

TOOELE CITY CORPORATION

ORDINANCE 2026-25

AN ORDINANCE OF THE TOOELE CITY COUNCIL ENACTING CHAPTER 7-11c OF THE TOOELE CITY CODE REGARDING ARCHITECTURAL DESIGN STANDARDS FOR COMMERCIAL DEVELOPMENT.

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, 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, the City does not currently have any architectural design standards for commercial zones; and,

WHEREAS, City Administration recommends enacting Tooele City Code Chapter 7-11c, which is attached as Exhibit A; and,

WHEREAS, the proposed Tooele City Code Chapter 7-11c is consistent with the City's General Plan, is likely to help attract more people and businesses to the City, is unlikely to be overly burdensome to existing and future commercial development, and is in the interest of the City; and,

WHEREAS, on August 26, 2026, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its positive recommendation to the City Council (see Staff Report with its exhibit attached as Exhibit B, and the Planning Commission draft minutes attached as Exhibit C); and,

WHEREAS, on September 2, 2026, the City Council convened a duly-advertised public hearing; and,

WHEREAS, the City Council has 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 Chapter 7-11c is hereby enacted to read as shown in Exhibit A.

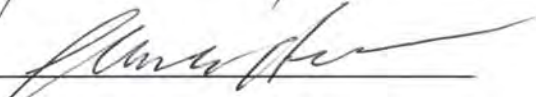
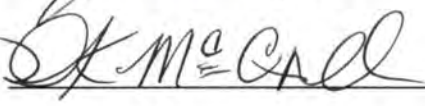
This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this 2nd day of September, 2026.

TOOELE CITY COUNCIL

(For)

(Against)

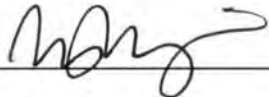
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<i>Justin Brady</i> _____	_____
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ABSTAINING: _____

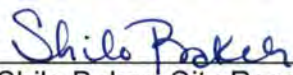
MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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ATTEST:



Shilo Baker, City Recorder



Approved as to Form:



Matthew C. Johnson, City Attorney

Exhibit A

Proposed TCC Chapter 7-11c

Title 7 Chapter 11c Design Standards: Commercial

7-11c-1. Applicability.

1. The building design standards in this Chapter shall be applicable to all new commercial buildings and new qualifying renovations, permitted after the date of this ordinance adoption, with exterior wall facades adjacent to a public right-of-way, public space, residential dwellings, or future residential area. Commercial buildings located in the historic Downtown Overlay zone and Industrial zone shall be exempt from these architectural standards.
2. For purposes of this Chapter, qualifying renovations shall be limited to exterior renovations that require a building permit, not including the replacement of doors and windows, shall comply with the requirements of this chapter.
3. Consideration shall be given to commercial businesses limited to franchise and corporate branding requirements as much as possible. Applicants shall provide documentation of such franchise and branding requirements to City Staff as part of the site plan design review process.

7-11c-2. Bulk.

Commercial buildings shall be designed with architectural wall variations every 50 feet in linear width. A horizontal architectural variation may include the following:

1. Primary exterior wall material change to a different exterior wall material.
2. A shift in the wall façade that is perpendicular or angular to the primary wall façade.
3. Cantilevered wall sections.
4. Columns and pilasters.
5. Other architectural features that provide sufficient wall façade depth and variation.

7-11c-3. Roofline.

Commercial buildings shall be designed with vertical height variations of the roofline at every 50 feet. Height variation elements may include but are not limited to:

1. Changes in vertical height of at least 18 inches.
2. Pitched roof lines.
3. Decorative solid parapet walls subject to variation requirements listed in this Section.
4. Overhangs, arches, stepped roofs, faux windows, and other similar elements.

7-11c-4. Exterior Building Materials.

1. Exterior building materials shall be considered any material that comprises the exterior of the building and shall be limited to no more than five and no less than two types of materials per building.
2. No more than 75% of any building façade requiring architectural design consideration shall consist of one material or color.
 - a. A building that uses an all brick or stone façade, not including cinder or hewn block, shall be exempt from this requirement.
3. The roof shall not be considered a material or a color in terms of this Section.
4. Glass shall be considered as an exterior material when used to comprise a solid non-glazing exterior wall surface or a portion of a wall surface. Glass used in windows and doors shall not be

considered as an exterior building material, and shall not satisfy the building exterior materials requirement of this Section.

5. Corrugated metal, aluminum sheeting, rusted panels or other metal that is caused to appear distressed, may be used as an accent and shall not exceed more than 20% of any building façade.

7-11c-5. Prohibited Materials.

Prohibited Materials. The following materials shall not be permitted to be used on any new or remodeled building in the zoning districts listed in this ordinance:

1. Patterned stucco as a masonry substitute.
2. Wood as a primary exterior finish material.
3. Vinyl or aluminum siding.
4. Uncolored and unfinished CMU / cinder block unless approved by the Planning Commission as an accent material.
5. Pre-cast cement panel walls unless the following treatments are applied and approved by the Planning Commission:
 - a. Covered by brick or stone veneer
 - b. Contain scoring or integrated masonry patterns.

