RD Research & Develop- ment
Utility Service Facility (major)				C	C	C	C	C	C
Utility Service Facility (minor)			C	C	C	C	C	C	
Vehicle Storage Yard								C	
Veterinary Clinic / Animal Hospital						P	P	P	
Veterinary Clinic/ Animal Hospital Operating Entirely Within an Enclosed Building	C	C		P		P	P	P	P
Warehouse						C	C	P	

P = PERMITTED USE

C = CONDITIONAL USE

ANY USE NOT IDENTIFIED AS EITHER A PERMITTED (P) OR CONDITIONAL (C) USE IS USE THAT IS A PROHIBITED USE WITHIN THE ZONING DISTRICT

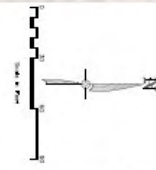
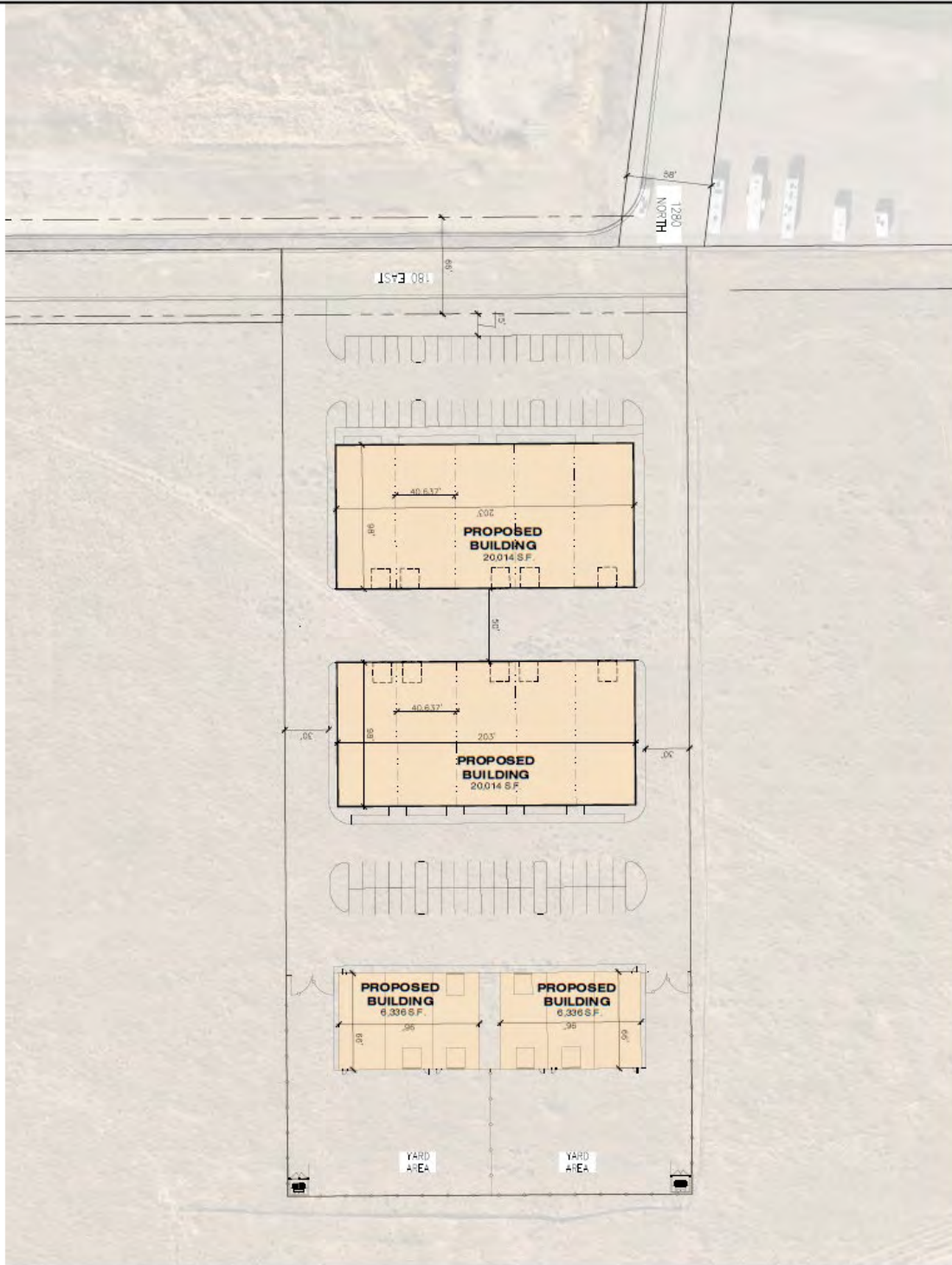
ANY USE NOT IDENTIFIED IN THE TABLE OF USES IS A PROHIBITED USE IN TOOELE CITY.

EXHIBIT C

APPLICANT SUBMITTED INFORMATION

Fire Station Business Park Overall Plan





SHEET NO. 1
 EXH
 DATE: 10/20/2020
 DRAWN BY: JAC
 CHECKED BY: JAC

GRESSMAN TOOLE
 1280 NORTH 180 EAST, TOOLE, UTAH
 CONCEPT SITE LAYOUT

CIR CIVIL ENGINEERING
 + SURVEYING
 10718 S BECKSTEAD LANE, SUITE 102
 SOUTH JORDAN, UTAH - 8409509

NO.	REVISIONS	BY	DATE

Land Use Map Amendment 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 map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 03.13.2026		Current Land Use Designation: vacant		Proposed Land Use Designation: LI	Parcel #(s): 02-125-0-0027
Project Name: Fire Station Business Park					Acres: 4.10
Project Address: 200 East 1280 North, Tooele, UT 84074					
Brief Project Summary: We would like to build a business park within the light industrial zone. Inside of our park we see a great opportunity for local businesses that serve the area. We intend to have a mix of flex space, office warehouse, some office and potentially some retail along 1000 North. The building sizes would range between 10,000 and 40,000 feet and likely could be demised to users as small as 2,500 feet.					
Property Owner(s): Mark Gressman			Applicant(s): Grow Development, LLC		
Address: [REDACTED]			Address: [REDACTED]		
City: St. George		State: UT	Zip: 84795	City: Cottonwood Heights	State: UT
Phone: [REDACTED]		Phone: [REDACTED]			
Contact Person: Boyd Brown			Address: [REDACTED]		
Phone: [REDACTED]		City: Cottonwood Heights	State: UT	Zip: 84121	
Cellular:		Fax:		Email: [REDACTED]	

*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.

Note to Applicant:

Land Use Map designations are made by ordinance. Any change Land Use Map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

For Office Use Only			
Received By:	Date Received:	Fees:	App. #:

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)
)ss
COUNTY OF TOOELE)

I/we, MARK GRESSMAN, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

Mark Gressman
MARK GRESSMAN
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 23 day of March, 2026



Bethany Torres
(Notary)
Residing in Washington County, Utah
My commission expires: March 6 2027

AGENT AUTHORIZATION

I/we, Boyd Brown, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), Grow Development, LLC/Boyd Brown, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this 1 day of April, 2026 personally appeared before me Becky Smith the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.



Becky Smith
(Notary)
Residing in Salt Lake County, Utah
My commission expires: Aug. 28, 2029



LEGAL DESCRIPTION

Subject property being known as part of the following described parcel:

Beginning at the Southwest corner of the J. Franklin Allred, P.C. Property as deeded in book 740 at page 558, which point is North 00°21'58" West 920.00 feet along the Section line and East 50.00 feet from the Southwest corner of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian; run thence North 89°43'06" East 930.00 feet; thence South 00°21'58" East 262.169 feet more or less to the North line of the Alma Kay Iverson Family Living Trust property as deeded by Quit Claim deed in book 329 at page 214; thence West along said North line and North line extended, 645.80 feet to the Northwest corner of the Heritage Limited Partnership property as deeded in book 358 at page 372; thence South along the West line of said Heritage Limited Partnership property 660.00 feet; thence South 89°43'06" West 280.00 feet along the South Section line to a point 50.00 feet East of the Southwest corner of said Section 15; thence North 00°21'58" West parallel and 50 feet East of the Section line 921.624 feet more or less to the point of beginning. Together with a 50 foot right of way described as follows: beginning at the Southwest corner of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian; run thence North 00°21'58" West 920.00 feet, North 89°43'06" East 50.00 feet; thence South 00°21'58" East 920.00 feet to the Section line thence along the Section line West 50.00 feet to the point of beginning.

Tax Parcel #: 02-125-0-0033



April 24, 2026

Grow Development
Land Use Map Amendment Application
Parcel #: 02-125-0-0027

General Plan Map Questioner

1. **What is the present land use designation of the subject property(s)?**
Medium Density Residential.
2. **Explain how the proposed land use designation is similar or compatible with the other land use designations in the surrounding area.**
The proposed land use to our east is designated Light Industrial. Property provides an ideal transition not only strengthens Tooele City's employment base but also supports the incubation of small businesses suited for the Light Industrial zone.
3. **What do you anticipate the land being used for?**
We anticipate developing a business park composed mainly of office-warehouse buildings in a range of sizes. These buildings will accommodate businesses needing spaces from 2,500 to 50,000 square feet. The park will offer both for-sale and for-lease options to meet a wide range of needs.
4. **Explain how the proposed land use designation would affect the property, surrounding properties, and Tooele City.**
This type of product is in high demand and is currently missing in the downtown Tooele area. In the long term, it could help reduce traffic in and out of the city by enabling businesses that serve the local community to establish themselves nearby instead of in Salt Lake County. Our project supports surrounding residential growth by providing nearby employment and commercial opportunities. Additionally, as part of this project, 180 East will be continued—an important component of the City's master transportation plan. This new infrastructure will create better connectivity between 1000 North, 1100 North, and 1280 North leading back to Main Street. Improved circulation will benefit neighboring properties still designated Medium Density Residential and support the development of new rooftops in the area.
5. **Explain how the proposed land use designation promotes the goals and objectives of Tooele City.**
As outlined above, this land use change aligns with several of the City's stated goals: fostering economic development, increasing local employment, reducing regional traffic, and supporting population growth. We believe the City will see value in this opportunity to expand commercial property development in a way that benefits the broader community.

STAFF REPORT

June 18, 2026

To: Tooele City Planning Commission
Business Date: June 24, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin – City Planner / Zoning Administrator

Re: Pad H of the Peak at Compass Point– Conditional Use Permit Request

Application No.: 2026041
Applicant: Jake Finlinson, representing Perry Commercial
Project Location: Approximately 2400 North SR-36
Zoning: GC General Commercial Zone
Acreage: 1.178 Acres (Approximately 51,313 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone to authorize “Accessory Drive Through Facilities” for the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 1.178 acres located at approximately 2400 North SR-36. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to permit an accessory drive through facility to operate in conjunction with a new restaurant.

ANALYSIS

General Plan and Zoning. The General Plan Land Use Map designates the subject property as Regional Commercial. The property is zoned GC (General Commercial), as are the surrounding properties. The area is currently developing as part of The Peak at Compass Point and Smith’s Marketplace commercial center. Existing and approved development in the vicinity includes the Smith’s Marketplace store and fuel center, a bank, multiple commercial pad sites, and additional retail and restaurant uses. The proposed restaurant and accessory drive-thru facility are consistent with both the Regional Commercial land use designation and the intent of the GC zoning district. Mapping pertinent to the subject request can be found in Exhibit “A” attached to this report.

Site Plan Layout. The proposed restaurant will occupy proposed Lot 15 of The Peak at Compass Point Subdivision Amended Plat No. 2, which has not yet been recorded. Upon recordation of the amended subdivision plat, the site will be designated as Building Pad H. The property is located approximately 700 feet north of the intersection of 2400 North and SR-36, between the existing Smith’s Fuel Center and a proposed restaurant site immediately north of the primary access drive from Main Street.

The submitted site plan shows the restaurant building centrally located on the lot, with vehicular access provided through the internal private street network serving the overall commercial development. A cross-access connection is also proposed to the adjacent commercial property to the north. No direct vehicular access is proposed from SR-36 or any other public street.

The proposed drive-thru lane wraps around the building, with the pickup window located on the north side of the structure. However, the submitted site plan does not identify the location of the ordering

station or menu board. This information should be provided during the plan review process to verify adequate drive-thru circulation, queuing capacity, and compliance with applicable development standards.

The site plan includes a total of 47 parking stalls. Drive-thru customers will access the lane from within the site's parking area. Based on the submitted plans, the drive-thru queuing lane is fully contained on private property and is not anticipated to interfere with internal circulation or traffic operations on adjacent public streets.

Because the restaurant site is being created through an amended subdivision plat that has not yet been recorded, no building permits should be issued for the proposed development until the amended plat has been approved by the City and recorded with the Tooele County Recorder.

Landscaping. Drive-thru facilities can create visual impacts associated with vehicle queuing and circulation. Accordingly, the City typically encourages enhanced landscaping and screening to minimize the visibility of drive-thru lanes from public rights-of-way and adjacent properties where appropriate.

Based on the submitted site plan, portions of the drive-thru lane appear to be located between the building and SR-36. However, the plans do not provide sufficient detail regarding the location of the order board, the complete configuration of the drive-thru lane, or the anticipated vehicle queuing pattern. As a result, Staff is unable to fully evaluate the visual and operational impacts of the proposed drive-thru facility at this stage of the review.

Additional landscaping, screening, or other site design modifications may be necessary to mitigate potential visual impacts associated with the drive-thru operation and to enhance the overall appearance of the development. Staff recommends that any landscaping, screening, or site design improvements determined necessary during the final site plan review be incorporated as conditions of approval.

North Gateway Overlay. This property rests in the North Tooele Gateway. The gateway has no bearing on the Conditional Use Permit.

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. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.
3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

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 comments:

1. Additional landscaping may be necessary to mitigate potential visual impacts associated with the drive-thru operation and to improve the overall appearance of the site.
2. No building permits will be issued for the proposed development until the amended plat has been approved and recorded with the Tooele County Recorder.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Division are currently reviewing the site plan for the new restaurant and are reviewing the site according to the City's development standards. No comments concerning the drive through aisle have been provided.

Tooele City Fire Department Review: The Tooele City Fire Department is currently reviewing the site plan for conformance to all fire standards and access requirements. No comments concerning this Conditional Use Permit request have been provided.

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 Jake Finlinson, representing Perry Commercial, application number 2026041, subject to the following conditions:

1. Staff may require additional landscaping, screening, or other site design improvements as necessary to mitigate potential visual impacts associated with the drive-thru operation and to improve the overall appearance of the site.
2. No building permits will be issued for the proposed development until the amended plat has been approved and recorded with the Tooele County Recorder.

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 drive through aisle and queuing areas are situated in a manner that remove or buffer all public rights-of-way from vehicle stacking, visual and lighting impacts.
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 Jake Finlinson, representing Perry Commercial, to authorize an “Accessory Drive Through Facility” for Building Pad H, lot 15 of the Peak at Compass Point Commercial Subdivision, application number 2026041, based on the findings and subject to the conditions listed in the Staff Report dated June 18, 2026:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Jake Finlinson, representing Perry Commercial, application number 2026041 to authorize an “Accessory Drive Through Facility” for Building Pad H, lot 15 of the Peak at Compass Point Commercial Subdivision, application number 2026041, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
PAD H DRIVE THROUGH FACILITY CONDITIONAL USE PERMIT**

