PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, April 8, 2020** 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.

**NOTICE**

Tooele City has implemented Governor Herbert’s and Mayor Winn’s emergency declarations regarding public gatherings for all public meetings, yet we still want to encourage public participation in our government. Citizens will not be able to attend this meeting in person at City Hall. The public may join the meeting electronically by logging on to the Tooele City Facebook page, at [https://www.facebook.com/tooelecity](https://www.facebook.com/tooelecity).

If you would like to make a comment during any public hearing item, you may do so by emailing [pcpubliccomment@tooelecity.org](mailto:pcpubliccomment@tooelecity.org). Emails will only be read at the designated points in the meeting but all emails received will be read into the record.

**Agenda**

1. **Pledge of Allegiance**

2. **Roll Call**

3. **Public Hearing and Decision** on a Conditional Use Permit to allow the use of “Automobile Service and Repair” for Miller’s Garage proposed to be located at 278 North Main Street in the GC General Commercial zoning district on approximately .76 acres.

4. **Public Hearing and Recommendation** on a request by Tooele City for a text amendment to Table 4 of Tooele City Code Chapter 7-14 and Table 1 of Tooele City Code Chapter 7-16 regarding the residential uses in registered historical buildings.

5. **Review and Discussion** of the initial draft of the Economic Vitality Element of the Tooele City General Plan revision.


7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Tooele City Planner and Zoning Administrator prior to the meeting at (435) 843-2132 or TDD (435) 843-2108.
STAFF REPORT
April 2, 2020

To: Tooele City Planning Commission
   Business Date: April 8, 2020

From: Planning Division
       Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Miller's Garage – Conditional Use Request
   Application No.: P20-236
   Applicant: Joe Miller
   Project Location: 278 North Main Street
   Zoning: GC General Commercial Zone
   Acreage: .76 Acres (Approximately 50,094 ft²)
   Request: Request for approval of a Conditional Use in the GC General Commercial zone to allow the use of “Automobile Service and Repair.”

BACKGROUND

This application is a request for approval of a Conditional Use for approximately .76 acres located at 278 North Main Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use be approved to allow the use of “Automobile Service and Repair” to occur on the property. The property is an existing commercial area with existing buildings on the site. The building is current vacant but has been used as an auto parts retail store, a plumbing and service warehouse and an automobile repair business operated by the applicant. It has been more than one year since an automobile repair business has operated in the building and that conditional use permit has expired. The applicant is seeking a new conditional use permit to re-establish his automotive repair business on the site.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. Properties to the north, south and west are zoned GC General Commercial and are utilized as with commercial land uses. Property to the east, on the adjacent side of Garden Street (50 East) are zoned R1-7 Residential. The nearest residential use, however, fronts onto 100 East and is separated by the road and large concrete paved lots. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. As mentioned above this is an existing site that has seen various commercial uses throughout the decades. The site has access to Main Street as well as Garden Street on the east. The building sites close to the southern property line with a 40 foot drive aisle extending from Main Street to Garden Street. There is an existing parking area located to the east of the building, closer to Garden Street.

Parking. Tooele City Codes do not establish a parking requirement for automobile service and repair but leaves it to the discretion of the Director. The site currently has 18 painted parking spaces located to east as well as room for a few more cars on the 40 foot wide drive aisle north of the building. The applicant has indicated that his business caters to specific clientele such as Dugway Proving Grounds and that most of his work is done with them. It is anticipated that there would be 3 to 6 vehicles at the site at any given time and that most of the time the vehicles will be stored inside of the business. There is ample space on the property to accommodate any vehicle parking related to the repair business.
**Fencing.** There is, currently, a 6 foot chain link fence extending mid-way between Main Street and Garden Street that contains vertical slats and provides some screening from view of people in Main Street. There is no need to screen any view from Garden Street as the view is already less than desirable.

**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 submission and has issued a recommendation for approval for the request with the following comments:

1. Staff does not see any detrimental impacts from having an automobile repair business on the site. There is ample parking and screening for the business.

Engineering Review. The Tooele City Engineering Division has completed their review of the Conditional Use submission and have issued a recommendation for approval for the request.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit 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 by Joe Miller, application number P20-236, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division 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 Public Works Development 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 Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. 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.