7-11c-6. Mechanical Equipment.

All roof top, wall mounted and ground mounted mechanical equipment shall utilize the following appropriate screen or shield equipment from view:

1. All mechanical equipment shall be located or screened to shield the equipment from visibility at adjacent properties and from public rights-of-way.
2. Rooftop mechanical equipment shall be completely screened from all horizontal points of view, as seen from six feet high at the property lines or as otherwise determined by the Planning Commission.
3. Screening materials for mechanical equipment shall be of the same color and materials of the primary building.
4. All attached exterior utility boxes and equipment, roof drains, conduits, piping, maintenance stairs, ladders and other similar elements shall be painted or otherwise textured to be consistent with underlying material colors.

7-11c-7. Dumpsters / Trash Enclosures.

All dumpsters and trash bins shall be located in an enclosure that meets the following qualifications:

1. Dumpster / trash enclosures shall be located as far as possible from public rights-of-way and from residential zoning district boundaries.
2. Dumpsters and trash bins shall be enclosed by a masonry wall that meets the following:
 - a. Is painted to match the building or composed of material that matches or is complimentary to main building.
 - b. Includes a solid metal or vinyl enclosure gate. Chain link gates are not permissible on commercial dumpster enclosures.

7-11c-8. Accessory Drive Through Facilities.

If an accessory drive through facility is located between the main building and a public right-of-way or residential zoning district at least one of the following shall be utilized to assist in obscuring vehicle queuing lanes from public view:

1. Dense plantings involving coniferous varieties of shrubs and trees.
2. Decorative masonry or vinyl fencing panels.
3. Large landscape boulders.
4. Landscape berms.
5. Other elements as approved by the Planning Commission.

7-11c-9. Commercial Accessory Structures.

1. Accessory structures shall be constructed of materials that are similar or complimentary to the main commercial structure it is associated with, or, it shall also be painted a color that is similar or complimentary to the main commercial structure it is associated with.
2. Shipping containers shall be stored behind the main building in locations that limit the view from public rights-of-way or residential zoning districts and shall be painted a color that is similar or complimentary to the main commercial structure it is associated with.

7-11c-10. Design Variation Applications.

1. The applicant may apply for a design variation to be heard by the Planning Commission under the following circumstances:
 - a. The applicant is proposing an exterior material that is not included within this ordinance; or,
 - b. The applicant is proposing a building design that falls outside of the parameters of this ordinance.
2. An application for design variations under this Section shall be filed with the Director. Design variation hearings shall be scheduled before the Planning Commission no later than 45 days following the submission of the design variation application.
3. At the hearing, the burden of proof shall be on the applicant to demonstrate by a preponderance of the evidence that:
 - a. The proposed alternative achieves an aesthetic quality, visual interest, and structural durability equal to or superior to what would be achieved by strict adherence to the prescriptive code standards;
 - b. The proposed alternative is consistent with the goals and objectives of the General Plan and maintains the intended character and harmony of the surrounding zoning district;
 - c. Strict application of the design standard is impractical due to site configuration, building layout needs, or the project's overall architectural design concept;
 - d. The proposed alternative will not cause significant adverse impacts on adjacent properties, public views, rights-of-way, or residential districts, nor will it compromise public health, safety, or general welfare; and,
 - e. Any potential negative visual impacts resulting from the variation are adequately offset by additional architectural features, enhanced landscaping, superior building materials, or increased setbacks.

4. The Planning Commission shall issue a written decision no later than 30 days following the hearing date. The Planning Commission's decision shall be based upon written substantive findings of fact and conclusion of law tied directly to the criteria in this Chapter.
5. No additional fees shall be required to submit an appeal but shall be considered as part of the site plan design review application.

7-11c-11. Failure to Act.

Any new building or renovated building that does not comply with the requirements of this section during the site plan design review process shall not receive site plan approval until the requirements of the section have been satisfied or until the Planning Commission has heard and acted on a design variation application.

Exhibit B

Staff Report with Exhibit

STAFF REPORT

August 19, 2026

To: Tooele City Planning Commission
Business Date: August 26, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Agard, Community Development Director

Re: Architectural Standards for Commercial Development – City Code Text Amendment Request

Applicant: Tooele City
Request: Request for consideration of adoption of a new ordinance, amending Title 7, Uniform Zoning Title of Tooele City, with the addition of Chapter 11c Design Standards: Commercial, establishing minimum architectural design guidelines for new and renovated commercial buildings in Tooele City.