PAD H DRIVE THROUGH FACILITY CONDITIONAL USE



PAD H DRIVE THROUGH FACILITY CONDITIONAL USE

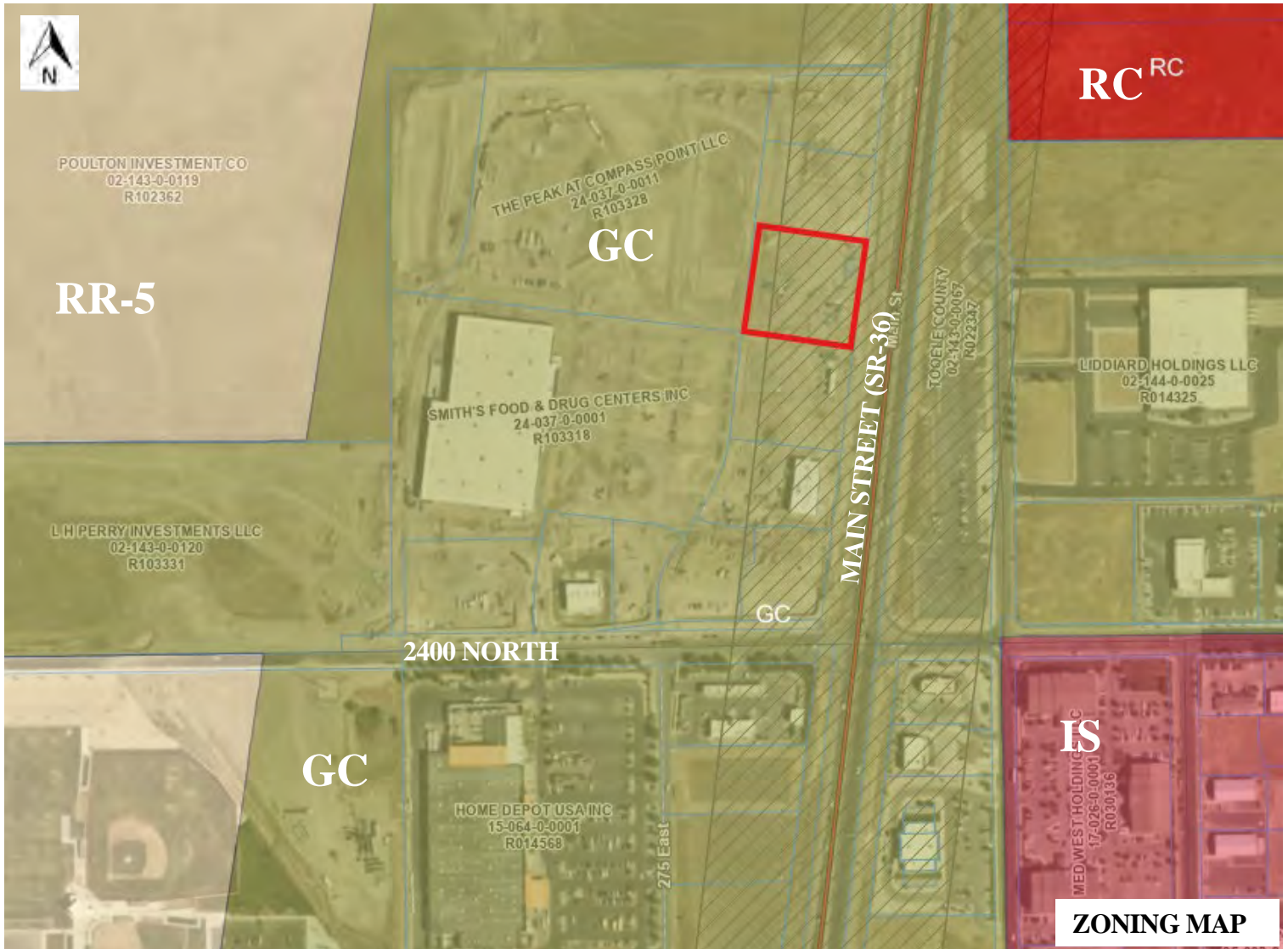


EXHIBIT B


**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
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					
Date of Submission: June 3rd 2026		Current Zoning: General Commercial		Parcel #(s): 2026041	
Project Name: The Peak at Compass Point Park H				Acres: 1.564	
Project Address: 2527 North Main Street Tooele UT, 84074				Units: 1	
Project Description: Restaurant with Drive Thru					
Current Use of Property: Undeveloped					
Property Owner(s): The Peak at Compass Point, LLC			Applicant(s): Jake Fmlinson		
Address: [REDACTED]			Address: [REDACTED]		
City: Murray	State: UT	Zip: 84107	City: Murray	State: UT	Zip: 84107
Phone: [REDACTED]			Phone: [REDACTED]		
Contact Person: Jake Fmlinson			Address: [REDACTED]		
Phone: [REDACTED]			City: Murray	State: UT	Zip: 84107
Cellular: [REDACTED]	Fax: [REDACTED]	Email: [REDACTED]			
Signature of Applicant: 					
Date 6.5.2026					

*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 (213)	Received By: Jade	Date Received: 6/9/26	Receipt #: 862973

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

I/we, The Peak at Compass Point, LLC, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

[Signature]

(Property Owner)

Subscribed and sworn to me this 1st day of June, 2020

(Property Owner)



[Signature]

(Notary)
Residing in Salt Lake County, Utah
My commission expires: 12/29/2028

AGENT AUTHORIZATION

I/we, The Peak at Compass Point, LLC, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), Take 5 Oil, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]

(Property Owner)

Dated this 1st day of June, 2020, personally appeared before me Tyler Perry, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Property Owner)



[Signature]

(Notary)
Residing in Salt Lake County, Utah
My commission expires: 12/29/2028

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Foresite Design Group, L.C. shall be without liability to Foresite Design Group, L.C.



PLANT SCHEDULE PARCEL A

SYMBOL	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
TREES					
	Acer tataricum / Tatarian Maple	B & B	2"		12
	Gleditsia triacanthos inermis 'Shademaster' TM / Shademaster Locust	B & B	2"		3
	Picea pungens 'Baby Blue' / Baby Blue Colorado Spruce	B & B	7'-9"		4
	Pinus nigra 'Arnold Sentinel' / Arnold Sentinel Austrian Black Pine	B & B	7'-9"		5
SHRUBS					
	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily	1 gal			19
	Juniperus horizontalis 'Bar Harbor' / Bar Harbor Creeping Juniper	2 gal			34
	Rhus aromatica 'Autumn Amber' / Autumn Amber Sumac	2 gal			14
	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	2 gal			32
	Spiraea japonica 'Neon Flash' / Neon Flash Spirea	2 gal			19
GRASSES					
	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	2 gal			17
	Calamagrostis x acutiflora 'Overdam' / Overdam Feather Reed Grass	2 gal			22
	Festuca ovina glauca / Blue Sheep Fescue	2 gal			40
	Helictotrichon sempervirens / Blue Oat Grass	2 gal			16
	Miscanthus sinensis 'Gracillimus' / Maiden Grass	2 gal			2
	Pennisetum alopecuroides 'Little Bunny' / Little Bunny Fountain Grass	2 gal			18
	Schizachyrium scoparium / Little Bluestem Grass	2 gal			41

MULCHES / ROCK

	4" Depth of River Cobble, type: Adobe Cobble, Size: 1" to 3" From: Adobe Rock in Stansbury Park, UT, or approved equal, over dewitt pro 5 weed barrier. Cobble to match rock nearby Smith's development.	7,646 sf
	4" Depth of 1" to 1-1/2" of colored crushed rock (browns, reds & grays) over dewitt pro 5 weed barrier.	746 sf

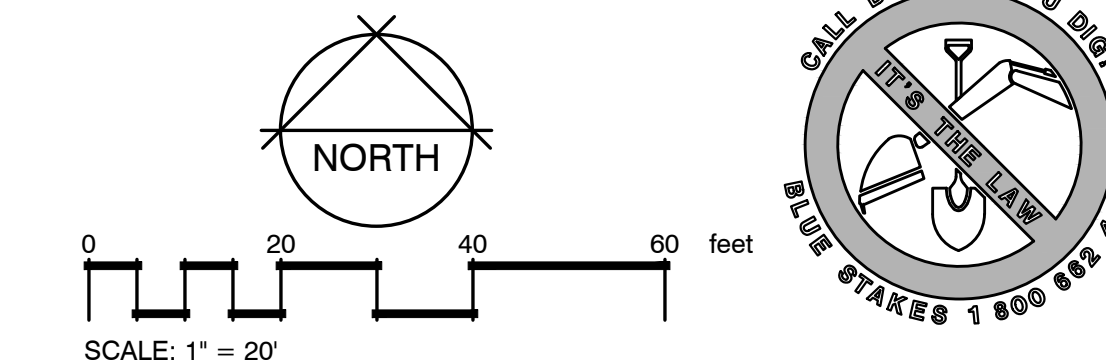
- NOTES:**
- SEE SHEET L-2 FOR LANDSCAPE NOTES AND DETAILS.
 - LANDSCAPE MATERIAL SQUARE FOOTAGES INCLUDE AREAS WITHIN THE PUBLIC RIGHT-OF-WAY.
 - LANDSCAPE ROCK AND BARK MULCH TO BLEND WITH ARCHITECTURAL ELEMENTS AND TO BE SAMPLES TO BE APPROVED BY OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT PRIOR TO DELIVERY.
 - ALL WORK DONE WITHIN THE PUBLIC WAY SHALL BE DONE BY A LICENSED, BONDED AND INSURED CONTRACTOR WHO SHALL FIRST OBTAIN A PUBLIC WAY PERMIT.
 - ALL WORK DONE WITHIN THE PRIVATE PROPERTY SHALL BE DONE BY A LICENSED, BONDED AND INSURED CONTRACTOR.
 - PLANS ARE DIAGRAMMATIC DUE TO SCALE, THEREFORE, IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY QUANTITIES.
 - CONTRACTOR TO PROVIDE 1 YEAR OF MAINTENANCE INCLUDING 4 APPLICATIONS OF FERTILIZER (1 SPRING, 2 SUMMER, AND 1 FALL WITH BROAD LEAF HERBICIDE.
 - LANDSCAPE & IRRIGATION SYSTEM TO BE INSPECTED & IMPROVED BY THE NORTH TOOELE SPECIAL SERVICE DISTRICT PRIOR TO TAKING OVER MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY. SHRUBS, TREES & GRASS TO BE GOOD HEALTHY CONDITION.
 - LANDSCAPE & IRRIGATION SYSTEMS WITHIN THE DEVELOPMENT (NOT IN PUBLIC RIGHT-OF-WAYS) IS TO BE MAINTAINED BY THE DEVELOPMENT.
 - TREES TO BE 2" CALIPER MINIMUM. TYPE TO BE APPROVED BY NORTH TOOELE CITY SPECIAL IMPROVEMENT DISTRICT.
 - SOD TO BE CHANSHARE OR BIOGRASS // KENTUCKY BLUE GRASS MIX.

LANDSCAPE CALCULATIONS SUMMARY

ON SITE LANDSCAPE PROVIDED (REFER TO CIVIL PLANS)

8,392 S.F.	16.36%
TOTAL PROJECT LANDSCAPING	8,392 S.F.
TOTAL LANDSCAPE AREA IN TURF GRASS	0 S.F.
TOTAL AREA IN DROUGHT TOLERANT LANDSCAPE	8,392 S.F.
PERCENT OF LANDSCAPE PLANT MATERIAL AREA VALUE COVERAGE (EXCLUDES TURF GRASS)	100.00% OF LANDSCAPE
135.80% BASED ON "WATER-WISE PLANTS FOR SLC", WITH TREES CALC.	
50.69% BASED ON "WATER-WISE PLANTS FOR SLC", WITHOUT TREES CALC.	
PERCENT OF DROUGHT TOLERANT PLANTS (EXCLUDES TURF GRASS)	98.32% BASED ON CITY WATER CONSERVING PLANT LIST
PERCENT OF LANDSCAPE AREA OF LIVE PLANT COVERAGE (INCLUDES TURF GRASS)	135.80% WITH TREES CALCULATED
50.69% WITHOUT TREES CALCULATED (50% REQUIRED)	
TOTAL REQUIRED TREES (NOT INCLUDING RIGHT-OF-WAY)	23.6 TREES (20 TREES PER ACRE REQUIRED)
TOTAL PROVIDED TREES (NOT INCLUDING RIGHT-OF-WAY)	24 TREES
TOTAL REQUIRED EVERGREEN TREES (NOT INCLUDING RIGHT-OF-WAY)	9.4 TREES (40% OF REQUIRED)
TOTAL PROVIDED EVERGREEN TREES (NOT INCLUDING RIGHT-OF-WAY)	9 TREES
TOTAL REQUIRED SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	58.9 SHRUBS (50 SHRUBS PER ACRE REQUIRED)
TOTAL PROVIDED SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	99 SHRUBS (NOT INCLUDING ORNAMENTAL GRASSES & PERENNIALS)
TOTAL REQUIRED EVERGREEN SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	29.4 SHRUBS (50% OF REQUIRED)
TOTAL PROVIDED EVERGREEN SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	34 SHRUBS
TOTAL REQUIRED DECIDUOUS SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	29.4 SHRUBS (50% OF REQUIRED)
TOTAL PROVIDED DECIDUOUS SHRUBS (NOT INCLUDING RIGHT-OF-WAY)	65.0 SHRUBS

- TREE LOCATION AND FINAL PLACEMENT GUIDELINES:**
- TREES LOCATED ON THESE PLANS ARE BASED ON THE FOLLOWING DESIGN CRITERIA, AND THE DESIGNED LOCATION OF NON LANDSCAPE FACILITIES PROVIDED BY OTHERS, SUCH AS: UTILITIES, SIDEWALKS, BUILDINGS, SIGNS, LIGHTS, ROADWAYS, DRIVEWAYS, AND PROPERTY LINES. THE CONTRACTOR IS TO ADJUST THE FINAL TREE PLANTING PLACEMENT BASED ON THE "AS CONSTRUCTED" LOCATIONS OF THESE NON LANDSCAPE ITEMS.
 - A. 5 FEET FROM WATER METER AND/OR UTILITY BOX.
 - B. 10 FEET FROM FIRE HYDRANT.
 - C. 5-10 FEET FROM RESIDENTIAL DRIVEWAY.
 - D. 5-10 FEET FROM PROPERTY LINE OF ADJOINING PARCEL.
 - E. 5-10 FEET FROM NON-TRAFFIC CONDUCTING SIGNAGE.
 - F. 5-10 FEET FROM UTILITY POLE AND/OR LIGHT.
 - G. 20 FEET FROM AN UNREGULATED INTERSECTION (20 FEET BACK FROM INTERSECTING SIDEWALKS).
 - H. 30 FEET FROM STOP SIGNS.
 - I. 30 FEET FROM COMMERCIAL DRIVEWAY AND/OR ALLEY.
 - J. 40 FEET FROM AN INTERSECTION WITH TRAFFIC LIGHTS (40 FEET BACK FROM INTERSECTING SIDEWALKS).
 - K. 15-20 FEET FROM A TREE THAT IS SMALL IN SIZE AT MATURITY (LESS THAN 30 FEET TALL).
 - L. 20-30 FEET FROM A TREE THAT IS MEDIUM IN SIZE AT MATURITY (30-50 FEET TALL).
 - M. 30-40 FEET FROM A TREE THAT IS LARGE IN SIZE AT MATURITY (MORE THAN 50 FEET TALL).
 - N. TREES AND DEEP-ROOTED VEGETATION MUST MAINTAIN 30" OF CLEARANCE FROM ALL WATER METERS, FIRE HYDRANTS, SPRINKLER LINES SHALL NOT RUN THROUGH METER CANS.



PLANNING, LANDSCAPE ARCHITECTURE & SITE DESIGN SERVICES
 1000 CHALK DRIVE
 DRAPER, UT 84020
 PHONE: 801.841.7464
 www.foresitedesigngroup.com

Foresite
Design Group, L.C.

PEAK AT COMPASS POINT - PARCEL A
 PRELIMINARY LANDSCAPE PLAN
 TOOELE, UTAH

DESIGNER: DCM
 PROJECT PROFESSIONAL: DCM

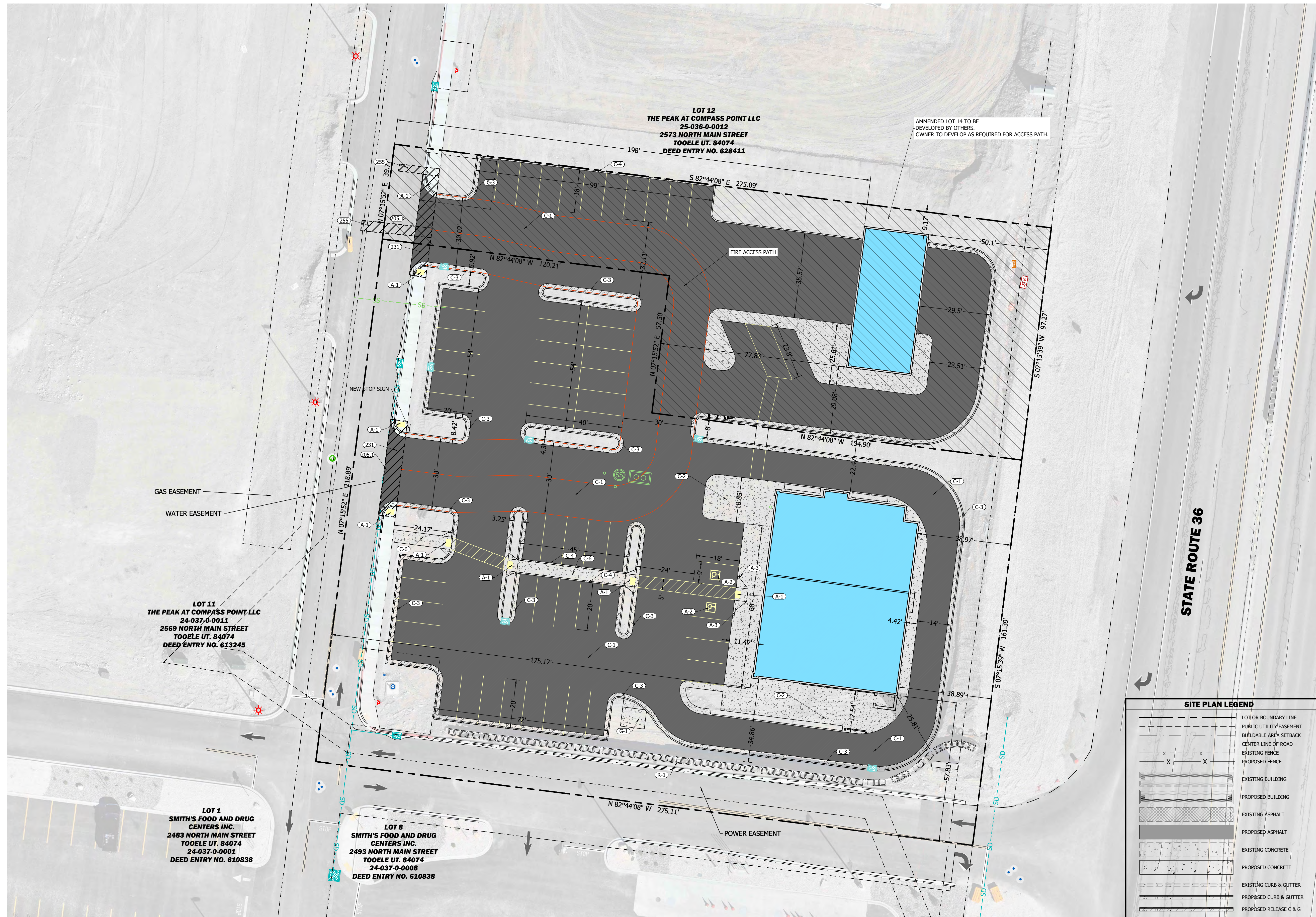
REVISIONS: _____
 NO. _____ BY _____ DATE _____

FILE NAME: SCALE: FDG-330 1"=20'

SHEET: **L-1**

DAN C. MATTA
 No. 106248
 PRELIMINARY

H:\1000\1043035\10 PRODUCTION\C400\4 Plan Set\PLAN SET 1043035.dwg 2026-06-03 9:26:05 AM CHRISTOPHER ARSOLVE



SCALE: 1" = 20'

AREA TABULATION			
	SQ.FT.	ACRES	%
BUILDING	6,300	0.145	9.24%
IMPROVEMENTS	52,255	1.200	76.68%
LANDSCAPE	9,591	0.220	14.07%
TOTAL	68,146	1.564	100.00%

SYMBOL LEGEND	
205.1	REMOVE AND REPLACE CITY CURB & GUTTER PER APWA PLAN 205.1, SHEET C907 (TYPE A)
231	REMOVE AND REPLACE CITY SIDEWALK PER APWA PLAN 231, SHEET C906
255	REMOVE AND REPLACE CITY ASPHALT PER APWA PLAN 255, SHEET C906
A-1	ACCESSIBLE PARKING AREA & SIDEWALK RAMP PER DETAIL, SHEET C905
A-2	INTERNATIONAL ACCESSIBLE PARKING SYMBOL PER DETAIL, SHEET C905
A-3	ADA PARKING SIGN - VAN ACCESSIBLE TYPE PER DETAIL, SHEET C905
C-1	PRIVATE ASPHALT SECTION PER DETAIL, SHEET C906
C-2	PRIVATE CONCRETE SLAB SECTION PER DETAIL, SHEET C906
C-3	PRIVATE CONCRETE CURB & GUTTER PER DETAIL, SHEET C906
C-4	PRIVATE CONCRETE CURB WALL PER DETAIL, SHEET C906
C-5	PRIVATE CONCRETE SIDEWALK PER DETAIL, SHEET C906
C-6	PRIVATE CONCRETE SIDEWALK PER DETAIL, SHEET C906
C-7	PRIVATE DUMPSTER ENCLOSURE PER DETAIL, SHEET C906
C-8	EX MINOR CONCRETE RETAINING

ALL IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS AND SPECIFICATIONS.