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 use is appropriate for its location.
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 Request by Joe Miller to authorize the use of “Automobile Service and Repair” at 278 North Main Street, application number P20-236, based on the findings and subject to the conditions listed in the Staff Report dated April 2, 2020:”

1. List any additional findings of fact and conditions…

Sample Motion for Denial – “I move we deny the Conditional Use Request by Joe Miller to authorize the use of “Automobile Service and Repair” at 278 North Main Stree, application number P20-236, based on the following findings:”

1. List findings of fact …
EXHIBIT A

MAPPING PERTINENT TO THE
MILLER'S GARAGE CONDITIONAL USE

Miller Garage Conditional Use

Aerial View
Miller Garage Conditional Use

Current Zoning
Miller Garage Conditional Use

Additional Parking

19 Stalls

Aerial View
EXHIBIT B

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.org

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.

<table>
<thead>
<tr>
<th>Project Information</th>
</tr>
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<tbody>
<tr>
<td>Date of Submission:</td>
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<tr>
<td>Current Zoning:</td>
</tr>
<tr>
<td>Parcel #:</td>
</tr>
<tr>
<td>Acres:</td>
</tr>
<tr>
<td>Units:</td>
</tr>
<tr>
<td>Project Name:</td>
</tr>
<tr>
<td>Project Address:</td>
</tr>
<tr>
<td>Project Description:</td>
</tr>
<tr>
<td>Current Use of Property:</td>
</tr>
</tbody>
</table>

| Property Owner(s):  | Alan Smith |
| Address:            | 278 n Main |
| City:               | Tooele    |
| State:              | UT        |
| Zip:                | 84004     |
| Phone:              | 435-841-4036 |
| Applicant(s):       | Joe Miller |
| Address:            | 353 Saddle Rd |
| City:               | Grantsville |
| State:              | UT        |
| Zip:                | 84004     |
| Phone:              | 435-830-0119 |
| Contact Person:     | Joe Miller |
| Phone:              | 435-830-0119 |
| Email:              | joemiller73u@msn.com |
| Signature of Applicant: | |
| Date:               | 3-20-20 |

*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 as 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. § 65-2-802.5, 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

| Received: 7500 |
| Received By: (213) |
| Date Received: 3-20-20 |
| Receipt #: 00375091 |
40 Parking Stalls  LOT 334' Sidewalk to Sidewalk  Lot Width 105'
To: Tooele City Planning Commission  
Business Date: April 8, 2020

From: Planning Division  
Community Development Department

Prepared By: Jim Bolser, Director

Re: Residential Uses in Historic Buildings – City Code Text Amendment Request

Application No.: P20-198
Applicant: Tooele City
Request: Request for approval of a City Code Text Amendment regarding allowing multi-family residential uses in registered historic buildings in mixed use and commercial zoning districts.

BACKGROUND

This application is a request for approval of a City Code Text Amendment with the intent of creating an allowance for residential uses, specifically multi-family residential uses, to be viable applications for the redevelopment of buildings that are registered historic structures. More specifically, the allowance would exempt the redevelopment of a registered historic building for multi-family residential purposes from maximum density requirements. The intent of this ordinance would be to create this allowance throughout all commercial and mixed-use zoning districts.

ANALYSIS

City Code Text Amendment. The scope of the proposed text amendment is self-limiting in two fashions. First, the number of registered historic structures in the community is very limited in numbers. Projecting forward, the requirements for taking an existing building and justifying it to become a registered historic structure are additionally limiting such that any building with the opportunity to do so is likely justifiable under the intent of this text amendment. Buildings that are or could be justified as a registered historic building carry with them an inherent value to the community and the preservation of the community’s heritage. Developing flexibility into the City Code to encourage the beneficial reuse of these buildings further serves to preserve these structures and the heritage to which they contribute. Second, where the scope of this text amendment applies only to the registered historic building itself and not the entirety of a project that includes such a building, the box within which the allowance can exist is predetermined and specifically defined. This, then, provides a natural limitation on the number of units possible for conversion to multi-family residential uses.

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Section 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. The proposed text amendment serves the purpose of promoting the preservation and viability of registered historic buildings within the community.
2. The proposed text amendment serves the purpose of promoting the preservation and heritage of the community.
3. The proposed text amendment serves the purpose of creating flexibility of use within the City Code for the reuse of registered historic buildings.

Engineering Review. The Tooele City Engineering Division has completed their review of the City Code Text Amendment request.