UPDATES FROM AUGUST 12, 2026 MEETING

Proposed architectural standards were presented to the Planning Commission during the August 12th Planning Commission meeting. During that meeting the Planning Commission raised concerns regarding the following issues:

1. Requiring architectural standards for commercial development in Light Industrial and Industrial Services zoning districts as well as the Downtown Overlay.
2. Requiring renovated buildings to comply with the required architectural standards.
3. What triggers architectural standards on renovations and why did staff identify 25% as the trigger point for compliance with the architectural standards.
4. Franchise and corporate branding.
5. Requiring more than 2 exterior materials per wall façade.
6. The prohibition of certain colors.
7. Wall facades consisting entirely of brick.
8. The cost of an appeal to the architectural standards and the amount of time to complete such an appeal.

City Staff have made amendments to the proposed standards in an attempt to address the concerns of the Planning Commission. Those changes are described as follows:

1. The references to zoning districts have been removed. Architectural standards will now only apply to any commercial development that is adjacent to a public street, a public space, a residential dwelling or future residential area. Building facades that do not meet these visibility criteria shall not be required to adhere to the architectural standards. Staff has also included a specific exemption to these standards for the Downtown Overlay and heavy industrial zoning district. That being said, staff strongly encourages that properties in the Downtown Overlay be required to meet these architectural standards based upon what is in the Tooele City General Plan regarding buildings in the Downtown Overlay (see excerpts provided below).
2. Staff has removed the 25% requirement and has added language that if a building renovation requires a building permit the renovation shall then comply with the standards. Painting a building doesn't require a permit but re-facing a building with stucco or brick does require a permit. For smaller renovations such as doors and windows that require a permit but do not alter the building exterior, staff has provided a specific exemption to these standards.
3. Staff has provided an exemption for buildings that are constrained by franchise agreements and

corporate branding requirements. The ordinance does require that the applicant provide documentation of such corporate requirements.

4. Staff has removed the section of the ordinance requiring more than 2 exterior materials for all new and renovated buildings but has maintained the 75% maximum coverage requirement for one exterior material (these two sections were redundant). A specific exemption for brick and stone facades, not including cinder and hew block, has been added to the ordinance.
5. Staff has removed the prohibition on neon and bright colors.
6. Staff has inserted language that an appeal shall not cost the applicant additional fees. An appeal shall be considered as part of the site plan design review process and the fees that were paid for the application.

Tooele City General Plan. The Tooele City General Plan encourages architectural standards in numerous locations throughout the plan text. Architectural standards and design guidelines serve to help the City achieve the goals of the Tooele City General Plan and this General Plan was approved by the City Council AFTER a positive recommendation from the Planning Commission. Staff has included and highlighted a few excerpts below for the Planning Commission to consider and reference:

1. Page 2.1, **Tooele City's Mission:** Tooele City is a community that preserves its unique identity and heritage, and provides protection and services for its citizens. Tooele City is committed to building and maintaining an attractive community. This commitment is reflected in active citizen involvement and a proactive approach to creating and building the city of the future through efforts such as City Code provisions and design standards. This commitment is also embodied in specific development standards that reflect the City's history, character, and natural context. As Tooele continues to experience growth through development and redevelopment, the General Plan is intended to reaffirm the City's long-term commitment to creating and sustaining a quality built community.
2. Page 2.1, **Mission Of The General Plan:** The mission of the General Plan specifically is to help guide the community as it transitions through growth dealing with land development, reuse, and redevelopment with a focus on land maintenance and management. This General Plan reaffirms Tooele's long-standing commitment to physical development and standards that enhance the quality of life and visually reflects a vital yet maturing, attractive, and unique city.
3. Page 2.5, **Quality Land Development.** High quality land development is demanded by Tooele leaders and citizens. Developments that preserve open space and natural features are more attractive to residents and help to protect natural areas for the enjoyment of future generations. Extensive, mature, and conscientious landscaping are examples of high quality development features in both residential and commercial areas. In residential areas, open spaces, maintenance of natural features, recreational facilities, sidewalks, and high architectural quality are features that contribute to the quality of developments. In commercial areas, adequate sidewalks, street lighting, high architectural quality, reasonable signage, and landscaped parking areas are features that contribute to the quality of developments. Characteristics that tend to detract from quality of life values include clearing of natural vegetation, too much or too little exterior lighting, large expanses of asphalt, and large dominant structures.
4. Page 2.7, **A Vision For The Future Of Tooele City:** Tooele's vision for itself over the next 20- to 25-year horizon is one of a progressive, sensitively-developed community which is visually attractive and livable.
5. Page 7.2, **Tooele's Economic Values:** Business entities that complement Tooele's community characteristics such as quality design standards, mountain environment, and friendly community lifestyle.
6. Page 7.7, Goal #9, **Implement strategies to protect and enhance the historic downtown area:** Encourage the upgrading of buildings in the downtown area to encourage higher end retail development.
7. Page 9.5, **Visual Appearance Priorities** (next five years): Modify the downtown commercial zoning to emphasize historical design and consider adopting design standards.