SITE PLAN LEGEND	
	LOT OR BOUNDARY LINE
	PUBLIC UTILITY EASEMENT
	BUILDABLE AREA SETBACK
	CENTER LINE OF ROAD
	EXISTING FENCE
	PROPOSED FENCE
	EXISTING BUILDING
	PROPOSED BUILDING
	EXISTING ASPHALT
	PROPOSED ASPHALT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	EXISTING CURB & GUTTER
	PROPOSED CURB & GUTTER
	PROPOSED RELEASE C & G
	ADA PARKING
	STREET LIGHT
	POWER POLE
	TELEPHONE POLE
	UTILITY POLE
	STREET SIGN
	EXISTING RETAINING WALL
	PROPOSED RETAINING WALL
	EXISTING ROCK WALL
	PROPOSED ROCK WALL

ACCESSIBLE AREA CONSTRAINTS	
ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:	
ACCESSIBLE PARKING:	MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.
ACCESSIBLE ROUTE:	MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).
ACCESS ROUTE TURNAROUNDS:	A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.
LEVEL LANDING / EXTERIOR DOOR LANDING:	MINIMUM SIZE OF 60"x60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.
ACCESSIBLE EGRESS TO PUBLIC WAY:	MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).
ADA ACCESS RAMPS:	MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

Know what's below. Call 811 before you dig.

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com

Entellus

DEVELOPER

PERRY COMMERCIAL
Contact: Jake Finlinson
17 East Winchester St. #200
Murray, UT 84107
Phone: 801-317-8100
jfinlinson@perrycommercial.net

**PRELIMINARY
NOT FOR
CONSTRUCTION**

THE PEAK AT COMPASS POINT PAD H

2527 NORTH MAIN STREET
LOT 13 THE PEAK AT COMPASS POINT SUBDIVISION AMMENDED
LOCATED IN THE NE 1/4 OF SECTION 09, T.35N., R.4W., S.L.B.8.M.
TOOELE CITY, TOOELE COUNTY, UTAH

REVISIONS	

DRAWN: CSA 2026-06-03
APPROVED: STA 2026-06-03
PROJECT #: 1043035
PLAN SET 1043035.dwg

C400

SITE PLAN

STAFF REPORT

June 18, 2026

To: Tooele City Planning Commission
Business Date: June 24, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Commercial Special Districts Minimum Qualifications– City Code Text Amendment Request

Applicant: Jake Finlinson, representing Perry Homes, Inc.
Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-16a-3, Residential Special Districts Eligibility and Size, Regarding the Minimum Land Requirements Necessary to Qualify for a Commercial Special District.

BACKGROUND

LH Perry Investments has submitted this Ordinance Text Amendment application requesting a specific amendment to Tooele City Code Title 7 Chapter 16a, CSD Commercial Special Districts. Particularly, TCC 7-16a-3, Residential Special Districts Eligibility and Size. No, that is not a typo, the CSD ordinance actually reads “Residential” and will need to be changed. The applicant is the owner of three large but geographically separate parcels. There is about 60 acres at 3100 North Main Street, about 36 acres at 600 West 1000 North and another 51 acres north of the Overlake Golf Course east of the City’s waste water treatment facility. Two of these parcels qualify for a CSD due the parcels being larger than 50 acres. The parcel at 600 West 1000 North does not qualify for a CSD as it is less than the required 50 acres.

The ordinance requires that in order to qualify for a CSD a property must be at least 50 acres and that the property must be “contiguous and developable.” The requirement that the properties be contiguous was intentionally included in the language of the code to prevent random pockets of CSD development from popping up throughout the City on properties of varying sizes and configurations.

The applicant has approximately 147 acres when all three parcels are considered and the text amendment they are proposing would permit a CSD to occur on non-contiguous properties if the aggregate size of the CSD is larger than 125 acres. The proposed amendment would then permit the applicant to propose a CSD for all three of their properties as one development under the same CSD standards. Otherwise they would be required to do separate CSDs for the two properties that qualify and would be prohibited from doing a CSD on the 36 acre property at 600 West 1000 North.

ANALYSIS

If this amendment were to be adopted it would then permit the applicant to write a new and more inclusive zoning code for all three properties at once. That would essentially be the biggest change from the code as it is written today. Are there any detrimental or positive impacts from this? None that City Staff can readily identify. Even if the properties were to develop under the same CSD zoning standards they would still be subject to the same level of review and scrutiny they would have received if they each had their own CSD.

One point to consider. There aren’t that many commercial properties left in the City that would qualify for non-contiguous development remaining in the City of 125 acres or more. There might be some properties large

enough in the Tooele City Business Park (TCBP) but these properties are zoned Industrial and Industrial zones don't qualify for a CSD.

It should also be noted that the 51 acre parcel east of the City's wastewater treatment facility and north of the Overlake Golf Course is not zoned Commercial at this time and is included in the Compass Point RSD. In order for a CSD to qualify on this property the Land Use Map would first need to be amended to a commercial designation and then the RSD changed to include the CSD as part of a Zoning Map Amendment application. These would need to happen before a CSD can be considered on this property.

Ordinances Affected. TCC 7-16a-3. Residential Special Districts Eligibility and Size.

The proposed amendment will change language in the heading of the ordinance section and shall change the word "Residential" to "Commercial" as this ordinance is applicable only to commercially designated properties. This may be been a simple typo or overlook when the original ordinance was drafted but needs to be corrected.

The proposed amendment will add the following language to paragraph 2 of 7-16a-3.

1. In the event the proposed size of the CSD is over 125 acres, the CSD does not need to be contiguous properties.
2. Makes necessary grammatical changes.

Staff Edits. Staff has not proposed any edits to the applicants proposed text.

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 completed their review of the City Code Text Amendment request and has issued the following comment:

1. This proposed ordinance amendment request is sound. Staff cannot identify any detrimental impacts that will result from this amendment and the number of these CSD's in Tooele City will be very limited due to the lack of available commercial parcels large enough to qualify for a CSD.

Engineering and Public Works Review. The Tooele City Engineering Division and Public Works Department

has completed their review of the City Code Text Amendment request and has issued the following comment:

1. No comments from the City Engineer or the Public Works Department.

Noticing. The City staff have issued appropriate public notice as required 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 ordinance amendments to Tooele City Code 7-16a-3. Residential Special Districts Eligibility and Size, regarding minimum land requirements to qualify for a Commercial Special District, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the proposed ordinance amendments to Tooele City Code 7-16a-3. Residential Special Districts Eligibility and Size, regarding minimum land requirements to qualify for a Commercial Special District, based on the following findings:”

1. List findings ...

EXHIBIT A

PROPOSED AMENDMENTS

7-16a-3. Residential Commercial Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Commercial Special District shall first be identified on the Land Use Map of the General Plan and assigned to a commercial land use designation. Mixed-use, special use, and industrial land uses shall not be considered a commercial land use for the purpose of considering eligibility for an CSD.

(2) Size. The minimum size for any application for a Commercial Special District shall be 50 acres. All acreage identified for inclusion in a CSD shall be contiguous and developable. In the event the proposed size of the CSD is over 125 acres, the CSD does not need to be contiguous. Land identified as having any of the following conditions may be included within a CSD but shall not be included in the calculation of minimum acreage for CSD eligibility:

(a) slopes prohibiting development;

(b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;

(c) preservation designations, such as conservation easements;

(d) publicly owned lands; or

(e) properties previously approved for development under a land use application or building permit.

(3) Eligibility. Any application for a Commercial Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an CSD and denied.

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Ordinance Amendment 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 map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information			2026036		
Date of Submission: 4/15/2026 5/6/2026					
Project Name: CSD Text Amendment					
Project Address: Various					
Ordinance(s) Proposed for Amendments: 7-16a-3. (2)					
Proposed Language (What do you want the Ordinance to say): Paragraph 2 of 7-16a-3 shall be replaced with the following: (2) Size. The minimum size for any application for a Commercial Special District shall be 50 acres. All acreage identified for inclusion in a CSD shall be contiguous and developable. In the event the proposed size of the CSD is over 125 acres, the CSD does not need to be contiguous. Land identified as having any of the following conditions may be included within an CSD but shall not be included in the calculation of minimum acreage for CSD eligibility:					
Property Owner(s): Perry Homes, Inc LH Perry Investments, LLC			Applicant(s): Jake Finlinson		
Address: 17 E Winchester St			Address: 17 E Winchester St		
City: Murray	State: UT	Zip: 84107	City: Murray	State: UT	Zip: 84107
Phone: [REDACTED]			Phone: 801-264-8800		
Contact Person: Same as applicant			Address: Same as applicant		
Phone:			City:	State:	Zip:
Cellular: [REDACTED]	Fax: NA		Email: [REDACTED]		

*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.

Note to Applicant:

Ordinance Amendments are made by ordinance. Any change of the City ordinance shall follow all procedures that are established by city and state law. Since the procedures must be followed precisely, the time for amending the ordinance vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

For Office Use Only				2260124	
Received By: <i>[Signature]</i>	Date Received: 5.10.24	Fees: \$2,000.00	App. #:	853259	

1. Why is the ordinance amendment necessary. This amendment will allow for multiple commercial hubs within a large master planned community. This ensures that these hubs have the same design standards to be a cohesive part of the community.

2. How does this proposed ordinance amendment benefit Tooele City as a whole. It ensures consistent design standards across multiple commercial hubs within a master planned community.

3. How does the ordinance as it is currently written not accomplish what you are desiring to accomplish. The ordinance currently has a cap of 50 acres and a contiguous clause.

4. Does this ordinance improve or otherwise impact the health, safety and welfare of Tooele City and its residents. This doesn't negatively impact Tooele City or its residents. It will provide a cohesive design standard across various commercial hubs within a community.

5. Any other pertinent information that will support the ordinance amendment request. This ordinance amendment request is connected to the previous CSD applications that have been submitted by the applicant.

STAFF REPORT

May 22, 2026

To: Tooele City Planning Commission
Business Date: June 24, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Political Signs – City Code Text Amendment Request

Applicant: Tooele City
Request: Request for an amendment to Tooele City Code Title 7, Chapter 25: Signs; regarding the display of political signs in public rights-of-way, the removal of such political signs from public rights-of-way, the regulations of such political signs, and other such regulations concerning political signs as required by Utah Code Title 20A, Chapter 17.

BACKGROUND

During the 2026 General Session of the legislature of the State of Utah House Bill 33 (HB33) was passed providing additional provisions related to the location and display of political signs. The Tooele City Attorney has put together this ordinance amendment in order to amend the City’s Sign Ordinance (7-25) and bring the ordinance into compliance with the recently adopted State law.

ANALYSIS

Tooele City’s Sign Ordinance currently defines a political sign as a “*temporary sign used in connection with a local, state, or national election or referendum.*” Political signs are currently prohibited in all public rights-of-way and are subject to removal. The public right-of-way is the section of property usually containing asphalt road way, curb, gutter, park strip and side walk, usually extending from inside edge of sidewalk to the adjacent side of the road to the other inside edge of sidewalk. The park strip is the unpaved area (usually landscaped) between the sidewalk and the curb. This area is a favored location for the prominent display of political signs and apparently the City’s frequent removal of political signs from the right-of-way has finally reached the ears of our friends in the state legislature.

Ordinances Affected. Tooele City Code Title 7, Chapter 25. Signs.

The proposed amendment will add and remove language to the City’s sign ordinance regarding the display and removal of political signs. A brief synopsis of those changes is described below. The actual code language is included in the exhibits section after this report.

1. Adds a new section to the code regarding “removal, safeguard, and disposal of political signs.”
2. 7-25-2, adds a disclaimer that the City’s sign ordinance is not intended to regulate political signs except as permitted by Utah State Code.
3. 7-25-3, clarifies the definition of abandoned sign to not include a political sign as defined by Utah State Code.
4. 7-25-3, amends the definition of a political sign to that of the Utah State Code.
5. 7-25-4, removes political signs from the “prohibited” signs section according to Utah State Code.
6. 7-25-6, exempts political signs from the permitting requirements as per Utah State Code.

7. 7-25-12, political signs are permitted in all zoned districts as per Utah State Code.
8. 7-25-19, exempts signs from the right-of-way prohibition as per Utah State Code.
9. 7-25-20, exempts political signs from consideration as abandoned signs as per Utah State Code.
10. 7-25-8, eliminates "Board of Adjustment" from the variances section of the code.
11. 7-25-30, add disclaimer that political signs are not subject to the removal requirements of other signs and are regulated by Utah State Code.
12. Adds a new section to the code about the removal, safeguard and disposal of political signs as required by Utah State Code.

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 completed their review of the City Code Text Amendment request and has not issued any comments.

Engineering and Public Works Review. The Tooele City Engineering Division and Public Works Department has completed their review of the City Code Text Amendment request and has issued the following comment:

1. No comments from the City Engineer or the Public Works Department.

Noticing. The City staff have issued appropriate public notice as required 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

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 affect 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 ordinance amendments to Tooele City Code Title 7, Chapter 25, Signs, regarding the removal, safeguard and disposal of political signs, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the proposed ordinance amendments to Tooele City Code Title 7, Chapter 25, Signs, regarding the removal, safeguard and disposal of political signs, based on the following findings:”

1. List findings ...

EXHIBIT A

PROPOSED AMENDMENTS

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

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Political Signs Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Jordan D. Teuscher
Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill amends provisions related to political signs.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ specifies the form and placement of the disclosure statement for political advertisements;
- ▶ creates an exception to political advertising disclosure requirements for certain candidate-paid political signs;
- ▶ reduces the size dimensions of a political sign that is exempt from disclosing, on the sign, the person who paid for the sign;
- ▶ prohibits a person from:
 - attaching a political sign to a utility pole, light pole, an electric utility box, a traffic control device, or any railroad sign or signal; or
 - affixing an object to a political sign for the purpose of blocking, concealing, or misrepresenting the message or image on the political sign;
- ▶ expands existing criminal penalties for defacing political signs to cover the conduct described above, and specifies exceptions for:
 - a person who removes a political sign that does not contain the disclosure described above;
 - a person who removes a political sign that violates the prohibition on electioneering in or near a polling place;
 - a government employee who removes a political sign in the course of the government employee's duties;
 - a person who removes an object that blocks or conceals a political sign; or

- 28 • a person who removes a political sign that is attached to a utility pole, light pole, an
 29 electric utility box, a traffic control device, or any railroad sign or signal;
- 30 ▸ requires each county and municipality to designate one or more locations where a person
 31 who removes a political sign may deposit the political sign for safekeeping or disposal;
- 32 ▸ requires a person who removes a political sign under specified circumstances to deposit
 33 the sign at a designated location described above;
- 34 ▸ for a county or municipality that receives a political sign, requires the county or
 35 municipality to:
- 36 • contact the owner of the political sign; and
- 37 • notify the owner to take possession of the political sign;
- 38 ▸ authorizes a county or municipality to, in certain circumstances:
- 39 • dispose of a political sign; and
- 40 • seek reimbursement from the owner of the political sign for the sign's safekeeping or
 41 disposal;
- 42 ▸ prohibits a county or municipality from prohibiting a property owner or lawful occupant
 43 of property adjacent to a park strip from posting a political sign on the park strip; and
- 44 ▸ makes technical and conforming changes.

