

TOOELE CITY CORPORATION

ORDINANCE 2026-14

**AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING TOOELE CITY CODE SECTION 7-16b-6, REGARDING MINIMUM LANDSCAPING REQUIREMENTS IN THE HEAVY INDUSTRIAL SECTIONS OF THE TOOELE CITY BUSINESS PARK ZONING DISTRICT ("TCBP").** \* As verbally amended

WHEREAS, Utah Code §10-8-84 and §10-20-101 authorize cities to enact ordinances, resolutions, and rules and to enter other forms of land use controls they consider necessary or appropriate for the use and development of land within the municipality to provide for the health, safety, welfare, prosperity, peace, and good order, comfort, convenience, and aesthetics of the municipality; and,

WHEREAS, on June 7, 2023, by Ordinance 2023-08, the City Council created the Tooele City Business Park Zoning District (the "TCBP"); and,

WHEREAS, on October 16, 2024, by Ordinance 2024-29, the City Council removed landscaping requirements and modified several required improvements for the Industrial Zone; and,

WHEREAS, it is proper and appropriate to routinely review the ordinances and provisions of the Tooele City Code for clarity, predictability, relevance, applicability, and appropriateness; and,

WHEREAS, as to the TCBP, because it is similarly situated to the Industrial Zone, City Administration has developed proposed amendments to Tooele City Code Section 7-16b-6, making the requirements more similar to those required in the Industrial Zone; and,

WHEREAS, on May 27, 2026, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, considered the Staff Report and its exhibit (attached as Exhibit B), and voted to forward its positive recommendation to the City Council, with the condition that language be added to new subsection 5 clarifying that that irrigation requirements shall terminate once natural vegetation is re-established (see the Planning Commission draft minutes attached as Exhibit C); and,

WHEREAS, on June 3, 2026, the City Council convened a duly-advertised public hearing; and,

WHEREAS, the City Council has specifically considered the potential impact that this Ordinance may have on family health, stability, and formation:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Tooele City Code §7-16b-6 is hereby amended to read as shown in Exhibit A.\*

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this 3<sup>rd</sup> day of June, 2026.

\* To include the Planning Commission's recommendation to add:  
7-16b-6(3)(b)(iii). Irrigation used solely for the establishment of revegetation within disturbed areas shall not be required to be permanent.

TOOELE CITY COUNCIL

(For)

(Against)

[Signature]

\_\_\_\_\_

[Signature]

\_\_\_\_\_

[Signature]

\_\_\_\_\_

Melodi Bohus

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

[Signature]

\_\_\_\_\_

ATTEST:

Shilo Baker  
Shilo Baker, City Recorder



Approved as to Form: [Signature]  
Matthew C. Johnson, City Attorney

## Exhibit A

Proposed Amendments to TCC §7-14-17

## 7-16b-6. Landscaping Standards.

### (1) Section A (Commercial) Landscaping.

(a) Lots in Section A shall include landscaping on at least 10% of the lot.

(b) For other landscaping standards applicable to Section A, see Chapter 7-16, Table 2, Note F1.

### (2) Sections B and C (Lighter Industrial) Landscaping.

(a) Lots in Sections B and C shall include landscaping on at least 1% of the lot.

(b) For other landscaping standards applicable to Sections B and C, see Chapter 7-16, Table 2, Note 2.

### (3) Section C (Heavier Industrial) Landscaping.

(a) Lots in Section C shall be exempt from all landscaping requirements.

(b) Areas disturbed during the construction process shall complete the following:

- i. All areas disturbed by construction shall be reclaimed with a seed mixture of composed of native Utah grasses and shrubs.
- ii. A disturbed area reclamation plan shall be provided in lieu of a landscape and irrigation plan during the site plan review process.

(~~3~~ 4) Public right-of-way park strip landscaping and on-site parking lot landscaping may be included in determining compliance with the requirements of this Section.

(4 5) Landscaping shall be water-wise in nature and shall not include sod or turf grass. All landscaping shall be irrigated, and all irrigation shall utilize drip or similar bubbler systems.

(~~5~~ 6) Public right-of-way landscaping in Sections A-C B shall include trees as required in Chapter 7-16, Table 2, Note F1, and shall consist of trees approved by the City's street tree selection guide.

## Exhibit B

Staff Report with its Exhibits A and B

**STAFF REPORT**

May 20, 2026

**To:** Tooele City Planning Commission  
Business Date: May 27, 2026

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re:** Tooele City Business Park (TCBP) Heavy Industrial Landscaping Requirements – City Code Text Amendment Request

Applicant: Tooele City  
Request: Request for approval of a City Code Text Amendment regarding the required landscaping for Section “C” or the “Heavy Industrial” section of the Tooele City Business Park as found in Tooele City Code 7-16b-6. Landscaping Standards.