Developer Requests. It is very common for applicants of new development to approach Tooele City and request architectural design standards. When staff informs them that there are not any design standards and that they can build whatever they want they are usually surprised. Developers expect design guidelines. They prefer design guidelines. They desire to comply with the City's desires for their buildings.

Frequent complaints. Tooele City Community Development Staff as well as the Mayor's office often receive complaints and concerns from residents of Tooele City about the overall appearance of the City. From run-down blighted buildings to poorly maintained landscaping many citizens would like to see Tooele City take the necessary actions to improve the general appearance of the City, or, at least give staff some ability to improve the general appearance of the City. Architectural standards for commercial development may not resolve all of the City's problems but it is certainly a good place to start.

BACKGROUND

Tooele City currently does not have any architectural design standards for commercial zones. Tooele City has 8 commercial zones or zones that permit commercial land uses. Those zones are the General Commercial (GC), Neighborhood Commercial (NC), Regional Commercial (RC), Research and Development (RD), Light Industrial (LI), Industrial Service (IS), Mixed Use General (MUG), and the Mixed Use Broadway (MUB) zoning district. The Mixed Use zoning districts also permit single-family residential and multi-family residential land uses.

Tooele City's industrial zoning districts, the Industrial zone, the Industrial Service (IS) zone and the Light Industrial (LI) zone do not have architectural standards. The Light Industrial zone includes many retail and professional office uses that are classified as commercial rather than industrial as does the Industrial Service zone. There are also sections of the Light Industrial and Industrial Service zoning districts adjacent to major transportation corridors such as SR-36, Utah Avenue and SR-112. Staff strongly suggests that properties in the LI zoning district and the IS zoning district shall also be required to adhere to commercial architectural standards. These zones can also be used as buffer zones between residential and industrial land uses and as such architecture should be given greater consideration when adjacent to residential land uses.

In order to form these architectural standards staff completed a visual inventory of existing commercial buildings in Tooele City and staff is pleased to report that, for the most part, existing commercial buildings largely comply with the requirements of this proposed ordinance. Many of the standards required in this ordinance are based off of what previous development has done within the City. Staff also referenced architectural standards of other cities such as West Jordan, Salt Lake City and Riverton City and has incorporated some of those standards into the proposed ordinance.

Staff's objective in having architectural standards isn't to make development in Tooele City more cumbersome or expensive for developers. The standards listed are not above and beyond what is currently being constructed in Tooele City. However, the standards are intended to "lock in" an architectural appearance that will prevent future development from constructing an eye sore, especially in areas with prominent and high visibility from public roads and residential zones. Development in Tooele City is evolving as Tooele continues to grow and so must our ordinances to preserve the visual integrity of the City.

The architectural standards also serve another purpose. There are issues related to dumpster enclosures, roof top mechanical equipment, wall mounted mechanical equipment and so forth that are not addressed by our ordinances and do require some attention. Dumpster enclosures can be placed anywhere on a site as preferred by an applicant. Sometimes those enclosures are placed prominently in front of a building and fall into a state of disrepair. Rooftop and wall mounted mechanical equipment, if not properly screened with appropriate architectural elements, can detract significantly from the appearance of an otherwise pleasingly designed building. This proposed amendment includes requirements to address these building elements that can and have been problematic for the City.

Tooele City Staff are not architects and it is not in the City's best interest to have non-architects putting together stringent design guidelines for applicants to follow. Understanding this, Tooele City staff have put together these design guidelines offering plenty of options for architects and designers to follow. The design standards as proposed are intended to be easy to follow and flexible so as to enable designers to "flex their muscles" and put together pleasing buildings without resulting in staff designing their buildings in their behalf.

ANALYSIS

The proposed amendments do not amend any existing ordinances within Title 7. It instead proposes the addition of a new ordinance defining architectural standards exclusive to commercial development in the City's commercial zones, mixed use zones and two of the industrial zoning districts.

Ordinances Affected. None.

The proposed ordinance includes the following:

1. Four sided architectural design considerations based upon the adjacent land uses.
2. Architectural wall variations to avoid bulky building design.
3. Roofline elements to help break up and provide variety to the tops of commercial buildings.
4. Requires a mix of building exterior materials and colors to avoid large expanses of the same material.
5. Prohibits certain materials from being used on a building exterior unless used as an accent material.
6. Addresses rooftop and wall mounted mechanical equipment.
7. Addresses dumpster / trash enclosures.
8. Requires development in the LI zone to comply with these standards.
9. Requires commercial development in the Mixed Use zones to comply with these standards.
10. Provides a mechanism for appeal in the event a new material is presented or the applicant disagrees with staff's interpretation of the architectural standards.
11. Requires all new development and all renovated development to comply with this code or to appeal to the Planning Commission before site plan approval can be granted by staff.