45 **Money Appropriated in this Bill:**

46 None

47 **Other Special Clauses:**

48 This bill provides a special effective date.

49 **Utah Code Sections Affected:**

50 AMENDS:

51 **20A-11-901 (Effective 01/01/27)**, as last amended by Laws of Utah 2022, Chapter 18

52 **20A-17-102 (Effective 05/06/26)**, as enacted by Laws of Utah 2014, Chapter 238

53 **20A-17-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 15

54 ENACTS:

55 **20A-17-101.5 (Effective 05/06/26)**, Utah Code Annotated 1953

56 **20A-17-104 (Effective 05/06/26)**, Utah Code Annotated 1953

57

58 *Be it enacted by the Legislature of the state of Utah:*

59 Section 1. Section **20A-11-901** is amended to read:

60 **20A-11-901 (Effective 01/01/27). Political advertisements -- Requirement that**
 61 **ads designate responsibility and authorization -- Report to lieutenant governor --**

62 **Unauthorized use of endorsements.**

63 (1)(a) Whenever any person makes an expenditure for the purpose of financing an
64 advertisement expressly advocating for the election or defeat of a clearly identified
65 candidate, or solicits any contribution through any broadcasting station, newspaper,
66 magazine, outdoor advertising facility, direct mailing, or any other type of general
67 public political advertising, the advertisement:

- 68 (i) if paid for and authorized by a candidate or the candidate's campaign committee,
69 shall clearly state that the advertisement has been paid for by the candidate or the
70 campaign committee;
- 71 (ii) if paid for by another person but authorized by a candidate or the candidate's
72 campaign committee, shall clearly state who paid for the advertisement and that
73 the candidate or the campaign committee authorized the advertisement; or
- 74 (iii) if not authorized by a candidate or a candidate's campaign committee, shall
75 clearly state the name of the person who paid for the advertisement and state that
76 the advertisement is not authorized by any candidate or candidate's committee.

77 (2)(a) A person that makes an expenditure for the purpose of financing an advertisement
78 related to a ballot proposition shall ensure that the advertisement complies with
79 Subsection (2)(b) if the advertisement expressly advocates:

- 80 (i) for placing a ballot proposition on the ballot;
- 81 (ii) for keeping a ballot proposition off the ballot;
- 82 (iii) that a voter refrain from voting on a ballot proposition; or
- 83 (iv) that a voter vote for or against a ballot proposition.

84 (b) An advertisement described in Subsection (2)(a) shall:

- 85 (i) if paid for by a political issues committee, clearly state that the advertisement was
86 paid for by the political issues committee;
- 87 (ii) if paid for by another person but authorized by a political issues committee,
88 clearly state who paid for the advertisement and that the political issues committee
89 authorized the advertisement; or
- 90 (iii) if not authorized by a political issues committee, clearly state the name of the
91 person who paid for the advertisement and state that the advertisement is not
92 authorized by any political issues committee.

93 (3) The disclosure statement described in Subsections (1) and (2) shall:

- 94 (a) clearly and conspicuously identify for the reader, observer, or listener the person who
95 paid for the advertisement and, where required, the authorization related to the

96 advertisement; and

97 (b) if the advertisement is a billboard or outdoor advertising facility, include text that is
 98 large enough to be easily readable by an ordinary observer at a reasonable distance
 99 from which the advertisement is intended to be viewed.

100 ~~[(3)]~~ (4) The requirements of Subsections (1) and (2) do not apply to:

101 (a) ~~[lawn signs with dimensions of four by eight feet or smaller]~~ an advertisement that is
 102 a political sign, as that term is defined in Section 20A-17-101.5, that:

103 (i) is less than 24 by 18 inches; or

104 (ii)(A) is paid for and authorized by a candidate or the candidate's campaign
 105 committee; and

106 (B) clearly and conspicuously identifies that candidate by name;

107 (b) bumper stickers;

108 (c) campaign pins, buttons, and pens; or

109 (d) similar small items upon which the ~~[disclaimer]~~ disclosure statement cannot be
 110 conveniently printed.

111 ~~[(4)]~~ (5)(a) A person who is not a reporting entity and pays for an electioneering
 112 communication shall file a report with the lieutenant governor within 24 hours of
 113 making the payment or entering into a contract to make the payment.

114 (b) The report shall include:

115 (i) the name and address of the person described in Subsection ~~[(4)(a)]~~ (5)(a);

116 (ii) the name and address of each person contributing at least \$100 to the person
 117 described in Subsection ~~[(4)(a)]~~ (5)(a) for the purpose of disseminating the
 118 electioneering communication;

119 (iii) the amount spent on the electioneering communication;

120 (iv) the name of the identified referenced candidate; and

121 (v) the medium used to disseminate the electioneering communication.

122 ~~[(5)]~~ (6) A person may not, in order to promote the success of any candidate for nomination
 123 or election to any public office, or in connection with any question submitted to the
 124 voters, include or cause to be included the name of any person as endorser or supporter
 125 in any political advertisement, circular, poster, or publication without the express
 126 consent of that person.

127 ~~[(6)]~~ (7)(a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any
 128 newspaper or other periodical to induce the owner, editor, publisher, or agent to
 129 advocate or oppose editorially any candidate for nomination or election.

130 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to
131 advocate or oppose editorially any candidate for nomination or election.

132 Section 2. Section **20A-17-101.5** is enacted to read:

133 **20A-17-101.5 (Effective 05/06/26). Definitions.**

134 As used in this chapter:

135 (1) "Contact information" means:

136 (a) as it relates to a candidate for public office or the candidate's personal campaign
137 committee:

138 (i) the address and telephone number for the candidate that the candidate designates
139 on a declaration of candidacy as the address and telephone number where the
140 candidate may be contacted to receive official election notices; or

141 (ii) if the address or telephone number described in Subsection (1)(a)(i) is a protected
142 record under Section 63G-2-305, the alternative address or telephone number that
143 the candidate filing the declaration of candidacy provides to the election officer;
144 and

145 (b) as it relates to a filing entity other than a filing entity who is a candidate for public
146 office, the name, address, and telephone number of an officer for the filing entity that
147 the filing entity provides to the lieutenant governor in a statement of organization or
148 financial statement filed under Chapter 11, Campaign and Financial Reporting
149 Requirements.

150 (2) "Filing entity" means the same as that term is defined in Section 20A-11-101.

151 (3) "Local government entity" means:

152 (a) a county, municipality, or other political subdivision;

153 (b) a special district, as defined in Section 17B-1-102;

154 (c) a special service district, as defined in Section 17D-1-102;

155 (d) a local building authority, as defined in Section 17D-2-102;

156 (e) a conservation district, as defined in Section 17D-3-102;

157 (f) an independent entity, as defined in Section 63E-1-102;

158 (g) a public corporation, as defined in Section 63E-1-102;

159 (h) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public Transit
160 District Act;

161 (i) a school district;

162 (j) a public school, including a charter school or other publicly funded school;

163 (k) a state institution of higher education;

- 164 (l) an entity that expends public funds; and
 165 (m) each office, agency, or other division of an entity described in Subsections (3)(a)
 166 through (l).
- 167 (4) "Park strip" means the area of land located between a roadway and an adjacent sidewalk.
 168 (5) "Political sign" means any sign that advocates:
 169 (a) the election or defeat of a candidate for public office; or
 170 (b) the approval or defeat of a ballot proposition.
- 171 (6)(a) "Public property" means any real property, building, or structure owned or leased
 172 by a local government entity.
 173 (b) "Public property" does not include any real property, building, or structure during a
 174 period of time that the real property, building, or structure is rented out by a
 175 government entity to a private party for a meeting, convention, or similar event.
- 176 (7) "Railroad sign or signal" means the same as that term is defined in Section 41-6a-102.
 177 (8)(a) "Roadway" means:
 178 (i) a state highway, as described in Section 72-3-102;
 179 (ii) a county road, as described in Section 72-3-103;
 180 (iii) a city street, as described in Section 72-3-104;
 181 (iv) a class D road, as described in Section 72-3-105; or
 182 (v) a rail-based fixed guideway operated by a large public transit district.
- 183 (b) "Roadway" includes:
 184 (i) the right-of-way for a roadway; and
 185 (ii) infrastructure appurtenant to a roadway that is owned, maintained, or controlled
 186 by:
 187 (A) a county or municipality;
 188 (B) a large public transit district organized under Title 17B, Chapter 2a, Part 8,
 189 Public Transit District Act; or
 190 (C) the Department of Transportation created in Title 72, Chapter 1, Part 2,
 191 Department of Transportation.
- 192 (9) "Sign owner" means a person who owns a political sign and, under Subsection
 193 20A-11-901(1) or (2), is required to include a disclosure statement on the political sign.
 194 Section 3. Section **20A-17-102** is amended to read:
 195 **20A-17-102 (Effective 05/06/26). Political signs -- Prohibition on vandalism --**
 196 **Exceptions.**
 197 [(1) Except as provided in Subsection (2), a person is guilty of a class B misdemeanor if the

- 198 ~~person knowingly removes, alters, defaces, or otherwise vandalizes a sign:]~~
199 ~~[(a) advocating the election or defeat of a candidate for public office; or]~~
200 ~~[(b) advocating the approval or defeat of a ballot proposition.]~~
- 201 (1) Except as provided in Subsection (3) or (5), a person is guilty of a class B misdemeanor
202 if the person knowingly:
- 203 (a) removes, disposes of, alters, defaces, or otherwise vandalizes a political sign; or
204 (b) attaches or affixes any object to a political sign, including another political sign, and
205 the object:
- 206 (i) hides, blocks, obscures, or otherwise substantially conceals from view the
207 message or image on the political sign; or
208 (ii) changes or misrepresents the intent of the message on the political sign.
- 209 (2) A person is guilty of an infraction if the person knowingly attaches or affixes a political
210 sign to a utility pole, light pole, an electric utility box, a traffic control device, or any
211 railroad sign or signal.
- 212 ~~[(2)]~~ (3) A person is not guilty of a violation of Subsection (1) if the person who engages in
213 the conduct described in Subsection (1) is:
- 214 (a) ~~[as it relates to a sign described in Subsection (1)(a), the candidate or an agent of the~~
215 ~~candidate]~~ the sign owner;
- 216 (b) ~~[as it relates to a sign described in Subsection (1)(b),]~~ the person who placed the
217 political sign, the person who directed the placement of the political sign, or an agent
218 of either;
- 219 (c) a property owner of property or of a right-of-way adjacent to property on which the
220 political sign is placed, or the property owner's agent; or
- 221 (d) a public official [who removes the sign in accordance with an official duty of the
222 public official] or government employee who removes the political sign in accordance
223 with the duties of the public official or government employee.
- 224 (4) A sign owner that posts or displays a political sign on a roadway shall ensure that the
225 political sign is removed from the roadway no later than 14 calendar days after the day
226 of the election to which the political sign relates.
- 227 (5) Notwithstanding Subsection (1)(a), any person may:
- 228 (a) in response to another person engaging in the conduct described in Subsection (1)(b),
229 remove the object that is attached or affixed to the political sign;
- 230 (b) in response to another person engaging in the conduct described in Subsection (2),
231 remove the political sign that is attached or affixed to a utility pole, light pole, an

- 232 electric utility box, a traffic control device, or any railroad sign or signal;
 233 (c) remove a political sign that is posted or displayed on a roadway for longer than the
 234 time period described in Subsection (4); or
 235 (d) remove a political sign because:
 236 (i)(A) the size dimensions of the political sign are equal to or greater than the size
 237 dimensions described in Subsection 20A-11-901(4)(a); and
 238 (B) the political sign does not contain the disclosure statement described in
 239 Subsection 20A-11-901(1) or (2); or
 240 (ii) the political sign is posted or displayed in a location that violates the prohibition
 241 against electioneering described in Subsection 20A-3a-501(2)(a)(i).
 242 (6) A person who removes a political sign under Subsection (3)(d) or (5)(d) shall deposit
 243 the political sign at a location described in Subsection 20A-17-104(1).
 244 (7) Nothing in this section limits the prosecution or sentencing of a person who, while
 245 removing a political sign or an object attached or affixed to a political sign under
 246 Subsection (3) or (5), commits an offense under Title 76, Utah Criminal Code.

247 Section 4. Section **20A-17-103** is amended to read:

248 **20A-17-103 (Effective 05/06/26). Posting political signs on public property.**

249 [(1) As used in this section:]

250 [(a) "Local government entity" means:]

251 [(i) a county, municipality, or other political subdivision;]

252 [(ii) a special district, as defined in Section 17B-1-102;]

253 [(iii) a special service district, as defined in Section 17D-1-102;]

254 [(iv) a local building authority, as defined in Section 17D-2-102;]

255 [(v) a conservation district, as defined in Section 17D-3-102;]

256 [(vi) an independent entity, as defined in Section 63E-1-102;]

257 [(vii) a public corporation, as defined in Section 63E-1-102;]

258 [(viii) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public
 259 Transit District Act;]

260 [(ix) a school district;]

261 [(x) a public school, including a charter school or other publicly funded school;]

262 [(xi) a state institution of higher education;]

263 [(xii) an entity that expends public funds; and]

264 [(xiii) each office, agency, or other division of an entity described in Subsections
 265 (1)(a)(i) through (xii).]

- 266 ~~[(b) "Political sign" means any sign or document that advocates:]~~
- 267 ~~[(i) the election or defeat of a candidate for public office; or]~~
- 268 ~~[(ii) the approval or defeat of a ballot proposition.]~~
- 269 ~~[(c)(i) "Public property" means any real property, building, or structure owned or~~
- 270 ~~leased by a local government entity.]~~
- 271 ~~[(ii) "Public property" does not include any real property, building, or structure~~
- 272 ~~during a period of time that the real property, building, or structure is rented out~~
- 273 ~~by a government entity to a private party for a meeting, convention, or similar~~
- 274 ~~event.]~~
- 275 ~~[(2)]~~ (1) A local government entity, a local government officer, a local government
- 276 employee, or another person with authority or control over public property that posts or
- 277 permits a person to post a political sign on public property:
- 278 (a) shall permit any other person to post a political sign on the public property, subject to
- 279 the same requirements and restrictions imposed on all other political signs permitted
- 280 to be posted on the public property; and
- 281 (b) may not impose a requirement or restriction on the posting of a political sign if the
- 282 requirement or restriction is not politically neutral and content neutral.
- 283 (2) A local government entity may not prohibit a person from posting a political sign on a
- 284 park strip if the person:
- 285 (a)(i) is the owner or lawful occupant of property that is adjacent to the park strip; and
- 286 (ii) is required by a local ordinance or an agreement to maintain the park strip; or
- 287 (b) obtains consent to post the political sign from the person described in Subsection
- 288 (2)(a).
- 289 (3) Nothing in this section prohibits a local government entity from regulating the posting
- 290 of a political sign under this section to prevent a traffic, pedestrian, or line-of-sight
- 291 hazard.

Section 5. Section **20A-17-104** is enacted to read:

20A-17-104 (Effective 05/06/26). Safeguarding and disposing of political signs -- County and municipal locations -- Reimbursement from sign owner.

- (1) Each county and each municipality shall designate one or more locations within the county or municipality where an individual who removes a political sign under Subsection 20A-17-102(3)(d) or (5)(d) may deposit the political sign for safekeeping or disposal in accordance with this section.
- (2) Subject to Subsection (3), and except as provided in Subsection (4), a county or

- 300 municipality that receives a political sign at a location described in Subsection (1) shall:
- 301 (a) safeguard the political sign;
- 302 (b) use reasonable efforts to obtain contact information for the sign owner:
- 303 (i) from the election officer for the election to which the political sign relates, if the
- 304 sign owner is a candidate for public office or the candidate's personal campaign
- 305 committee;
- 306 (ii) from the lieutenant governor, if the sign owner is a filing entity other than a filing
- 307 entity who is a candidate for public office or the candidate's personal campaign
- 308 committee; or
- 309 (iii) using any other lawful means available to the county or municipality;
- 310 (c) make a reasonable attempt to contact the sign owner by telephone; and
- 311 (d) notify the sign owner, either during a direct conversation or in a voicemail, that the
- 312 sign owner has five business days after the date of the notice to take possession of the
- 313 political sign.
- 314 (3) If a sign owner receives the notice described in Subsection (2)(d) but does not take
- 315 possession of the political sign by the deadline described in Subsection (2)(d), or, if a
- 316 county or municipality is unable to contact a sign owner under Subsection (2)(c), the
- 317 county or municipality may:
- 318 (a) dispose of the political sign; and
- 319 (b) seek reimbursement from the sign owner in accordance with Subsection (5) for the
- 320 cost of safekeeping or disposing of the political sign, if, during the same election
- 321 cycle:
- 322 (i) the county or municipality has, on three or more previous occasions, received a
- 323 political sign belonging to the same sign owner at a location described in
- 324 Subsection (1); and
- 325 (ii) on each occasion:
- 326 (A) the sign owner did not take possession of the political sign after receiving the
- 327 notice described in Subsection (2)(d); or
- 328 (B) the county or municipality was unable to contact the sign owner under
- 329 Subsection (2)(c).
- 330 (4) A county or municipality that receives a political sign at a location described in
- 331 Subsection (1) may dispose of the political sign if the county or municipality:
- 332 (a) cannot identify the sign owner; or
- 333 (b) cannot obtain contact information for the sign owner under Subsection (2)(b).

- 334 (5)(a) A county or municipality that seeks reimbursement under Subsection (3)(b) shall
335 mail a reimbursement notice to the sign owner using the contact information that the
336 county or municipality obtains under Subsection (2)(b).
- 337 (b) A reimbursement notice shall include:
- 338 (i) the number of political signs safeguarded or disposed of by the county or
339 municipality;
- 340 (ii) subject to Subsection (5)(c), the reimbursement amount; and
- 341 (iii) any other information deemed relevant by the county or municipality to obtain
342 reimbursement for safeguarding or disposing of the political sign.
- 343 (c) The reimbursement amount that a county or municipality may seek for a political
344 sign deposited at a location described in Subsection (1) may not exceed \$20 per
345 deposit incident, regardless of the number of political signs belonging to the same
346 sign owner that are included in that deposit.
- 347 (6)(a) Subject to Subsection (6)(b), a sign owner that receives a reimbursement notice
348 under Subsection (5) shall pay the amount specified in the notice no later than 30
349 calendar days after the day on which the reimbursement notice is received in the mail.
- 350 (b) A county or municipality shall provide the sign owner a reasonable opportunity to
351 establish, by a preponderance of the evidence, that the payment of reimbursement is
352 not required.
- 353 (7) A sign owner that receives a reimbursement notice under this section may use campaign
354 funds to pay the reimbursement amount specified in the notice.
- 355 **Section 6. Effective Date.**
- 356 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.
- 357 (2) The actions affecting Section 20A-11-901 (Effective 01/01/27) take effect on January
358 1, 2027.