**BACKGROUND**

In October of 2024 Tooele City Staff, under the direction of the City Council at the time, began the process of amending the landscaping requirements for the City’s Industrial zoning district. The Industrial zone is classified as heavy industrial and is an area where businesses that generate notable impacts in the form of noise, dust, odors, glare, truck traffic and so forth are permitted to operate. Currently Tooele City has two areas where the Industrial zoning is prevalent. Those areas are the PID Peterson Industrial Depot, west of the Union Pacific rail road corridor and south of Utah Avenue and the area surrounding the Bolinder properties north of 1000 North and east of SR-112.

The ordinance amendment to the Industrial zone in 2024 removed landscaping requirements for parking lots and eliminated the required 15 front yard landscaping requirement. The amendment also eliminated the requirement to landscape the park strip. In lieu of installing landscaping the ordinance amendment required the new developments to provide a disturbed area reclamation plan for all areas disturbed during the construction process. This is necessary to mitigate storm water erosion as well as wind erosion and to prevent the proliferation of noxious weeds such as Russian Thistle and Goat Heads that will heavily germinate if the native soils are disturbed. This reclamation plan shall include a seed mixture list and an establishment plan that will detail how the seed mixture will be applied and how it will be cared for until it is established and able to thrive.

Since that time it has come to City Staff’s attention that there is there is one other location in the City where heavy industrial uses can occur. The Tooele City Business Park, for which a new zoning code was written in late 2023, also has some heavy industrial zoning limited to the properties immediately adjacent to the Union Pacific rail corridor.

The TCBP zone has three distinct “sections.” Section “A” is adjacent to the residential zones to the east of the business park. Section “A” is limited to commercial uses and has language requiring landscaping and architecture to buffer those adjacent residential uses. Section “B” is located at the central of the business park and is considered more of a lighter industrial area. Staff would like to leave the landscaping requirements intact for Section s “A” and “B”. Section “C” is the property located immediately adjacent to the railroad corridor and it is in this district that heavy industrial uses may occur.

## **ANALYSIS**

The changes to the TCBP zoning district are fairly simple. Staff is proposing to add a new paragraph to TCC 7-16b-6. Landscaping Standards. The new paragraph, paragraph 3 will state that lots in Section "C" are exempt from landscaping requirements and are required to provide a disturbed area reclamation plan with their site plan approval. These proposed amendments are very similar to that which has already been done for the standard Industrial zoning district.

*Ordinances Affected.* TCC 7-16b-6. Landscaping Standards.

The proposed amendment will add additional language to the Landscaping Standards section of the code. A brief synopsis of those changes is described below. The actual code language is included in the exhibits section after this report.

1. Identify Section "A" as "Commercial."
2. Separates Section "C" from Section "B" and identifies Section "B" as "Lighter Industrial."
3. Remove Section "C" from the 1% lot landscaping requirement as well as the reference to Table 2 of TCC 7-16 where industrial landscaping requirements are defined.
4. Creates Paragraph 3 which exempts Section "C" from any landscaping requirements.
5. Requires all areas disturbed by construction in Section "C" to provide, at the time of site plan review, a disturbed area vegetation reclamation and establishment plan.
6. Re-numbering the ordinance according to the amendments.
7. Eliminates Section "C" from tree planting requirement but maintains the tree planting requirement for Sections "A" and "B."

*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 is nearly identical to that which has already been completed for other heavy industrial locations, namely, the industrial depot west of the Union Pacific rail corridor and the heavy industrial areas north of 1000 North around the Bolinder properties.

*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 7-16b-6: Landscaping Standards, regarding landscaping requirements for Section “C” of the Tooele City Business Park (TCBP) zoning 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 7-16b-6: Landscaping Standards, regarding landscaping requirements for Section “C” of the Tooele City Business Park (TCBP) zoning district, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**PROPOSED AMENDMENTS**

## 7-16b-6. Landscaping Standards.

### (1) Section A (Commercial) Landscaping.

(a) Lots in Section A shall include landscaping on at least 10% of the lot.

(b) For other landscaping standards applicable to Section A, see Chapter 7-16, Table 2, Note F1.

### (2) Sections B and C (Lighter Industrial) Landscaping.

(a) Lots in Sections B and C shall include landscaping on at least 1% of the lot.

(b) For other landscaping standards applicable to Sections B and C, see Chapter 7-16, Table 2, Note 2.

### (3) Section C (Heavier Industrial) Landscaping.

(a) Lots in Section C shall be exempt from all landscaping requirements.