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 comments:

1. This proposed ordinance does not create, nor is intended to create, any strenuous architectural standards above and beyond what is already being constructed in the City. Instead, the intent is to codify what is currently being built or to keep what we already have.
2. Staff's intent is to maintain a baseline for architectural standards but provide the architectural design professionals with enough flexibility to design a building according to their client's desires.
3. The proposed ordinance addresses deficiencies in the current code regarding dumpster enclosures, screening of accessory drive through facilities and screening of mechanical equipment.

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 to adopt the proposed Tooele City Code Title 7, Chapter 11c Design Standards: Commercial ordinance as included in Exhibit "A" of this report, 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 to adopt the proposed Tooele City Code Title 7, Chapter 11c Design Standards: Commercial ordinance as included in Exhibit “A” of this report, based on the following findings:”

1. List findings ...

EXHIBIT A

PROPOSED ARCHITECTURAL STANDARDS (ORIGINAL DRAFT)

Title 7 Chapter 11c Design Standards: Commercial

7-11c-1. Applicability.

1. The building design standards in this Chapter shall be applicable to all exterior facades open to public view from a public right-of-way, public space, adjacent residential dwelling, or future residential area for all new construction and major exterior renovations within the GC, NC, RC, RD, IS, LI, MU-G, and MU-B zoning districts and shall include both primary and accessory structures constructed therein.
2. For purposes of this Chapter, a major exterior renovation includes any structural alteration, expansion, or physical modification to an existing structure that alters more than twenty-five percent (25%) of any exterior building façade, or increases the gross floor area of the structure by more than twenty-five percent (25%). Routine maintenance, interior remodels, and minor exterior repairs shall be exempt from the requirements of this Chapter.

7-11c-2. Bulk.

Commercial buildings shall be designed with architectural wall variations every 50 feet in linear width. A horizontal architectural variation may include the following:

1. Primary exterior wall material change to a different exterior wall material.
2. A shift in the wall façade that is perpendicular to the primary wall façade.
3. Cantilevered wall sections.
4. Columns and pilasters.
5. Other architectural features that satisfy this requirement.

7-11c-3. Roofline.

Commercial buildings shall be designed with vertical height variations of the roofline at every 50 feet. Height variation elements may include but are not limited to:

1. Changes in vertical height of at least 18 inches.
2. Pitched roof lines.
3. Decorative solid parapet walls subject to variation requirements listed above.
4. Overhangs, arches, stepped roofs, faux windows, and other similar elements.

7-11c-4. Exterior Building Materials.

1. Exterior building materials shall be considered any material that comprises the exterior of the building and shall be limited to no more than five and no less than two types of materials per building.
2. Color of exterior building materials (excluding accent colors) shall be limited to no more than five and no less than two major colors per development.
3. Bright colors such as neon or fluorescent colors, bright orange, yellow or primary colors are prohibited on primary wall surfaces, but may be approved during site plan review as minor accent trim or corporate branding element.
4. No more than 75% of any building side shall consist of one material or color.
5. The roof shall not be considered a material or a color.
6. Glass shall be considered as an exterior material when used to comprise a solid non-glazing exterior wall surface or a portion of a wall surface. Glass used in windows and doors shall not be

considered as and exterior building material, and shall not satisfy the building exterior materials requirement of this Section.

7. Corrugated metal, aluminum sheeting, rusted panels or other metal that is caused to appear distressed, may be used as an accent and shall not exceed more than 20% of any building façade.

7-11c-5. Prohibited Materials.

Prohibited Materials. The following materials shall not be permitted to be used on any new or remodeled building in the zoning districts listed in this ordinance:

1. Patterned stucco as a masonry substitute.
2. Wood as a primary exterior finish material.
3. Vinyl or aluminum siding.
4. Uncolored and unfinished CMU / cinder block unless approved by the Planning Commission as an accent material.
5. Pre-cast cement panel walls unless the following treatments are applied and approved by the Planning Commission:
 - a. Covered by brick or stone veneer
 - b. Contain scoring or integrated masonry patterns.

7-11c-6. Mechanical Equipment.

All roof top, wall mounted and ground mounted mechanical equipment shall utilize the following appropriate screen or shield equipment from view:

1. All mechanical equipment shall be located or screened to shield the equipment from visibility at adjacent properties and from public rights-of-way.
2. Rooftop mechanical equipment shall be completely screened from all horizontal points of view, as seen from six feet high at the property lines or as otherwise determined by the Planning Commission.
3. Screening materials for mechanical equipment shall be of the same color and materials of the primary building.
4. All attached exterior utility boxes and equipment, roof drains, conduits, piping, maintenance stairs, ladders and other similar elements shall be painted or otherwise textured to be consistent with underlying material colors.

7-11c-7. Dumpsters / Trash Enclosures.