CHAPTER 25. SIGNS

- 7-25-1. Title.
- 7-25-2. Purpose and scope.
- 7-25-3. Definitions.
- 7-25-4. Signs prohibited.
- 7-25-4.1 Electronic billboards prohibited.
- 7-25-5. Permits required.
- 7-25-6. Signs not requiring permits.
- 7-25-7. Maintenance.
- 7-25-8. Electronic signs.
- 7-25-8.1 Lighting.
- 7-25-9. Changeable copy.
- 7-25-10. Sign contractor's license.
- 7-25-11. Indemnification and insurance.
- 7-25-12. Signs permitted in all zoning districts.
- 7-25-13. Signs permitted in residential zoning districts.
- 7-25-14. Signs permitted in commercial zoning districts.
- 7-25-14.1. Repealed. (Ord, 2020-42)
- 7-25-15. Signs permitted in industrial zoning districts.
- 7-25-16. Nonconforming signs.
- 7-25-17. Loss of legal nonconforming status.
- 7-25-18. Maintenance and repair of nonconforming signs.
- 7-25-19. Signs in clear view zones - signs in the public right-of-way.
- 7-25-20. Abandoned signs.
- 7-25-21. Construction specifications.
- 7-25-22. Community Development Department duties.
- 7-25-23. Application for permits.
- 7-25-24. Permit fees.
- 7-25-25. Issuance and denial.
- 7-25-26. Permit conditions, refunds and penalties.
- 7-25-27. Inspection upon completion.
- 7-25-28. Variances.
- 7-25-29. Violations procedure.
- 7-25-30. Removal of signs.
- 7-25-30.1. Removal, safeguard, and disposal of political signs.
- 7-25-31. Violations.
- 7-25-32. Appeals.
- 7-25-33. Conflict.
- 7-25-34. Severability.
- 7-25-35. Message Substitution.

7-25-1. Title.

This chapter shall be known as the Tooele City Sign Ordinance.
(Ord. 1994-27, 12-19-1994)

7-25-2. General principles - purpose - scope.

(1) Tooele City is a growing community close to the Salt Lake City metropolitan area. The City has an economic base that relies increasingly on tourism and

retail sales activity. In order to preserve the City as a desirable community in which to live, recreate, and do business, a pleasing, visually attractive business environment is of foremost importance. The regulation of signs within the City is a highly contributive means by which to achieve this desired end. The sign regulations in this Chapter are prepared with the intent of enhancing the City's business environment and promoting the continued well-being of the City.

(2) It is the purpose of this Chapter to promote the public health, safety, and general welfare through a comprehensive system of reasonable, consistent, and nondiscriminatory sign standards and requirements. These sign regulations are intended to:

(a) Enable the identification of places of residence and business.

(b) Allow for the communication of information necessary for the conduct of commerce.

(c) Lessen hazardous situations, confusion, and visual clutter caused by proliferation, improper placement, excess illumination, animation, and excessive height, area, and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

(d) Enhance the attractiveness and economic well-being of the City as a place to live, recreate, and conduct business.

(e) Protect the public from the dangers of unsafe, improperly placed, cluttered, and poorly maintained signs, as well as other hazardous conditions caused by signs.

(f) Permit signs that fit in their locational and architectural context and that aid pedestrian and vehicular orientation, and preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs.

(g) Encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain.

(h) Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.

(i) Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.

(j) Regulate signs in a manner so as to not interfere with, obstruct vision of, or distract motorists, bicyclists, or pedestrians.

(k) Require signs to be constructed, installed, and maintained in a safe and aesthetic manner.

(l) Preserve and enhance the natural and scenic characteristics of this historic community.

(3) The use of signs is regulated according to zoning district. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this Chapter.

(4) This Chapter is not intended to regulate building design, official traffic signs, ~~political signs not located in the public right-of-way~~, the copy and message of signs, signs not intended to be viewed from a public right-of-way, window displays, product dispensers and point of

purchase displays, scoreboards on athletic fields, flags of any nation, government, or noncommercial organization, gravestones, religious symbols, commemorative plaques, the display of street numbers, or any display or construction not defined herein as a sign. **This Chapter is also not intended to regulate political signs, except as provided in and permitted by Utah Code Title 20A, Chapter 17, as amended.** (Ord. 2013-03, 06-19-2013); (Ord. 2010-06, 05-19-2010); (Ord. 1994-27, 12-19-1994)

7-25-3. Definitions.

As used in this chapter:

"A-frame sign" means a portable sign made of two pieces connected by hinges or other hardware and forming the shape of a capital "A" or an inverted "V" when in use.

"Abandoned sign" means a sign which no longer appears to identify, provide directions to, or advertise a current business establishment, service, product, good, event, or activity, or for which no legal owner or lessor can be found upon reasonable diligence.

"Abandoned sign" does not include a political sign as defined in Utah Code Title 20A, Section 17, as amended.

"Animated sign" means a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Animated signs include:

(1) "naturally energized" signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, sails, fins, banners, pennants, streamers, spinners, whirligigs, metallic disks, or other similar devices designed to move in the wind;

(2) "mechanically energized" signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives; and,

(3) "electrically energized" signs which are illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:

(a) "flashing signs" which are illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination is either the same as or less than the duration of the period of darkness and in which the intensity of illumination varies from zero to 100% during the programmed cycle; and

(b) "illusionary movement signs" which are illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

"Area" - see "sign, area."

"Awning" means a shelter projecting from and supported by the exterior wall of a building constructed of rigid or nonrigid materials on a supporting framework.

"Awning sign" means a sign painted on, printed on, or attached flat against the surface of an awning.

"Back lit awning" - see "electric awning sign."

"Banner sign" means a sign made of fabric or any nonrigid material with no enclosing framework.

"Billboard" - see "off-premise sign."

"Building" means any structure used or intended to be used for the shelter or enclosure of persons, animals, or property.

"Canopy (building)" means a rigid multi-sided structure covered with fabric, metal, or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. It may be illuminated by means of internal or external sources.

"Canopy (freestanding)" means a rigid multi-sided structure covered with fabric, metal, or other material and supported by columns or posts embedded in the ground. It may be illuminated by means of internal or external sources.

"Canopy sign" means a sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.

"Changeable copy sign" means a sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include:

(1) "manually activated signs" whose alphabetic, pictographic, or symbolic information content can be changed or altered by manual means;

(2) "electrically activated signs" whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. These signs include:

(a) fixed message electronic signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, public service announcements, or other events subject to prior programming; and

(b) computer controlled variable message electronic signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

"City" means the City of Tooele unless the context clearly discloses a contrary intent.

"Civic Organization" means a community-based company, club, committee, association, corporation, or any other organization or group of persons acting in concert which is composed of persons who are members thereof on a voluntary basis and which is primarily established to further educational, charitable, religious, cultural, or local economic development purposes.

"Clearance" (of a sign) means the smallest vertical distance between the grade of the adjacent street, highway, sidewalk, or street curb and the lowest point of any sign, including framework and embellishments,

extending over that grade.

"Clear view zone" means the area of a corner lot closest to the intersection which is kept free of visual impairment or obstruction in order to allow full view by both pedestrian and vehicular traffic, as further described in Tooele City Code Section 7-2-11.

"Closing sale sign" means a sign advertising a closing sale regulated by Chapter 5-3.

"Construction sign" means a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

"Copy" means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

"Department" means the Tooele City Community Development Department or successor department.

"Directional/information sign" means an on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. Such signs may contain logo provided that the logo may not comprise more than 20% of the total sign area.

"Director" means the Director of the Community Development Department or authorized designee.

"Double-faced sign" means a sign with two faces essentially back-to-back.

"Dwell time" means the length of time that elapses between changes in the text, images, or graphics on an electronic sign.

"Electric awning sign" or "back lit awning" means an internally illuminated fixed space-frame structure with translucent, flexible reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

"Electrical sign" means a sign or sign structure in which electrical wiring, connections or fixtures are used.

"Electronic message center" - see "changeable copy signs, electrically activated."

"Electronic sign" or "digital sign" means any sign, video display, projected image, or similar device with text, images, or graphics generated by solid state electronic components. Electronic signs include, but are not limited to, signs that use light emitting diodes (LED), plasma displays, fiber optics, or other technology that results in bright, high-resolution text, images, and/or graphics.

"Facade" means the entire building front including the parapet.

"Face of sign" means the area of a sign on which the copy is placed.

"Feather sign" means a generally narrow vertical temporary sign with or without copy where the sign is mounted onto a pole or individual mounting device with the intent of utilizing natural or man-made air movement.

"Festoons" means a string of ribbons, tinsel, small flags, or pinwheels.

"Flashing sign" - see "animated sign, electrically

energized."

"Frontage" means the length of the property line of any one premise along an adjacent public right-of-way.

"Frontage, building" means the length of an outside building wall facing a public right-of-way or other primary vehicular access.

"Government sign" means any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

"Ground sign" means a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top.

"Handheld sign" means a temporary sign carried or held by a person.

"Height (of a sign)" means the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

"Identification sign" means a sign whose copy is limited to the name and address of a building, institution, or person or to the activity or occupation being identified.

"Illegal sign" means a sign which does not conform fully to the requirements of this Chapter and which has not received legal nonconforming status.

"Illuminated sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

"Incidental sign" means a small sign, emblem or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

"Inflatable" means any display, with or without copy, that has a final shape supported by gasses enclosed within a container or is continuously supported by blown air.

"Lot" means a parcel of land legally defined on a subdivision map recorded with the county recorder, or a parcel of land defined by a legal record or survey map.

"Low profile sign" or "monument sign" means a sign mounted directly to the ground with maximum height not to exceed 6 feet and a maximum area not to exceed 40 square-feet.

"Maintenance" means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, mechanism, or structure of a sign.

"Mansard" means a sloped roof or roof-like facade architecturally comparable to a building wall.

"Marquee" means a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade or any exterior wall of a building.

"Marquee sign" means any sign attached to or supported by a marquee structure.

"Monument sign" - see "low profile sign."

"Motion" means the depiction of movement or change of position of text, images, or graphics on a sign. Motion

shall include visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

"Multiple-faced sign" means a sign containing 3 or more faces, not necessarily in back-to-back configuration.

"Nameplate" means a nonilluminated on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

"Nonconforming sign" means a sign which was erected legally, but which does not comply with the subsequently enacted provisions of this Chapter.

"Occupancy" means the portion of a building or premises owned, leased, rented, or otherwise lawfully occupied for a given use.

"Off-premise sign" or "billboard" means a sign structure advertising an establishment, merchandise, service, product, or entertainment which is not sold, produced, manufactured, or furnished at the property on which the sign is located.

"Off-site directional sign" means a sign which provides directional assistance to access an establishment conveniently and safely.

"On-premise sign" means a sign which pertains to the use of the premises or property on which it is located.

"Owner" means a person recorded as such on official land or business license records of Tooele County or the City. The owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Department, e.g., a sign leased from a sign company.

"Painted wall sign" means any sign which is applied with paint or similar substance on the surface of a wall.

"Parapet" means the extension of a false front or wall above a roof line.

"Person" means any individual, corporation, association, firm, partnership, or similarly defined interest.

"Point of purchase display" means advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser or a tire display.

"Pole cover" means the cover enclosing or decorating poles or other structural supports of a sign.

"Political sign" ~~has the same meaning ascribed to it in Utah Code Title 20A, Chapter 17, as amended means a temporary sign used in connection with a local, state, or national election or referendum.~~

~~"Political sign owner" has the meaning ascribed to "sign owner" in Title 20A, Chapter 17, as amended.~~

"Premises" means a parcel of land with its appurtenances and buildings.

"Projection sign" means a sign, other than a flat wall sign, which is attached to and projects from a building

wall or other structure.

"Pylon Sign" means an independent sign, greater than 6 feet in height, structurally designed to be fully supported by the earth.

"Real estate sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

"Roof line" means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

"Roof sign" means any sign erected over or on the roof of a building.

"Rotating sign" - see "animated sign, mechanically energized."

"Sign" means any device, structure, fixture, or placard using graphics, symbols, written copy, or other means for the primary purpose of identifying, providing directions to, or advertising any business establishment, product, goods, or services.

"Sign, area":

(1) Projecting and freestanding signs shall have only one side of any double- or multiple-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or more individual cabinets: a rectilinear line of not more than eight sides shall be drawn around and enclosing the perimeter of each cabinet or module. The line lengths and angles shall be measured and the enclosed area calculated. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, support structures, etc., provided that there is no written advertising copy on such embellishments.

(2) The area of wall signs shall be within a single, continuous perimeter composed of any rectilinear line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area containing the letters.

"Snipe sign" means a temporary sign or poster affixed to a tree, fence, utility pole, or similar object or to the ground.

"Subdivision identification sign" means a freestanding or wall sign identifying a recognized subdivision, condominium complex or residential development.

"Temporary sign" means a sign not constructed or intended for long-term use.

"Temporary special event sign" means a sign announcing an event that is scheduled and open to the public. The term "temporary special event" shall not include a grand opening sale, a closing sale, a garage sale, or other similar events.

"Twirl time" means the time it takes for static text, images, and graphics on an electronic sign to change to different text, images, or graphics on a subsequent sign

face.

"Under-canopy sign" means a sign suspended beneath a canopy, ceiling, roof, or marquee.

"Use" means the purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.

"Vehicle sign" means a vehicle utilized for the primary purpose of displaying a sign or of identifying, providing directions to, or advertising any establishment, product, goods, or services. The word "vehicle" includes cars, trucks, and trailers.

(1) Example: a vehicle parked for several days at a location apparently unrelated to the sign on the vehicle is a vehicle sign.

(2) Example: a vehicle containing a sign and parked at the owner's or operator's place of residence or employment is not a vehicle sign.

(3) Example: a bus, taxi, other vehicle containing a sign and operating during the normal course of business is not a vehicle sign.

"Wall sign" means a sign attached essentially parallel to and extending not more than 24 inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

"Wheeled sign" means any sign moved upon or attached to one or more wheels that is not a vehicle sign.

"Window sign" means a sign installed or painted on the inside of a window and intended to be viewed from the outside.

(Ord. 2020-41, 10-07-2020) (Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013) (Ord. 2012-21, 11-21-2012) (Ord. 2010-06, 05-19-2010) (Ord. 2005-21, 09-21-2005) (Ord. 2005-08, 04-20-2005) (Ord. 1994-27, 12-19-1994)

7-25-4. Signs prohibited.

The following signs are prohibited in all zoning districts:

- (1) abandoned signs;
- (2) animated signs, but not changeable copy signs;
- (3) banner signs exceeding 48 square-feet, pennants, festoons, and search lights, except temporary special event signs;
- (4) signs imitating or resembling official traffic or government signs or signals;
- (5) signs, other than government signs and A-frame signs, placed on any public right-of-way, **except insofar as political signs on public rights-of-way are regulated by Utah Code Title 20A, Chapter 17, as amended;**
- (6) signs on the premises of a home occupation advertising that home occupation except as identified in Section 7-25-13;
- (7) off-premise signs and billboards;
- (8) handheld signs;
- (9) vehicle signs;

- (10) wheeled signs;
 - (11) snipe signs;
 - (12) roof signs;
 - (13) inflatable signs located in the Downtown Overlay District;
 - (14) inflatable signs exceeding ten feet in height and two feet in width; and,
 - (15) all other signs not permitted by this Chapter.
- (Ord. 2020-41, 20-07-2020) (Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013) (Ord. 2012-21, 11-21-2012) (Ord. 2002-15, 08-07-2002) (Ord. 1994-27, 12-19-1994)

7-25-4.1 Electronic billboards prohibited.

The conversion, remodeling, rehabilitation, or upgrade of an existing off-premise sign or billboard to an electronic sign or digital sign is prohibited.

(Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013)

7-25-5. Permits required.

Unless otherwise provided by this chapter, all signs shall require permits and payment of fees. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

(Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-6. Signs not requiring permits.

Political signs regulated under Utah Code Title 20A, Chapter 17, as amended, are exempted from permitting requirements. In addition, the following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- (1) construction signs of 16 square-feet or less;
 - (2) directional/information signs of nine square-feet or less;
 - (3) holiday or special events decorations;
 - (4) nameplates of two square-feet or less;
 - ~~(5) political signs;~~
 - (56) public signs or notices, or any sign relating to an emergency;
 - (67) real estate signs;
 - (78) window signs;
 - (89) A-frame signs;
 - (910) banner signs;
 - (101) incidental signs, and,
 - (112) temporary special event signs under Section 7-25-12(9)(f)(ii); and,
 - (123) registered 501(c)(3) organization, schools, and civic organizations fundraising event signs under Section 7-25-12(8).
- (Ord. 2020-41, 10-07-2020) (Ord. 2017-13, 06-07-2017) (Ord. 2013-03, 06-19-2013) (Ord. 2012-21, 11-21-2012) (Ord. 1994-27, 12-19-1994)

7-25-7. Maintenance.

All signs shall be properly maintained. Exposed

surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Department shall have the right under Section 7-25-30 to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

(Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010)
(Ord. 1994-27, 12-19-1994)

7-25-8. Electronic signs.

Where allowed, electronic signs shall conform to the following standards.