(b) Areas disturbed during the construction process shall complete the following:

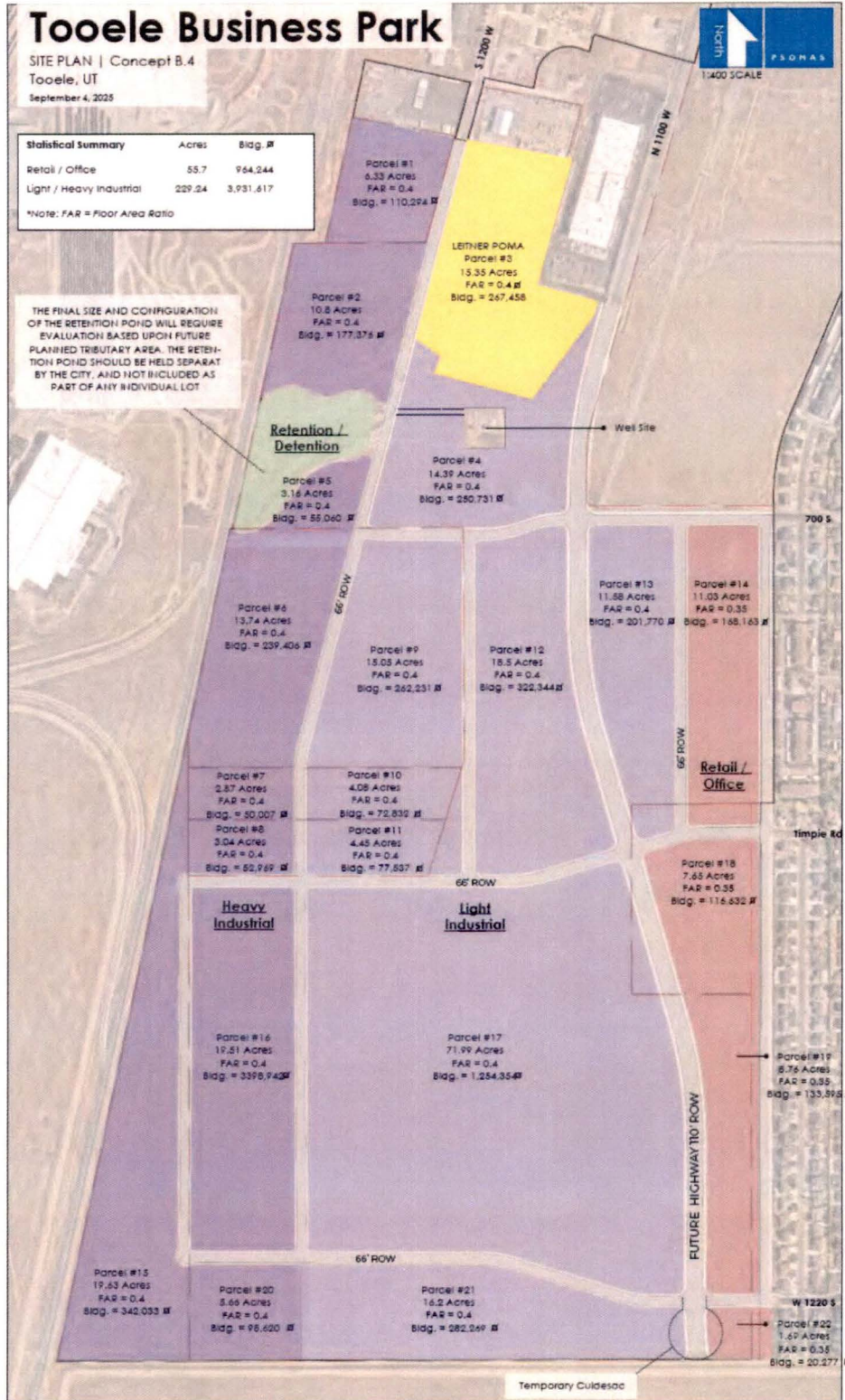
- i. All areas disturbed by construction shall be reclaimed with a seed mixture of composed of native Utah grasses and shrubs.
- ii. A disturbed area reclamation plan shall be provided in lieu of a landscape and irrigation plan during the site plan review process.

(~~3~~ 4) Public right-of-way park strip landscaping and on-site parking lot landscaping may be included in determining compliance with the requirements of this Section.

(4 5) Landscaping shall be water-wise in nature and shall not include sod or turf grass. All landscaping shall be irrigated, and all irrigation shall utilize drip or similar bubbler systems.