All dumpsters and trash bins shall be located in an enclosure that meets the following qualifications:

1. Dumpster / trash enclosures shall be located as far as possible from public rights-of-way and from residential zoning district boundaries.
2. Dumpsters and trash bins shall be enclosed by a masonry wall that meets the following:
 - a. Is painted to match the building or composed of material that matches or is complimentary to main building.
 - b. Includes a solid metal or vinyl enclosure gate. Chain link gates are not permissible on commercial dumpster enclosures.

7-11c-8. Accessory Drive Through Facilities.

If an accessory drive through facility is located between the main building and a public right-of-way or residential zoning district at least one of the following shall be utilized to screen vehicle queuing lanes from view:

1. Dense plantings involving coniferous varieties of shrubs and trees.
2. Decorative masonry or vinyl fencing panels.
3. Large landscape boulders.
4. Landscape berms.
5. Other elements as approved by the Planning Commission.

7-11c-9. Commercial Accessory Structures.

1. Accessory structures shall be constructed of materials that are similar or complimentary to the main commercial structure it is associated with. It shall also be painted a color that is similar or complimentary to the main commercial structure it is associated with.
2. Shipping containers shall be stored behind the main building in locations that cannot be viewed from public rights-of-way or residential zoning districts and shall be painted a color that is similar or complimentary to the main commercial structure it is associated with.

7-11c-10. Design Variation Applications.

1. The applicant may apply for a design variation to be heard by the Planning Commission under the following circumstances:
 - a. The applicant is proposing an exterior material that is not included within this ordinance; or,
 - b. The applicant is proposing a building design that falls outside of the parameters of this ordinance.
2. An application for design variations under this Section shall be filed with the Director. Design variation hearings shall be scheduled before the Planning Commission no later than 45 days following the submission of the design variation application.
3. At the hearing, the burden of proof shall be on the applicant to demonstrate by a preponderance of the evidence that:
 - a. The proposed alternative achieves an aesthetic quality, visual interest, and structural durability equal to or superior to what would be achieved by strict adherence to the prescriptive code standards;
 - b. The proposed alternative is consistent with the goals and objectives of the General Plan and maintains the intended character and harmony of the surrounding zoning district;
 - c. Strict application of the design standard is impractical due to site configuration, building layout needs, or the project's overall architectural design concept;
 - d. The proposed alternative will not cause significant adverse impacts on adjacent properties, public views, rights-of-way, or residential districts, nor will it compromise public health, safety, or general welfare; and,
 - e. Any potential negative visual impacts resulting from the variation are adequately offset by additional architectural features, enhanced landscaping, superior building materials, or increased setbacks.

4. The Planning Commission shall issue a written decision no later than 30 days following the hearing date. The Planning Commission's decision shall be based upon written substantive findings of fact and conclusion of law tied directly to the criteria in this Chapter.

7-11c-11. Failure to Act.

Any new building or renovated building that does not comply with the requirements of this section during the site plan design review process shall not receive site plan approval until the requirements of the section have been satisfied or until the Planning Commission has heard and acted on a design variation application.

Exhibit C

Draft Planning Commission Draft Minutes

**Tooele City Planning Commission
Business Meeting Minutes**

Date: August 26, 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
Weston Jensen
Kelley Anderson
Sarah Faircloth, Alternate

Absent:

Amanda Cordova
Frank Linford, 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
Teresa Young, Clerk/Minute Composition

Minutes Prepared by Teresa Young

1. Pledge of Allegiance

Chairman Hamilton opened the meeting 7:00 p.m., and led 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 @tooelecite.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

3. **Public Hearing and Recommendation on a request for approval of a zoning map amendment and land use map amendment request by Perry Commercial to re-assign the zoning and land use designation for properties located at approximately 3100 North SR-36 (116 acres), 800 West 1000 North (39 acres), 3300 North 400 West (51 acres), and 1200 West 2400 North (192 acres). The applicant is requesting to re-assign the land use designation for the subject properties to RC Regional Commercial, to re-assign the zoning to the Compass Point CSD Zoning District, and to adopt a new Compass Point CSD Zoning Ordinance**

Mr. Aagard gave presentation a regarding the proposed Compass Point Commercial Special District (CSD). He explained that the application is a legislative matter and that the Planning Commission's role is advisory, with the City Council serving as the final approval authority. The Planning Commission may forward a positive or negative recommendation, or recommend changes to the City Council, but does not have the authority to require the applicant to rewrite the proposed CSD.

The proposed application includes amendments to the land use and zoning maps and adoption of a new zoning ordinance establishing development standards for the Compass Point CSD. Planning Staff reviewed the proposed permitted and conditional uses, lot and building standards, landscaping, fencing and screening, parking, lighting, architectural design, and signage requirements.