Noticing. The City has expressed their desire to amend the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential applications’ 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 applications’ 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 Residential Uses in Historic Buildings City Code Text Amendment Request by Tooele City for the purpose of allowing multi-family residential uses within registered historic buildings, application number P20-198, 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 Residential Uses in Historic Buildings City Code Text Amendment Request by Tooele City for the purpose of allowing multi-family residential uses within registered historic buildings, application number P20-198, based on the following findings:”

1. List findings ...
## CHAPTER 14. RESIDENTIAL ZONING DISTRICTS

### TABLE 4
MINIMUM DWELLING UNIT SIZE (Finished Square Feet)

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>ONE STORY (includes Split Level and Split Entry)</th>
<th>TWO STORY (Total Both Levels)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>With Single Covered Parking</td>
<td>With Single Garage</td>
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<tr>
<td>MR-25</td>
<td>750</td>
<td>750</td>
</tr>
<tr>
<td>MR-16</td>
<td>900+</td>
<td>850+</td>
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<tr>
<td>MR-8</td>
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<td>850</td>
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<td>R1-7</td>
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<tr>
<td>R1-8</td>
<td>1000</td>
<td>950</td>
</tr>
<tr>
<td>R1-10</td>
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<tr>
<td>MU-160</td>
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</tbody>
</table>

Note 1. The minimum dwelling unit size for a multi-family residential project proposed as a redevelopment of a registered historical building within the MU-B zoning district shall be 400 square feet when approved by the Planning Commission through design review in compliance with Title 7 Chapter 11 of the Tooele City Code.
EXHIBIT B

TOOELE CITY CODE
CHAPTER 7-16 PROPOSED REVISIONS
## CHAPTER 16. ZONING DISTRICT PURPOSE AND INTENT. MIXED USE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS

### TABLE 1
TABLE OF USES

<table>
<thead>
<tr>
<th>USE</th>
<th>MU-B</th>
<th>MU-G</th>
<th>NC</th>
<th>GC</th>
<th>RC</th>
<th>LI</th>
<th>I</th>
<th>RD</th>
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</thead>
<tbody>
<tr>
<td>Mixed Use - Broadway</td>
<td></td>
<td></td>
<td>Neighborhood Commercial (Maximum individual lot Size 15,000 square feet)</td>
<td>General Commercial</td>
<td>Regional Commercial</td>
<td>Light Industrial</td>
<td>Industrial</td>
<td>Research &amp; Development</td>
</tr>
<tr>
<td>Mixed Use - General</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Neighborhood</td>
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<td></td>
<td>General Commercial</td>
<td>Regional Commercial</td>
<td>Light Industrial</td>
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<tr>
<td>Commercial</td>
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<td>(Maximum individual lot Size 15,000 square feet)</td>
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<tr>
<td>Dwelling; Multi-Family</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>See Note 6</td>
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<tr>
<td>P = PERMITTED USE</td>
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</tbody>
</table>

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.

NOTES:

6. This use shall be a permitted use *with no maximum density* when proposed within and as a part of the redevelopment of an existing registered historical building.
Introduction
The Economic Vitality Element intended to address fundamental goals and objectives upon which the City can develop and employ specific criteria and policies to better evaluate business decisions and encourage economic development that will sustain the community. This element has been prepared to balance the needs of Tooele’s neighborhoods with those of its business community. The goals emphasize compatibility, diversity, growth, uniqueness, and flexibility. Furthermore, this element acknowledges the economic factors that strongly influence the future well-being of the community, as well as its current and future residents and neighborhoods. The sustainability of Tooele’s quality of life relies directly on the economic prosperity of the community balanced with the preservation of the natural environment. The goals and objectives of the Economic Vitality Element are designed to support and enhance this sustainability. To assure a high quality of life for Tooele residents, economic growth must be fostered.

The importance of a strong, vibrant economy to Tooele’s way of life cannot be overstated. Tooele relies on its strong economic strength to provide a high quality of life, to provide high quality services for citizens, and to provide employment for its citizens. Without these economic strengths, citizens would experience decreased levels of city services and amenities, and/or increased taxes and costs of services. The city is committed to supporting and expanding its existing economic base. This can be done by targeting new opportunities that will further diversify the economic foundation and provide for the future fiscal health of the city and long-term sustainability, while protecting the city’s unique character.

Tooele’s economic base is quite diverse. This is a change from the agricultural dependent economy of the past. Today many activities cultivate Tooele’s economic vitality including retail, services, industrial, and varied employment opportunities along the major thoroughfares that dissect the city. By focusing on these strengths, Tooele will be able to continue broadening its tax base and provide high quality employment opportunities for its citizens.

Economic Profile
As a brief summary about Tooele’s economy, acknowledging that more detailed information is referenced in other sections of this General Plan, significant new commercial, industrial and residential development typifies recent growth. In order to support community and economic development there has been widespread construction of the community’s infrastructure. A solid economic foundation that targets quality development and attract a lucrative tax base sets Tooele on a track for a prosperous future. All told, as the hub of the Tooele County region, Tooele City is the focal point of area commerce, community, and the arts.