(1) Motion. Any motion or appearance of motion is prohibited on an electronic sign face.

(2) Dwell time. Dwell time shall be at least three seconds.

(3) Twirl time. Twirl time shall not exceed 0.25 seconds.

(4) Brightness. Signs shall not exceed 20% of the total space of the illuminated sign to be white or yellow.

(5) Controls. All electronic signs shall contain automatic dimming controls or photocell mechanisms or technologies that automatically adjust sign brightness, dwell time, twirl time, and motion to the standards of this Section.

(6) Size. The maximum portion of a sign that is allowed to be electronic, as opposed to static image, is 75%.

(7) Verification.

The City shall have the right to verify compliance, or to receive additional verification of compliance, with the standards of this Section, upon request.

(Ord. 2020-41, 10-07-2020) (Ord. 2015-02, 02-04-2015)

7-25-8.1 Lighting.

Unless otherwise prohibited by this Chapter, all signs may be illuminated.

(Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013)
(Ord. 1994-27, 12-19-1994)

7-25-9. Changeable copy.

Unless otherwise specified by this chapter, any sign allowed by this Chapter may be a changeable copy sign.

(Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-10. Sign contractor's license.

No person may engage in the business of erecting, altering, relocating, constructing, or maintaining signs without a valid contractor's license and all required state and federal licenses.

(Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-11. Indemnification and insurance.

(1) All persons involved in the maintenance, installation, alteration, or relocation of signs located near or upon any public right-of-way or other public property shall agree to hold harmless and indemnify the City, its officers, agents, and employees against any and all claims

of negligence arising from such work.

(2) All persons involved in the maintenance, installation, alteration, or relocation of signs located near or upon any public right-of-way or other public property shall file with the City Recorder a satisfactory certificate of insurance to indemnify the City against liability.

(Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-12. Signs permitted in all zoning districts.

The following signs are allowed in all zoning districts:

(1) all signs not requiring permits, except those signs prohibited by Section 7-25-4;

(2) one nonilluminated sign for each street frontage of a construction project, not to exceed 48 square feet in sign area in residential zones or 64 square feet in sign area in all other zones, and such signs may be erected 60 days prior to beginning of construction and shall be removed 30 days following completion of construction;

(3) one nonilluminated real estate sign per lot or premises not to exceed twelve square feet in sign area, and such signs must be removed 15 days following sale, rental or lease of the real estate involved;

(4) one nonilluminated attached building nameplate per occupancy, not to exceed two square feet in sign area;

(5) political signs, **as regulated by Utah Code Title 20A, Chapter 17, as amended;**

(6) directional/information signs;

(7) off-site directional signs, not to exceed nine square feet in area, announcing an event which is open to the public and which has a duration of less than seven days. Off-site directional signs allowed under this Section may be placed no sooner than ten days prior to the event opening and shall be removed by the sign permit applicant within three days after the event closing;

(8) Registered 501(c)(3) organizations, schools, and civic organizations fundraising event signs shall be subject to the following time, place, and manner standards:

(a) shall not exceed 12 square-feet in area;

(b) may be ground-mounted or wall-mounted, but not roof-mounted;

(c) if grounded-mounted,

(i) shall not exceed four feet in height;

(ii) shall not be located within a clear view

zone; and,

(iii) shall not have more than two faces;

(d) may be located on any private property with the property owner's prior written authorization, which shall be made available for verification if requested by the city;

(e) shall not exceed four signs per event;

(f) shall not exceed five business days in duration;

(9) temporary special event signs. A temporary special event sign shall be subject to the following time, place, and manner standards:

- (a) shall not exceed 48 square-feet in area;
 - (b) may be ground-mounted or wall-mounted, but not roof-mounted;
 - (c) if ground-mounted,
 - (i) shall not exceed four feet in height;
 - (ii) shall not be located within a clear view zone; and,
 - (iii) shall not have more than two faces;
 - (d) may be located on any private property with the property owner's written authorization;
 - (e) shall not exceed four signs per event; and,
 - (f) may be displayed at the following times:
 - (i) four display periods in each calendar year each not to exceed 21 total days prior, during and after the scheduled event, subject to both a permit and a fee, as listed in the Tooele City Fee Schedule, for each display period; and,
 - (ii) the following established display periods:
 - (A) Martin Luther King Day (Third Monday of January): up to five days before and including the holiday;
 - (B) Valentine's Day (February 14): up to five days before and including the holiday;
 - (C) President's Day (Third Monday of February): up to five days before and including the holiday;
 - (D) Mother's Day (Second Sunday in May): up to five days before and including the holiday;
 - (E) Easter: up to five days before and including the holiday;
 - (F) Memorial Day (Last Monday in May): up to five days before and including the holiday;
 - (G) Father's Day (Third Sunday in June): up to five days before and including the holiday;
 - (H) Independence Day (July 4): up to five days before and including the holiday;
 - (I) Pioneer Day (July 24): up to five days before and including the holiday;
 - (J) Labor Day Father's Day (Third Sunday in June): up to five days before and including the holiday;
 - (K) Veteran's Day (November 11): up to five days before and including the holiday;
 - (L) Thanksgiving Day (Fourth Thursday in November): up to ten days before and including the holiday; and,
 - (M) Christmas Day (December 25) and New Year's Day (January 1): up to 23 days beginning December 10 and ending January 2;
 - (10) grand opening signs, not to exceed 30 days per calendar year; and,
 - (11) closing sale signs.
- (Ord 2020-41, 10-07-2020) (Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013) (Ord. 2011-10, 04-06-2011) (Ord. 2010-06, 05-19-2010) (Ord. 2008-12, 09-03-2008)

7-25-13. Signs permitted in residential zones.

- (1) Signs are allowed as follows in residential zones:
 - (a) all signs as permitted in Section 7-25-12;
 - (b) one subdivision identification sign per street frontage, neighborhood, subdivision or development, not to exceed 48 square feet in sign area in each location;
 - (c) one identification sign per entrance to apartment or condominium complexes, not to exceed 36 square feet in sign area;
 - (d) for permitted nonresidential uses, including churches and synagogues, one freestanding sign, not to exceed 48 square feet in sign area, and one wall sign not to exceed 48 square feet in sign area, except window signs or a sign hung from the front door, no larger than 24 x 18 inches, advertising a home occupation are prohibited;
 - (e) one bus bench sign at each bona fide stop along a public transit route provided the owners of the benches are authorized to operate in Tooele City and advertising on the benches does not exceed 20 square feet in area.
 - (2) All allowed freestanding signs in residential zones shall have a maximum height limit of six feet and shall have a setback of 15 feet from any public right-of-way.
- (Ord. 2020-41, 10-07-2020) (Ord. 1994-27, 12-19-1994)

7-25-14. Signs permitted in commercial zoning districts.

- (1) Signs are allowed as follows in commercial zoning districts:
 - (a) all signs as permitted in Sections 7-25-12 and 7-25-13;
 - (b) one low profile sign per street frontage;
 - (c) one pylon sign per street frontage provided, however, that:
 - (i) building sites located adjacent to a controlled access arterial road (i.e., 106 foot right-of-way) may have no more than one pylon sign for every full 300 feet of road frontage;
 - (ii) building sites located adjacent to a limited access collector road (i.e., 84-foot right-of-way) may have no more than one pylon sign for every full 175 feet of road frontage;
 - (iii) building sites with less than the required frontage may aggregate their respective frontages to qualify for a pylon sign and collocate on the sign pursuant to written collocation agreement filed with the City;
 - (iv) building sites with more than one street frontage shall be limited to one pylon sign;
 - (v) building sites not located adjacent to a controlled access arterial road or limited access collector road shall not have a pylon sign located within 200 feet of said arterial or 100 feet of said collector, respectively;
 - (vi) building sites not located adjacent to a controlled access arterial road or limited access collector road may collocate on an existing pylon sign by

contractual arrangement, not as a matter of entitlement, with the owners and/or tenants of building sites containing pylon signs; and

(vii) pylon signs shall comply with the following minimum design standards:

(A) shall not exceed one square-foot in sign area for each lineal foot of property frontage;

(B) shall not exceed 150 square-feet in area;

(C) shall not exceed 25 feet in height;

(D) shall not be placed closer than 50 feet from adjacent building site property lines; and,

(E) shall not be placed closer than ten feet from a right-of-way property line.;

(d) one wall sign, marquee sign or electric awning sign not to exceed 15% of the aggregate area of building elevation on which the signs are installed, to include window signs and wall-mounted banners;

(e) one under-canopy sign for each separate occupancy or separate entrance not to exceed eight square feet in sign area, and such signs must have a minimum clearance of eight feet to grade;

(f) Repealed. (Ord. 2008-12, 09-03-08).

(g) portable or wheeled signs for new business openings for not more than 15 days;

(h) one projection sign, which may project into the public way up to four feet when not in conflict with state requirements within a designated "Downtown Overlay" or "Mixed Use" zoning district. Projections must be no closer than ten feet horizontally from the top back of curb. The bottom of the sign shall not be less than seven feet above the top back of curb or not less than ten feet above the top back of curb when within a clear view zone;

(i) closing sale signs, subject to Section 5-3-18 (Limitation);

(j) feather signs pursuant to the following:

(i) feather signs shall be no taller than ten feet from the ground at the base of the sign;

(ii) feather signs shall not be located less than five feet from any street right-of-way;

(iii) feather signs shall not be located within any clear view area;

(iv) feather signs shall be allowed in a ratio of one sign for every 50 feet (portions thereof not qualifying for a sign) of street frontage along which the sign is posted; and,

(v) feather signs shall only be located on the property for which they represent or advertise; and,

(k) a business property may not to exceed three temporary signs in total;

(l) banner signs are to be used as supplemental signs only. Permanent signs are required prior to the use of a banner sign, except that new occupants may place a banner sign for a maximum of 75 days while waiting for a permanent sign to be manufactured and installed;

(m) banner signs are allowed pursuant to the

following standards:

(i) Size and dimension. Banner signs shall not exceed 48 square feet nor four feet in height.

(ii) Number of signs. Each business shall have no more than one banner sign. Banner signs are in addition to other signage allowed by this Chapter.

(iii) Appurtenances. No appurtenances may be added or attached to banner signs. Appurtenances include lighting, balloons, items extending beyond the allowed sign dimensions, and mechanical parts.

(iv) Lighting. Banner signs may not be directly illuminated.

(v) Maintenance. All businesses shall maintain their banner signs in good condition. Sagging, tattered, torn, dirty, or faded banners are not permitted.

(vi) Banner signs shall not impede the use of doors, windows, or exits, or interfere with pedestrian traffic on public or private walkways.

(vii) The City is authorized to remove, confiscate, and dispose of banner signs that do not comply fully with all of the above standards after giving business owner one business day notice prior to removal.

(n) (i) A-frame signs are allowed in the Downtown Overlay District and all commercial districts pursuant to the following standards:

(A) Location. The Downtown Overlay District is defined as extending from 100 South Street to Utah Avenue (200 North) and from 50 West Street to Garden Street (50 East). In the Downtown Overlay District only, A-frame signs may be located on the public sidewalk so long as an unobstructed six-foot pedestrian zone is maintained between the building and the signs. In the Downtown Overlay District only, A-frame signs may be located in the public park strip. A-frame signs may be located in front of the building in which the business advertising on the sign is located. For businesses co-locating on a sign, the sign must be located in front of one of the buildings or building units in which the businesses advertising on the sign are located.

(B) Size and dimension. A-frame signs shall not exceed 30 inches wide and 36 inches tall.

(C) Time. To facilitate maintenance of the public park strips and sidewalks, A-frame signs may be placed within the public right-of-way only between the hours of 8:00 a.m. and 10:00 p.m.

(D) Number of signs. Each business within the Downtown Overlay District and commercial zones shall be allowed in a ratio of one A-frame sign for every ten feet of business property frontage, but not to exceed three total permitted signs temporary signs. A-frame signs shall be spaced at minimum ten feet apart. A-frame signs are in addition to other signage allowed by this Chapter but not to exceed three total permitted temporary signs.

(E) Appurtenances. No appurtenances may be added or attached to A-frame signs. Appurtenances include lighting, balloons, items extending beyond the allowed sign dimensions, and mechanical parts.

(F) Lighting. A-frame signs may not be directly illuminated.

(G) Maintenance. All businesses shall maintain their A-frame signs in good order. The term "good order" shall include the following: fully painted inside and out; readable copy firmly affixed to the sign; no rotting or broken wood, hinges, chains, or other parts.

(ii) The City is authorized to remove, confiscate, and dispose of A-frame signs that do not comply fully with all of the above standards with at least one business day notice to the property owner prior to removal.

(2) In commercial zones, where an occupancy is on a corner lot, a minimum clear view zone is to be maintained in a triangulated area at the point of intersection to allow an unobstructed view of oncoming traffic.

(3) In commercial zones, pylon signs shall maintain a minimum clearance of ten feet over any pedestrian use and 14 feet over any vehicular way.

(4) All signs must comply with lighting and other minimum design standards set forth in this Title. (Ord. 2020-41, 10-07-2020) (Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 2005-08, 04-20-2005) (Ord. 2002-15, 08-07-2002) (Ord. 1994-27, 12-19-1994)

7-25-14.1. A-frame signs in the Downtown Overlay District. (Repealed.) (Ord. 2020-41, 10-07-2020) (Ord. 2012-21, 11-21-2012)

7-25-15. Signs permitted in industrial zoning districts.

(1) Signs are allowed as follows in industrial zoning districts:

(a) all signs as permitted in Sections 7-25-12, 7-25-13 and 7-25-14;

(b) one freestanding sign per street frontage not to exceed one square foot of sign area for each lineal foot of property frontage. Signs must not project beyond property lines nor exceed a height of 35 feet. Where street frontage exceeds 300 lineal feet, one additional freestanding sign may be allowed per 300 foot increment;

(c) wall signs not to exceed 30% of the aggregate square footage of the wall area upon which they are installed. Electric awning signs not to exceed 30% of the aggregate square footage of the wall area upon which they are installed. The combination of wall signs and electric awning signs shall not exceed 30% of the allowed wall area;

(d) projecting signs instead of any wall or freestanding signs provided they do not project beyond the property line and maintain a clearance of ten feet over pedestrian area, and 14 feet over vehicular ways;

(e) roof signs where no other sign types can provide effective identification, but they shall be constructed so as to conceal all structure and fastenings, and the height of the roof sign shall not exceed 20% of the total height of the building to which it is attached; and,

(f) incidental signs not to exceed four square-feet in aggregate area per occupancy.

(2) All signs in industrial zones must maintain minimum clearances and construction electrical standards. (Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-16. Nonconforming signs.

Existing signs which do not conform to the specific provisions of this Chapter may be eligible for the designation "legal nonconforming" provided that:

(1) the Department determines that such signs are properly maintained and do not in any way endanger the public; and,

(2) the sign was installed in full compliance with a valid City permit, with a valid City variance (not including a use variance), or with all applicable City laws on the date of installation. (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-17. Loss of legal nonconforming status.

A legal nonconforming sign shall lose this designation if:

(1) the sign is relocated or replaced; or,
(2) the structure or size of the sign is altered in any way except toward compliance with this chapter. This does not refer to change of copy or maintenance. (Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-18. Maintenance and repair of nonconforming signs.

Legal nonconforming signs are subject to all requirements of this Code regarding safety, maintenance, and repair. A legal nonconforming sign may be reconstructed and restored if it is involuntarily destroyed in whole or in part due to fire or other calamity, unless the sign is an abandoned sign. Maintenance shall not include the conversion, modification, remodel, or upgrade of a sign to an electronic sign or digital sign. (Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-19. Signs in clear view zones - signs in the public right-of-way.

(1) Signs in excess of three feet above curb grade or support poles larger than 12 inches in diameter may not be installed in clear view zones. Freestanding signs must have at least ten feet clearance to grade.

(2) **Except insofar as political signs on public rights-of-way are regulated by Utah Code Title 20A, Chapter 17, as amended, no** signs may be located in the public right-of-way except A-frame signs and signs owned and installed by the City or the State of Utah. The Department is authorized to remove, confiscate, and dispose of all signs placed in the public right-of-way in violation of this Chapter.

(Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013)
(Ord. 2012-21, 11-21-2012) (Ord. 1994-27, 12-19-1994)

7-25-20. Abandoned signs.

(1) Except as otherwise provided in this Chapter, any on-premise sign which is located on property that is undeveloped or becomes vacant and unoccupied for a period of one month or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of three months or more.

(2) Any off-premise sign which no longer, and for a period of two consecutive months, advertises goods, products, services or facilities available to the public or which directs persons to a different location where such goods, products, services or facilities are not for a period of two consecutive months available, shall be deemed to have been abandoned.

(3) Abandoned signs shall be removed by the owner of the premises on which the sign is located.

(4) All abandoned signs become a nuisance, per Section 8-4-8 (Nuisance abatement), after six months of evidence of abandonment and as designated by the Building Official.

(5) Abandoned signs do not include political signs which are regulated by Section 7-25-30.1 of this Code, and Utah Code Title 20A, Chapter 17, as amended.
(Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013)
(Ord. 1994-27, 12-19-1994)

7-25-21. Construction specifications.

All signs shall be installed in compliance with building and electrical codes as adopted by the City.
(Ord. 1994-27, 12-19-1994)

7-25-22. Community Development Department duties.

(1) The Department is authorized to process applications for permits, hold public hearings as required, and enforce and carry out all provisions of this Chapter. The Department is authorized to enforce regulations and procedures consistent with this Chapter.

(2) Department personnel are empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the City for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.
(Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010)
(Ord. 1994-27, 12-19-1994)

7-25-23. Application for permits.