Mr. Aagard also reviewed the criteria the Planning Commission must consider when making its recommendation, including whether the CSD would allow development that is not reasonably feasible under standard zoning districts, provide a substantial benefit to the City, and create unique uses, configurations, or product types or address deficiencies in the existing zoning regulations. He noted that a public hearing was required and that notices had been sent to surrounding property owners. A comment was received from Tooele County, primarily regarding the future right-of-way connection, and staff indicated that the applicant and Perry Homes were already working with UDOT and the County to address the matter.

Chairman Hamilton opened the public hearing at 7:25 p.m. Seeing no members of the public coming forward. Chairman Hamilton closed the public hearing at 7:25 p.m.

Mr. Finlinson, representing Perry Homes, stated that the proposed Compass Point Commercial Special District (CSD) would provide significant long-term benefits to both the community and the City through commercial development and increased sales tax revenue. He explained that the commercial areas would serve as key entry points into the Compass Point community, which is anticipated to include approximately 3,600 residential units at full buildout.

Mr. Finlinson stated that the proposed CSD includes enhanced standards for landscaping, lighting, signage, and architectural design intended to create attractive and well-designed commercial areas. He

explained that the standards were developed to attract a variety of high-quality national, regional, and local retailers, restaurants, entertainment venues, and other commercial tenants, while providing the City with a competitive advantage in attracting future development.

Mr. Finlinson further stated that Perry Homes intends to remain a long-term partner with the City and assist in addressing future infrastructure and community needs as the area develops. He expressed that Compass Point has the potential to become a premier commercial hub for the county and help reduce sales tax leakage to surrounding communities.

Motion: Commissioner Proctor moved that move we forward a positive recommendation to the City Council for the Compass Point Commercial Special District (CSD) Zoning Map Amendment request by Jake Finlinson, representing Perry Commercial, as indicated on the proposed zoning map in Exhibit "A" in this staff report, to re-assign the land use designation for Areas A, C and D to the RC Regional Commercial Land Use designation, and to recommend approval of the text of the Compass Point CSD as proposed in Exhibit "B" in this staff report, application number 2026005, based on the findings listed in the Staff Report dated August 18, 2026. Commissioner Jensen 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, "Nay"; and Chairman Hamilton, "Aye". The motion passed 6-1.

4. **Public Hearing and Decision to consider a Conditional Use Permit request by Dallas Rowberry to authorize a "pet shop/ pet grooming" business in the General Commercial (CG) zoning district, located at approximately 756 North Main Street.**

Ms. Anglin presented a request for a Conditional Use Permit for a pet shop and pet grooming business located at 756 North Main Street. The approximately 1.64-acre property is zoned General Commercial and designated Regional Commercial in the General Plan. The business would occupy an existing tenant space and would include retail sales of pet supplies, nine grooming tables, and three bathing tubs. No exterior site improvements are proposed.

Ms. Anglin explained that planning staff recommended conditions limiting the use to pet grooming and customary retail sales and clarifying that the approval would not authorize a kennel, boarding facility, animal daycare, or live animal sales. Animals would only be permitted to remain on the premises for the time reasonably necessary for grooming services. Additional conditions would require the facility to be maintained in a clean and sanitary condition and for animal waste to be properly disposed of.

Planning Staff confirmed that the proposed use would not require additional water rights or water-related improvements and that the existing site provides sufficient parking. Planning Staff found the proposal to be consistent with the General Plan and applicable City Code and determined that the proposed conditions would adequately mitigate any reasonably anticipated impacts.

Chairman Hamilton opened the public hearing at 7:36 p.m. Seeing no members of the public coming forward, Chairman Hamilton closed the public hearing at 7:36 p.m.

Ms. Rowberry stated that the business would not sell live animals or provide overnight boarding. She explained that the business has operated in Stansbury Park for approximately 15 years and is relocating due to the expansion of the University of Utah InstaCare. Ms. Rowberry, who has owned the business

for approximately one year, stated that the relocation would allow the business to expand and continue serving the community and its pets in Tooele.

Motion: Commissioner Anderson move we approve the Conditional Use Permit Request by Dallas Rowberry, authorizing the use of pet shop/ pet grooming business located at 756 North Main Street, application number 202661, based on the findings and subject to the condition listed in the Staff Report dated August 15, 2026. Commissioner Faircloth. 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 7-1.

5. **Decision on a proposed site plan amendment by Ledger Cove LLC for property located at 1000 North Franks Drive in the MR-16 Multi-Family Residential zoning district on 16 acres regarding the relocation of previously approved development amenities.**

Mr. Aagard presented a site plan amendment request for the Ledger Cove development, located at the northeast corner of 600 West and 1000 North. He explained that the Planning Commission previously approved the site plan in 2025, which included two pickleball courts centrally located within the development—one serving the apartment buildings and the other serving the townhomes.

The applicant later relocated one of the pickleball courts closer to the eastern property line and adjacent to existing single-family residential properties. Mr. Aagard explained that the Planning Commission was being asked to determine whether the proposed relocation satisfied the ordinance requirement that amenities be centrally located within the development.