(~~5~~ 6) Public right-of-way landscaping in Sections A-C B shall include trees as required in Chapter 7-16, Table 2, Note F1, and shall consist of trees approved by the City's street tree selection guide.

# Exhibit "B"



## Exhibit C

### Planning Commission Draft Minutes



Tooele City Planning Commission  
Business Meeting Minutes

**Date:** May 27, 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  
Sarah Faircloth, Alternate

**Excused:**

Amanda Cordova  
Frank Linford, Alternate

**Council Member Liaisons:**

Jon Gossett  
Ed Hansen, Excused

**Staff Present:**

Anna Anglin, City Planner  
Matt Johnson, City Attorney  
Paul Hansen, City Engineer  
Braxton Roberts, IT

Minutes Prepared by Teresa Young

1. **Pledge of Allegiance**

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

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

2. **Roll Call**

Melanie Hammer, Present



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

3. **Public Hearing and Recommendation on a proposed text amendment to Tooele City Code 7-16b-6: Landscaping Standards, regarding minimum landscaping requirements in the heavy industrial sections of the Tooele City Business Park.**

Ms. Anglin presented a proposed text amendment to the Tooele City Business Park ordinance related to landscaping requirements within Section C of the business park. She explained that Section C, identified as the darkest purple area on the map, is located furthest from residential zones and is intended for heavier industrial uses adjacent to the rail line.

She reviewed the purpose of the Tooele City Business Park zoning district, which is intended to provide a transition between residential areas and commercial or industrial uses, promote quality development standards, and support a rail-served mixed-use commercial and industrial business park.

Ms. Anglin explained that in 2024 the City Council amended industrial zoning regulations to remove certain landscaping requirements, including parking lot landscaping, front yard landscaping, and park strip landscaping. In place of those requirements, developments are required to submit a disturbed reclamation plan to reseed disturbed areas with native vegetation following construction activities.

The proposed amendment would align Section C of the business park with the industrial zone standards already adopted in 2024. The amendment would remove the one percent landscaping requirement and references to industrial landscaping standards for Section C, exempt the area from landscaping requirements, and instead require reestablishment of vegetation in disturbed areas. Additional changes included reorganizing and renumbering ordinance sections and eliminating seed requirements from tree planting provisions.

The Planning Commission discussion focused on irrigation requirements associated with the revegetation process. Commissioner Sloan asked whether irrigation would be required permanently for the natural landscaping areas. Ms. Anglin clarified that irrigation would only be necessary temporarily to establish vegetation and prevent invasive weeds, not as a permanent requirement. Commissioner Sloan expressed concern that the ordinance language could be interpreted as requiring irrigation in perpetuity and suggested clarifying the language.

Mr. Johnson the City Attorney acknowledged the concern and stated that additional clarification could be added if desired by the Planning Commission. Ms. Anglin noted that the current language mirrors language already adopted for the industrial zones. Planning Commissioners thanked staff for the clarification.

Chairman Hamilton opened the public hearing at 7:10 p.m. Seeing no members of the public coming forward, Chairman Hamilton closed the public hearing at 7:10 p.m.

**Motion: Commissioner Sloan positive recommendation to the City Council for the proposed ordinance amendments to Tooele City Code 7-16b-6: Landscaping Standards, regarding**



landscaping requirements for Section “C” of the Tooele City Business Park (TCBP) zoning district, based on the findings that are listed in the staff report, and also request that we have staff work with the attorney's office to come up with a one sentence terminating clause for section new section five regarding future use of irrigation after it's established. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”, Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 7-0.

4. **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.**

Chairman Hamilton advised that additional work was needed on the ordinance and asked Vice Chair Proctor to make the motion. Vice Chair Proctor moved to table the item until the City Attorney was prepared to present the revised ordinance to the Commission. Chairman Hamilton seconded the motion

**Motion: Chairman Proctor moved to table the item until the City Attorney was prepared to present the revised ordinance. Seconded by Chairman Hamilton.** The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”, Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 7-0.

5. **City Council Reports**

Councilman Gossett had nothing to report.

6. **Review and Decision – May 13, 2026 Planning Commission meeting minutes.**

There were no corrections to the minutes.

**Motion: Commissioner Jensen moved to approve May 13, 2026 Planning Commission Meeting Minutes. Commissioner Proctor seconded the motion.** The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Abstained”; Commissioner Proctor, “Aye”, Commissioner Faircloth, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. The motion passed 6-0.

7. **Adjourn**

Chairman Hamilton adjourned the meeting at 7:14 p.m.

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

Approved this \_\_\_\_\_ day of May, 2026

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Tyson Hamilton, Tooele City Planning Commission Chair

DRAFT