Application for a permit for the erection or relocation of a sign shall be made to the Department upon a form

provided by the Department and shall include the following information:

- (1) name and address of the owner of the sign;
- (2) street address or location of the property on which the sign is to be located, along with the name and address of the property owner;
- (3) the type of sign or sign structure as defined in this Chapter;
- (4) a site plan with measurements showing the proposed location of the sign along with the locations of all existing signs on the same premises; and,
- (5) specifications and drawings showing the materials, design, dimensions, components, structural supports, and electrical components of the proposed sign.
(Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010)
(Ord. 1994-27, 12-19-1994)

7-25-24. Permit fees.

All applications for permits filed with the Department shall be accompanied by a payment of the permit fee for each sign as established by the City.
(Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010)
(Ord. 1994-27, 12-19-1994)

7-25-25. Issuance and denial.

(1) The Director shall issue a permit for the erection, structural alteration, or relocation of a sign within five business days of receipt of a completed application, provided that the sign complies with all applicable laws and regulations of the City. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

(2) When a permit is denied, the Zoning Administrator shall, within five business days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity. The Zoning Administrator may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

(Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013)
(Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-26. Permit conditions, refunds and penalties.

(1) If a permit is denied, the permit fee will be refunded to the applicant.

(2) If no inspections have been made and no work authorized by the permit has been performed, the permit fee may be refunded to the applicant upon request, provided that the permit is returned to the Department within five business days of issuance.

(3) If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person of any other requirements or penalties prescribed in this Chapter.

(2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-27. Inspection upon completion.

(1) Any person installing, structurally altering, or relocating a sign for which a permit has been issued shall notify the Department upon completion of the work. The Department may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

(2) The Department may require at the time of issuance of a permit that written notification for an inspection be submitted prior to the installation of certain signs.

(Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-28. Variances.

Any person or entity desiring a waiver or modification of the requirements of this Chapter as applied to a sign, an application for sign permit, or a parcel of property upon which a sign is located or is applied to be located may apply ~~to the Board of Adjustment~~ for a variance from the terms of this Chapter under Section 2-4-7 (Variances) of this Code.

(Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-29. Violations Procedure.

(1) When a violation of this Chapter exists, the Zoning Administrator shall issue a written order to the alleged violator. The order shall specify those sections of this Chapter the individual may be in violation of and shall state that the individual has ten days from the date of the order in which to correct the alleged violation or appeal to the Director.

(2) If, upon inspection, the Department finds that a sign is abandoned or structurally, materially, or electrically defective, or in any way endangers the public, the Zoning Administrator or Building Official shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring the repair or removal of the sign within five days of the date of the order.

(Ord. 2024-23, 08-21-2024) (Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-30. Removal of signs.

(1) The Zoning Administrator may cause the removal and disposal of illegal temporary signs with one business day notice to the sign or property owner. Temporary signs located in the public right-of-way or on public property can be removed without prior notice to the sign owner.

(2) The Zoning Administrator and/or Building Official may cause the removal of an illegal sign in cases of emergency or for failure to comply with the written

orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Department.

(3) If the amount specified in the notice is not paid within five business days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property together with a 10% penalty for collection in the same manner as the real estate taxes.

(4) The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Department, as in the case of a leased sign.

(5) For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support or be a part of the sign.

(6) In cases of emergency, the Zoning Administrator and/or Building Official may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety.

(7) Any temporary sign caused to be removed by the Zoning Administrator or Building Official shall be held for a minimum of five business days before disposal. The owner of the removed sign may retrieve the sign during the time the sign is held but shall not re-install the sign unless done according to and in conformance with the terms of this Chapter.

(8) **This Section shall not apply to political signs, which are regulated by Section 7-25-30.1 of this Code, and Utah Code Title 20A, Chapter 17, as amended.**

(Ord. 2020-41, 10-07-2020) (Ord. 2015-02, 02-04-2015) (Ord. 2013-03, 06-19-2013) (Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-30.1. Removal, safeguard, and disposal of political signs.

(1) In compliance with Utah Code Title 20A, Chapter 17, as amended, the Department may remove a political sign posted on public property that:

(a) does not comply with the regulations under Utah Code Title 20A, Chapter 17, as amended;

(b) remains posted beyond any time limits within Utah Code Title 20A, Chapter 17, as amended; or,

(c) is posted in such a way as to create a traffic, pedestrian, or line-of-sight hazard.

(2) The Department shall comply with Utah Code Title 20A, Chapter 17, as amended, as it pertains to the deposit, safekeeping, disposal, and any notice requirements for any political signs removed by the Department under this Section. The political signs shall be deposited in a location designated by the Director.

(3) If a political sign owner does not take possession of deposited political signs in a timely manner pursuant to

Utah Code Title 20A, Chapter 17, as amended, the City shall assess upon the political sign owner a political sign safekeeping reimbursement fee, as established by the City. The Department shall serve upon the political sign owner notice of the political sign safekeeping reimbursement fee in compliance with Utah Code Title 20A, Chapter 17, as amended. A political sign owner may challenge whether the political sign safekeeping reimbursement fee is required, through the appeal process described in Section 7-25-32.

7-25-31. Violations.

(1) Civil. Unless otherwise provided, a violation of this Chapter is a civil infraction, punishable as follows:

- (a) first violation: \$100 fine;
- (b) second violation: \$250 fine;
- (c) third and subsequent violations: \$500 fine.

(2) Criminal. In addition to the civil penalties provided in this Section, a violation of this Chapter may be charged and prosecuted as a class C misdemeanor.

(Ord. 2024-23, 08-21-2024) (Ord. 2015-14, 04-15-2015)
(Ord. 2013-03, 06-19-2013) (Ord. 1994-27, 12-19-1994)

7-25-32. Appeals.

(1) Any failure to respond to an application within five days of receipt of any decision rendered by an ordinance enforcement officer, a building official, the Zoning Administrator, or any authorized designee, in denying a permit, **in assessing a political sign safekeeping reimbursement fee**, or in alleging a violation of this Chapter may be appealed in writing to the Director.

(2) The action or decision being appealed shall not be stayed pending the outcome of any administrative appeals unless the Director finds that there is good cause to do so.

(3) The Director shall issue a written decision within 30 days of receipt of the appeal. A decision not issued within 30 days of receipt of the appeal shall be deemed a denial of the appeal.

(4) The decision of the Director may be appealed by filing a written appeal **in accordance with Chapter 1-28 of this Code**~~with the Mayor's office within ten days of the date of the Director's decision~~. The Administrative Hearing Officer shall schedule and conduct an informal hearing, shall notify the appellant and the Director of the date and time of the hearing, and shall issue a written decision within 15 days of the hearing. The decision shall be mailed by first-class mail to the appellant.

(Ord. 2020-41, 10-07-2020) (Ord. 2013-03, 06-19-2013)
(Ord. 2010-06, 05-19-2010) (Ord. 1994-27, 12-19-1994)

7-25-33. Conflict.

If any portion of this Chapter is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City, the provision which establishes the higher standard shall prevail.

(Ord. 1994-27, 12-19-1994)

7-25-34. Severability.

Should any word, phrase, sentence, or section of this Chapter be determined to be invalid for any reason by any court of competent jurisdiction wherein the validity of the said word, phrase, sentence, or section was at issue, the invalidity of said provision shall not affect the validity of the balance of this Chapter and said provision shall be considered severable from the balance of this Chapter to the extent that the meaning and clear intent of the balance is not materially affected.

(Ord. 2010-06, 05-19-2010)

7-25-35. Message substitution.

Subject to the land owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This Section does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

(Ord. 2010-06, 05-19-2010)

STAFF REPORT

June 17, 2026

To: Tooele City Planning Commission
Business Date: June 24, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin, City Planner/ Zoning Administrator

Re: Millennial Park Phase 2 – Preliminary Subdivision Plan Request

Application No.: 2025102
Applicant: Larry Jacobson, representing SandRock Development
Project Location: 300 West 400 North
Zoning: MR-16 Multi-Family Residential Zone
Acreage: 1.75 Acres (Approximately 76,230 ft²)
Request: Request for approval of a Preliminary Subdivision Plan in the MR-16 Multi-Family Residential zone regarding the creation of 24 town house style lots.

BACKGROUND

This application is a request for approval of a Preliminary Subdivision Plan for approximately 1.75 acres located at the northeast corner of 300 West and 400 North. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting approval of a Preliminary Subdivision Plan to create 24 individually owned residential lots for the development of townhomes, along with two additional parcels that will be used for common areas and private streets.

The Planning Commission originally approved the Preliminary Subdivision Plan on December 13, 2023. However, pursuant to the applicable approval timeframes established by the Tooele City Code 7-19-8(5)(a), that approval has since expired. The applicant is therefore requesting reapproval of the Preliminary Subdivision Plan to facilitate development of the property as proposed.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High-Density Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High-Density Residential land use designation. Properties to the north and west are also zoned MR-16 and are utilized as a mobile home park and Phase 1 of Millennial Park (to the west). South of the subject property land is zoned R1-7 Residential and are utilized as single-family residential. Properties to the east are zoned R1-7 Residential and are utilized as a mobile home park and some single-family residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposes to split a 1.75-acre parcel into 24 town house style lots, an open space parcel and a private street. The lots within the proposed subdivision range in size from 1,500 square feet at the smallest up to 3,118 square feet at the largest. The narrowest of the lots are 20.8 feet wide and the widest are nearly 36 feet wide. The lots are the width of a town house that are proposed to be constructed thereon. Larger lots will be corner lots. Each lot is large enough to house the footprint of

the town house along with some private yard space in front of and behind the town house. Corner lots have additional private space at the side of the future town house.

The MR-16 zone has no minimum lot size requirement for a multi-family dwelling in order to accommodate small lot town house style multi-family developments. Therefore, the lots as configured do meet the minimum requirements for lot size and lot width as there aren't any minimum requirements. Parcel "B" is a dedicated open space and will be owned and maintained by the development HOA.

All roads within the proposed development will be private roads, owned, maintained and plowed by the development HOA.

This application is a subdivision preliminary plan only and is not a site plan design review application. The purpose of this application is to begin the process to create individual lots for ownership delineation purposes and future development of the property as town houses.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plan request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Subdivision Plan submission and has issued a recommendation for approval for the request with the following comments:

1. This application is for review of the Preliminary Subdivision Plan only and is intended solely to establish individual lots and common area parcels for ownership purposes.
2. Approval of the Preliminary Subdivision Plan does not constitute final plat approval. The applicant shall submit a Final Subdivision Plat application for review and approval in accordance with Tooele City Code requirements prior to recording the subdivision.
3. Development of the property shall be subject to all applicable zoning, engineering, utility, and site development requirements, and any required approvals shall be obtained prior to the issuance of building permits.

Engineering and Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Subdivision Plan submission and have issued a recommendation for approval for the request.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Preliminary Subdivision Plan submission and has issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Subdivision Plan by Larry Jacobson, representing SandRock Development, application number 2025102, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings

- on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
 3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
 4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

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.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Millennial Park Phase 2 Preliminary Subdivision Plan Request by Larry Jacobson, representing SandRock Development for the purpose of creating 24 town house style residential lots, application number 2025102, based on the findings and subject to the conditions listed in the Staff Report dated June 17, 2026:”

1. List findings and conditions...

Sample Motion for Denial – “I move we deny the Millennial Park Phase 2 Preliminary Subdivision Plan Request by Larry Jacobson, representing SandRock Development for the purpose of creating 24 town house style residential lots, application number 2025102, based on the following findings:”

1. List any additional findings...

EXHIBIT A

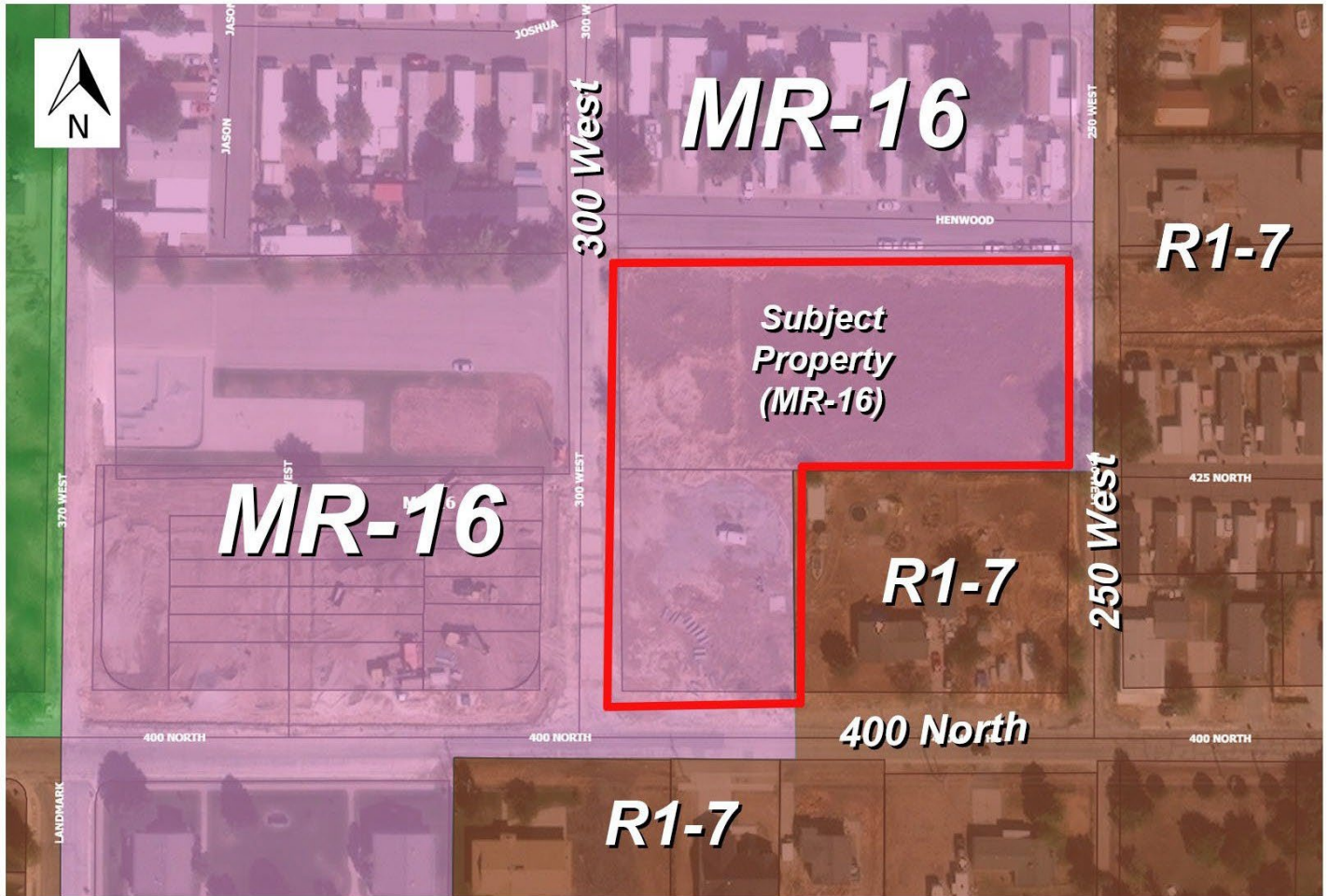
**MAPPING PERTINENT TO THE MILLENNIAL PARK PHASE 2 PRELIMINARY
SUBDIVISION PLAN**

Millennial Park Phase 2 Preliminary Subdivision Plan



Aerial View

Millennial Park Phase 2 Preliminary Subdivision Plan



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

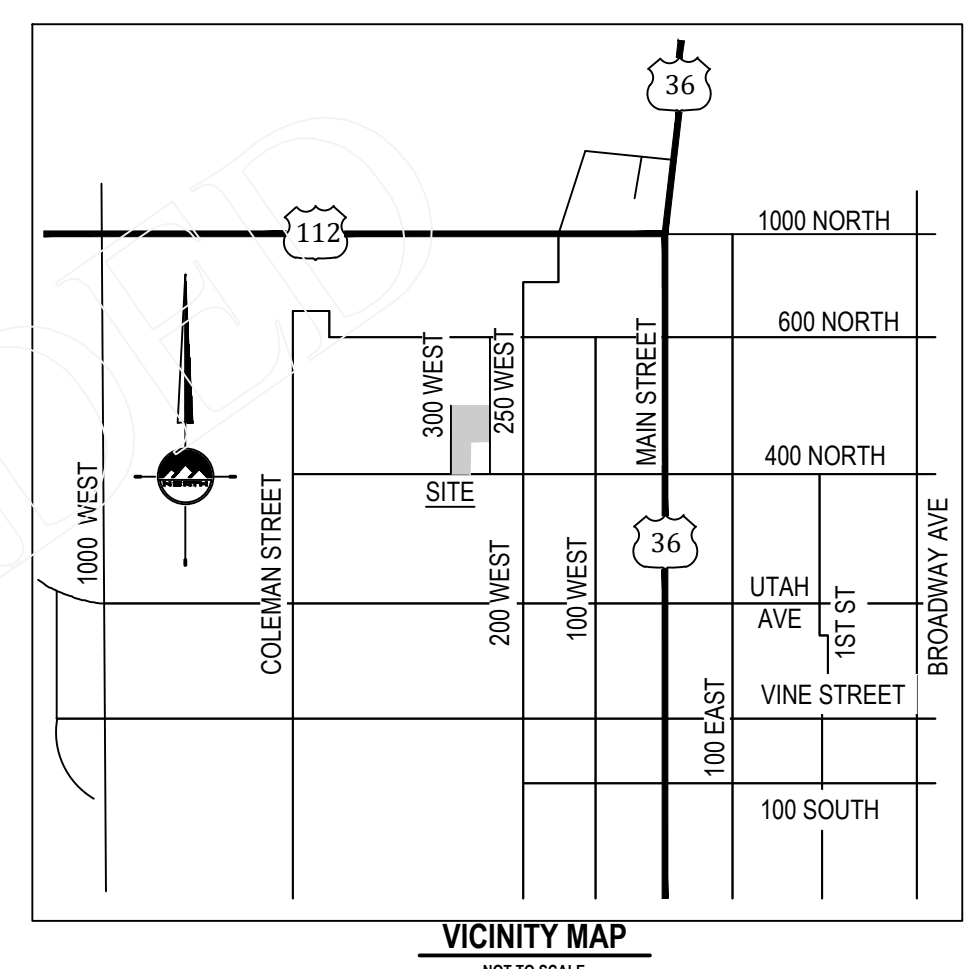
MILLENNIAL PARK SUBDIVISION PHASE 2

PRELIMINARY PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

LEGEND

- SECTION CORNER, EXISTING STREET MONUMENT, PROPOSED STREET MONUMENT, BOUNDARY LINE, CENTER LINE, EASEMENTS, PUBLIC UTILITY, ACCESS, AND DRAINAGE EASEMENT, PUBLIC UTILITY, SEWER, AND DRAINAGE EASEMENT



CURVE TABLE with columns: CURVE, RADIUS, LENGTH, DELTA, BEARING, CHORD. Includes data for C1 with radius 15.00, length 23.86, delta 91°07'28", bearing S43°52'42"E, chord 21.42.