Mr. Aagard noted that staff had received concerns from adjacent property owners regarding potential noise generated by the pickleball court. He explained that site plan reviews do not require a public hearing or public comment; however, the Chairman could allow public comment at the Commission's discretion. Staff recommended retaining the pickleball court in its originally approved location, as staff believed that location was more centrally situated and better served the development while avoiding concerns from adjacent residential properties.

The Chairman opened the public hearing at 7:44 p.m. and clarified that public comments would be limited to the proposed location of the pickleball court.

Robb Kaczmarek, a resident of 1111 North Providence Way whose property is located immediately east of the proposed pickleball court location, expressed concerns regarding the relocation of the court. He stated that the originally approved plan showed a green space in the area and that he was not aware the area had been changed to accommodate a pickleball court until he observed the development and reviewed information on the Ledger Cove website.

Mr. Kaczmarek stated that he supported the original, more centrally located location for the pickleball court. He expressed concerns about potential noise and additional lighting associated with the court and stated that the proposed location would change the area adjacent to his residence from green space to an active recreational facility. He requested that the pickleball court remain in its originally approved location.

changes to the proposed amendment; however, it does not have the authority to require staff to rewrite the proposed ordinance or delay the application until changes are made.

Mr. Aagard acknowledged that staff had not adequately explained the Planning Commission's role and authority during the previous meeting. He explained that the purpose of the proposed architectural standards was to improve the aesthetic appearance of the City and address ongoing concerns from residents regarding the appearance and quality of commercial development. He noted that staff was seeking the Planning Commission's recommendation on the proposed amendment and that any concerns or suggested changes could be included in the Commission's recommendation to the City Council.

Mr. Aagard reviewed revisions made to the proposed ordinance in response to concerns raised by the Planning Commission during its previous discussion. The revisions included removing references to specific zoning districts and instead applying the architectural standards to commercial development adjacent to a public street, public space, residential dwelling, or future residential area. Building facades not meeting these visibility criteria would not be required to comply with the architectural standards. Specific exemptions were also added for the Downtown Overlay and Heavy Industrial zoning districts, although staff encouraged the application of architectural standards within the Downtown Overlay based on policies contained in the Tooele City General Plan.

Staff also removed the proposed 25 percent renovation threshold. Under the revised language, building renovations requiring a building permit would be required to comply with the architectural standards, while smaller improvements, such as doors and windows that do not significantly alter the exterior of the building, would be exempt.

Additional revisions included an exemption for buildings subject to franchise agreements or corporate branding requirements, provided the applicant submits documentation demonstrating those requirements. Staff removed the requirement for more than two exterior materials on building facades but retained the limitation that no single exterior material may cover more than 75 percent of a facade. An exemption was added for brick and stone facades, excluding cinder block and CMU block. Staff also removed the prohibition on neon and bright colors and clarified that appeals would not require additional fees and would be considered as part of the site plan design review process.

Mr. Aagard reviewed applicable policies in the Tooele City General Plan, which encourage proactive development through City Code provisions and design standards. He noted that the General Plan identifies high-quality architecture, sidewalks, street lighting, reasonable signage, and landscaped parking areas as important elements contributing to quality commercial development. He stated that the proposed standards were intended to respond to community concerns, preserve the architectural integrity of the City, and maintain the quality of new commercial development.

Mr. Aagard also reviewed examples of building elevations throughout the City. Commissioner Anderson asked whether a mansard roof should be considered an exterior wall material rather than roofing for purposes of the architectural standards. Mr. Aagard stated that he would interpret a mansard roof with materials such as shingles or shake as an exterior wall material rather than a roof.

Motion: Commissioner Proctor move we forward a positive recommendation to the City Council to adopt the proposed Tooele City Code Title 7, Chapter 11c Design Standards: Commercial ordinance as included in Exhibit "A" of this report, based on the following findings.

Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye", Commissioner Faircloth, "Aye";

Commissioner Jensen, “Nay”; Commissioner Anderson, “Nay”; and Chairman Hamilton, “Aye”. The motion passed 5-2.

7. **City Council Reports**

Councilman Gossett reported on the recent Truth in Taxation meeting, noting that Finance Director Shannon Wimmer presented information regarding the City’s budget and property taxes. He stated that staff had worked hard to keep taxes as low as possible and commended Ms. Wimmer for taking the time to personally address and discuss a resident’s concerns following the presentation.

8. **Review and Decision – August 12, 2026 Planning Commission meeting minutes**

There were no corrections to the minutes.

Motion: Commissioner Hammer moved to approve the August 12, 2026 Planning Commission Meeting Minutes. Chairman Hamilton 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 7-1.

Chairman Hamilton expressed his appreciation to the Planning Commission and staff for their efforts and contributions.

9. **Adjourn**

Chairman Hamilton adjourned the meeting at 8:24 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 September, 2026

Tyson Hamilton, Tooele City Planning Commission Chair