NOTES

- 1. NO DRIVEWAYS SHALL BE CONSTRUCTED SO AS TO SLOPE TOWARD ANY STRUCTURES.
2. EACH LOT IS RESPONSIBLE FOR MAINTAINING THE CITY'S PARK STRIP THAT ADJOINS THAT LOT.
3. PROPERTY RECORDED ON THIS PLAT IS SUBJECT TO THE RULES, REGULATIONS AND DESIGN STANDARDS RECORDED BY MILLENNIAL PARK HOME OWNERS ASSOCIATION.
4. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS AND PARCEL "A" AND PARCEL "B".
5. OFFSET PINS TO BE PLACED IN TOP BACK OF CURB, 3/8" x 24" REBAR WITH YELLOW PLASTIC CAP STAMPED 'ENSGN ENG. & LAND SURV.' TO BE PLACED AT ALL OTHER LOT AND BOUNDARY CORNERS.
6. PARCEL "B" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY MILLENNIAL PARK HOME OWNERS ASSOCIATION.
7. PARCEL "A" TO BE PRIVATE DRIVE AND TO BE OWNED AND MAINTAINED BY MILLENNIAL PARK HOME OWNERS ASSOCIATION.
8. ZONING IS HDR. This note is not necessary.

KEY NOTES

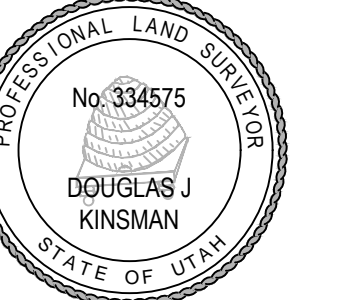
- 1. SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS

SURVEYOR'S CERTIFICATE

I, Douglas J. Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 334575 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act...

BOUNDARY DESCRIPTION

All of Lot 2, and the Westerly 130 feet of Lot 1, Block 5, Tooele City Survey, Plat A, more particularly described as follows:
A parcel of land, situate in the Southwest Quarter of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
Beginning at the Southwest Corner of said Lot 2, which is located North 0°06'31" West 975.64 feet along the measured Section line, and East 1433.38 feet from the Southwest Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:
thence North 1°41'02" East 166.62 feet along the West line of said Lot 2, and the East line of 300 West Street;
thence South 89°11'55" East 331.15 feet along the line between Lots 2 and 3 of said Block 55, to the West line of 250 West Street;
thence South 1°10'07" West 165.89 feet along said West line, and the East line of said Lot 2, to the southeast corner thereof;
thence North 89°19'13" West 201.61 feet along the line between Lots 1 and 2 of said Block 55;
thence South 1°28'44" West 166.33 feet, to the North line of 400 North Street;
thence South 89°26'26" West 131.64 feet along said North line and the South line of said Lot 1, to the East line of 300 West Street;
thence North 1°41'02" East 166.62 feet along the said East line, and the West line of said Lot 1, to the Point of Beginning.



Date: Douglas J. Kinsman, License No. 334575

WEST QUARTER CORNER OF SECTION 21 TOOELE COUNTY SURVEYORS MONUMENT T3S R4W, SLB&M, FOUND 3" BRASS, RING AND LID, (NO DATE)

TOOELE CITY DEVELOPMENT REVIEW
Submission # 3 05/06/2026

APPROVED
ANNA ANGLIN
Tooele City Planner
05/12/2026

APPROVED
N Wall
Fire Marshal
05/14/2026

Approval
P Hansen
City Engineer
05/13/2026

Approval
N Farrer
Public Works Director
5/14/2026

APPROVED
ANNA ANGLIN
Tooele City Planner
05/12/2026

Approval
P Hansen
City Engineer
05/13/2026

APPROVED
ANNA ANGLIN
Tooele City Planner
05/12/2026

Approval
P Hansen
City Engineer
05/13/2026

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City Engineer
05/13/2026

APPROVED
ANNA ANGLIN
Tooele City Planner
05/12/2026

Approval
P Hansen
City Engineer
05/13/2026

ROCKY MOUNTAIN POWER COMPANY
1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27A-803(4)(C)(III) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(1) A RECORDED EASEMENT OR RIGHT-OF-WAY
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
(4) ANY OTHER PROVISION OF LAW.
APPROVED THIS DAY OF 20
ROCKY MOUNTAIN POWER
BY
TITLE

ENBRIDGE GAS
ENBRIDGE GAS UTAH - NOTE WITH NO EXISTING NATURAL GAS EASEMENT QUESTAR GAS COMPANY, DBA ENBRIDGE GAS UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ENBRIDGE GAS UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ENBRIDGE GAS UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.
APPROVED THIS DAY OF 20
QUESTAR GAS COMPANY DBA ENBRIDGE GAS UTAH
BY
TITLE

US POST MASTER
APPROVED THIS DAY OF 20
BY THE US POST MASTER

CITY ATTORNEY
APPROVED AS TO FORM THIS DAY OF 20
TOOELE CITY ATTORNEY

COUNTY TREASURER
REVIEWED THIS DAY OF 20
BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.
TOOELE COUNTY TREASURER

PLANNING COMMISSION
APPROVED THIS DAY OF 20
BY THE TOOELE CITY PLANNING COMMISSION
CHAIRMAN TOOELE CITY PLANNING COMMISSION

HEALTH DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY HEALTH DEPARTMENT.
TOOELE COUNTY HEALTH DEPARTMENT

COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
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RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

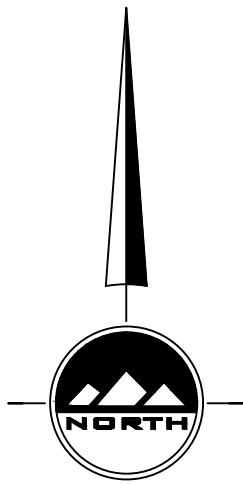
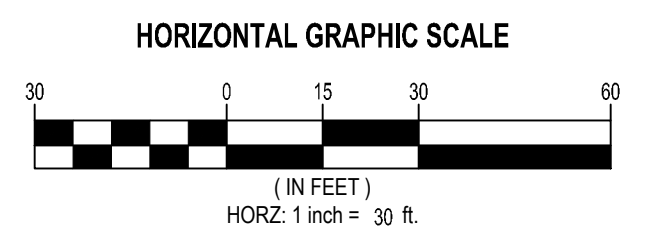
COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

TOOELE CITY LAND USE AUTHORITY
TOOELE CITY PUBLIC WORKS DIRECTOR
TOOELE CITY ENGINEER
TOOELE CITY COMMUNITY DEVELOPMENT DIRECTOR

MILLENNIAL PARK SUBDIVISION PHASE 2 PRELIMINARY PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

SHEET 1 OF 1
PROJECT NUMBER: 82768
MANAGER: D. KINSMAN
DRAWN BY: C. CHILD
CHECKED BY: D. KINSMAN
DATE: 4/24/26



SOUTHWEST CORNER OF SECTION 21 TOOELE COUNTY SURVEYORS MONUMENT T3S R4W, SLB&M, FOUND 3" BRASS, RING AND LID, (DATED 1982)

SCHOOL DISTRICT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SCHOOL DISTRICT
TOOELE COUNTY SCHOOL DISTRICT

COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

COUNTY SURVEY DEPARTMENT
APPROVED THIS DAY OF 20
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2021-0051
TOOELE COUNTY SURVEY DIRECTOR

DEVELOPER
LARRY JACOBSON
6956 WEST GINA ROAD
HERRIMAN, UT. 84096
801-201-3666



Subdivision - Preliminary Plan Application

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



Project Information					
Date of Submission:	Submittal #: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone:	Acres: 1.02	Parcel #(s):	02-065-0008
Project Name:	Millennial Oak Subdivision Phase 2			02-065-009	02-065-0010
Project Address:	300 West 400 North Tooele, UT 84074			02-065-0011	
Project Description:	24 Townhome Units- SFR new Construction		Phases: 2	Lots: 24	
Property Owner(s): Alta Ridge LLC- Alta Ridge Construction LLC Generational Partners llc: Foremost Partners LLC			Applicant(s): Sandrock Development		
Address: PO BOX 780			Address: PO BOX 780		
City: Granstville	State: UT	Zip: 84029	City: Granstville	State:	Zip: 84029
Phone: [REDACTED]	Email: [REDACTED]		Phone: [REDACTED]	Email: [REDACTED]	
Contact Person: <i>Larry Jacobson</i>			Address: PO BOX 780		
Phone: [REDACTED]	City: Granstville		State: UT	Zip: 84029	
Cellular: [REDACTED]	Fax:		Email: [REDACTED]		
Engineer & Company: Ensign Engineering			Surveyor & Company: Ensign Engineering		
Address: 149 s Main St Unit 1			Address: 149 s Main St Unit 1		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State:	Zip: 84074
Phone: 435-843	Email:		Phone:	Email:	

*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.

For Office Use Only					
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:
Fire Flow Test					
Location:	Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):		
Performed By:	Date Performed:	Corrections Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Comments Returned:	Date: <input type="checkbox"/> Yes <input type="checkbox"/> No	

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

I/we, Chad Palmer, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

[Signature]

(Property Owner)

Subscribed and sworn to me this 16th day of JUNE, 2026.

(Property Owner)



[Signature]

(Notary)
Residing in Washington County, Utah
My commission expires: 10/1/26

AGENT AUTHORIZATION

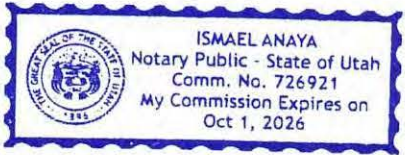
I/we, Chad Palmer, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]

(Property Owner)

Dated this 16th day of JUNE, 2026 personally appeared before me Chad Palmer, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Property Owner)



[Signature]

(Notary)
Residing in Washington County, Utah
My commission expires: 10/1/26

Tooele City Subdivision Application Submittal Checklist

This checklist verifies that the necessary drawings and reports for City review are included in this submittal and will be processed for completeness review (see acknowledgment at the bottom of this page).

City Staff: Will verify that the applicant has provided the following items and that the applicant has signed the Subdivision Review Checklist acknowledgement.

Note: Deficiencies in the application will result in the entire application being returned to the developer for corrections.

Provided Submission Requirements

- Subdivision Application** (including ownership affidavit and receipt of payment of application fees).
- Subdivision Review Checklist** (acknowledgment signed by developer or authorized representative).
- Water Modeling and Sewer Modeling Fees** (receipt of payment included).
- Subdivision Plans** (initial submittal must be submitted in PDF & CAD format on USB Drive or on CD).
 1. Subdivision Plat.
 2. Subdivision Utility Plans.
 3. Subdivision Site Plan.
 4. Plan and Profile Plans.
 5. Landscaping & Irrigation Plans.
- AutoCAD Files of all the subdivision plans.**
- Water Rights.**
- Title Report.**
- Subdivision Boundary and Lot Closure Report.**
- Final Storm Drainage Report.**
- Sanitary Sewer Report.**
- Culinary Water Report.**
- Soils / Geotechnical Report.**
- Traffic Impact Study.**
- Utah Department of Transportation Authorization.**
- Construction Cost Estimate.**

DEVELOPER ACKNOWLEDGEMENT: *By signing this document the developer or the developer's authorized representative acknowledges that immediate processing of this application by City staff is not a formal acceptance by City staff that the application is complete. Once the application is received it will then enter a 14 day completeness review period where staff will verify that all of the material required in the Subdivision Review Checklist has been provided. **If, during the completeness review period it is determined that the application is deficient or lacking any of the required elements the application will be considered incomplete and will not be accepted as a complete submittal.** Once the application is determined to be complete and Subdivision Review Checklist has been satisfied the application will then enter the 20 day formal review period.*

Applicant

Date

**Tooele City Planning Commission
Business Meeting Minutes**

Date: June 10, 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

Amanda Cordova

Weston Jensen

Kelley Anderson

Frank Linfood, Alternate

Excused:

Sarah Faircloth, Alternate

Council Member Liaisons:

Ed Hansen

Jon Gossett

Staff Present:

Andrew Aagard, Community Development Director

Anna Anglin, City Planner

Matt Johnson, City Attorney

Paul Hansen, City Engineer

Minutes Prepared by Teresa Young

1. Pledge of Allegiance

Chairman Hamilton opened the meeting at 7:00 p.m.

Before leading the Pledge of Allegiance, Chairman Hamilton 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

Chris Sloan, Present
Jon Proctor, Present
Amanda Cordova, Present
Weston Jensen, Present
Kelley Anderson, Present
Tyson Hamilton, Present

3. **Public Hearing and Recommendation on a Tooele City initiated application proposing the partial vacation of a nine (9) foot strip of public right-of-way along the northern portion of James Way, extending approximately 1,982 linear feet between the Industrial Loop intersection and the Lodestone Way intersection, which would reduce the existing right of-way width of James Way from eighty-five (85) feet to seventy-six (76) feet.**

Ms. Anglin presented a request to vacate a portion of the James Way right-of-way, reducing the existing right-of-way width from 84 feet to 75 feet. The request is associated with planned traffic signal improvements at the intersections of Lodestone Way and Utah Avenue and Industrial Loop Road and Utah Avenue. The vacated area would be added to the adjacent Peterson Industrial Depot property. Ms. Anglin reported that public notice was provided in accordance with Utah Code requirements and that written support was received from Peterson Industrial Properties LLC and Depot Self Storage LLC.

Ms. Anglin explained that Utah law requires findings that good cause exists for the vacation and that neither the public interest nor any individual would be materially harmed. Findings supporting the request included that the excess right-of-way has no historic, current, or anticipated future transportation use, serves no public purpose, and that utility easements for existing and future public and private utilities would be retained. Utility providers expressed no objections to the proposal.

Planning Commissioners discussed how the request originated and questioned whether future traffic growth could require the additional right-of-way. Staff explained that the request was initiated by Peterson Industrial Depot during planning for a new flex-space development and that the city evaluated the proposal based on transportation needs rather than development benefits. Mr. Hansen, City Engineer, noted that the original right-of-way width was established more than 20 years ago under a transportation plan that anticipated greater roadway demands than currently exist. After reviewing current traffic patterns, surrounding development, and consulting with the city's transportation engineer, planning staff determined that the additional width is no longer necessary and that the remaining right-of-way would still adequately accommodate future traffic needs.

Questions were also raised regarding the return of public right-of-way to a private property owner. Planning Staff explained that under state law, vacated right-of-way is typically returned to the adjacent property owner or original grantor and that similar right-of-way and alley vacations have occurred elsewhere in the city.

Chairman Hamilton opened the public hearing at 7:11 p.m. Seeing no members of the public coming forward. Chairman Hamilton closed the public hearing at 7:11 p.m.

Motion: Commissioner Proctor moved to approve a positive recommendation to the City Council for approval of Ordinance No. 2026-17, vacating a nine (9) foot portion of the James Way public right-of-way extending approximately 1,982 linear feet between Industrial Loop and Lodestone Way, application number 2026038, based on the findings contained in the Staff Report dated June 3, 2026. Commissioner Hammer seconded the motion.

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

4. City Council Reports

Councilman Gossett reported that the City Council recently completed discussion and approval of the fence ordinance amendment. During the council meeting, developer Brett Lovell explained that requiring decorative stone columns between new multifamily developments and existing residential fences would create large gaps between fence lines. The City Council approved removing the column requirement for the specific project while retaining the fence requirement. Council members emphasized that future requests will continue to be reviewed on a case-by-case basis rather than receiving automatic approval. The council also approved the industrial landscaping ordinance amendment previously reviewed by the Planning Commission.

Additionally, the council approved a four-year contract renewal for City Engineer Paul Hansen, who agreed to continue serving the city in that role.

During Planning Commission discussion, Commissioner Linford asked whether the council's approval of the fence amendment included the commission's recommendation requiring notice to adjacent property owners. Planning Staff clarified that the council determined additional notice was unnecessary because the amendment only eliminated the decorative columns while maintaining the fence itself. Since the new fence would not connect to or alter an existing homeowner's fence and would simply run parallel to it, the council concluded that adjacent property owners would not be directly affected. Planning Staff noted that previous concerns regarding homeowner notification stemmed from a misunderstanding between the applicant and planning staff regarding how the fences would be constructed.

5. Review and Decision – May 27, 2026 Planning Commission Meeting Minutes

There were no corrections to the minutes.

Motion: Commissioner Jensen moved to approve the May 27, 2026 Planning Commission Meeting Minutes. Commissioner Sloan seconded the motion.

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

6. Adjourn

Chairman Hamilton adjourned the meeting at 7:17 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.