Tooele’s growing retail market is an integral part of Tooele’s distinctiveness and is one of the major economic drivers in the community. The City’s retail businesses will continue to be challenged by the draw from other metro area communities and the changing nature of economic activity towards online sources. Therefore, it is crucial for Tooele to preserve a strong, aggressive position in maintaining and supporting existing businesses in addition to bringing in new, high quality retail to the community.

The primary industrial and manufacturing areas occur along the western edge of the community. The growth in this sector has included redevelopment and the import of diverse new businesses to go along the growth of existing businesses. The City actively seeks targeted business services appropriate to the community that provide quality jobs for the citizens of Tooele. These activities help to further diversify the economy and provide services and amenities to the community.
**Vision**
Tooele's future as an attractive place to live and work is dependent upon a dynamic, diversified, and growing economic base that complements the character of our community. Tooele City is regionally competitive and will attract businesses that offer employment to our citizens, provide essential services, respect our mountain environment, compliment our outdoor lifestyle, and enhance our tax base. Tooele will foster its strengths in business, employment and higher education opportunities, as well as diversify and develop new opportunities through emerging technologies that change how we do business. Tooele’s economic competitiveness and prosperity supports a quality of life that is distinctive among Valley communities. By following the goals and objectives of this element, the competing needs of Tooele residents and businesses will be balanced so that neighborhoods are protected, while business districts are competitive and attractive.

**Tooele’s Economic Values**
- Business entities that complement Tooele’s community characteristics such as quality design standards, mountain environment, and friendly community lifestyle.
- Continuation of a strong, unique retail environment.
- Quality of life for residents, quality of its businesses, and the quality of the environment surrounding the community.
- Access to high quality employment opportunities, resources, and services for citizens.
- Economic stability and a continued high level of public services for citizens and visitors.
- A diverse array of goods and services locally provided for consumers.
- A vibrant community with cultural and recreational opportunities for residents and visitors supported by community business partners.

**Business Climate Factors**
Business climate factors contribute both positively and negatively to the environment in which businesses operate. A good business climate is one that offers a safe and stable place for business. Strong and supportive government, quality education and labor resources, public safety, favorable taxation policies, and loyal consumers are just some of the important factors that contribute to a positive business climate.

**Opportunities:**
- The city has competitive tax and utility rates.
- The city has a relatively low unemployment rate.
- Tooele’s high quality of life is a positive attraction.
- The city has experienced growth in retail sales over the past decade.
- Potential specialty retail stores need an expanded market in Tooele.
- Tooele is diverse in population and income levels which provides for a wide range of needed employment, service, and commercial opportunities.
- The proximity of higher education provides opportunities for research and business development, conferences, and special events.
- Tooele has a beautiful natural setting to attract new residents and tourists.

Increased risk, uncertainty, and instability in the market place negatively impact businesses, as well as the communities in which they operate. To the extent that local communities support the creation and expansion of local businesses they are able to create a business climate that is more inviting to private business owners.

**Challenges:**
• The housing market has been dynamic growing quickly leaving Tooele with relatively low stock of available housing which leaves few options for new renters and homebuyers.
• Although there are strong and viable retailers in the downtown area there is a perception that the commercial heart of the community has shifted away from the downtown area.
• Almost 26% of retail spending is “leaking” from Tooele.
• Points of interest, city amenities, and other identifiers for visitors are not evident to those unfamiliar with the area.

Revitalization
Revitalization and redevelopment, particularly in the downtown area, become a critical part of the economic vitality of the community as the city matures. Tooele should prevent decline in mature areas by acting before they lose their attractiveness. Additionally, housing and the stability of residential neighborhoods is an essential counterbalance to Tooele’s quality of life. While discussed in other elements of the General Plan, the Economic Vitality Element recognizes that quality housing is a crucial component to the stability of the local economy. Retaining and enhancing the vitality of maturing areas of the city, both residential and non-residential, is a critical priority in maintaining the city’s overall economic health.

Tooele’s economic vitality faces several new economic challenges as the community matures. As the traditional model by which new opportunities for economic growth and sustainability were defined must be rethought and redefined. There are new and non-traditional demands for what the Tooele economy should not only provide for its citizens but also what economic uses should comprise the economy. The community must establish a balance of these demands with the complexities of the “new economy.” Tooele’s economic position must be agile enough to respond to the dynamic needs and demands of the new economy while actively supporting existing businesses. Suitable response to these demands is critical to ensuring Tooele’s economic future.

Retail Leakage
The economic vitality of a community is directly tied to the various income streams from properties within the city’s jurisdiction. Most notably these revenue streams come in the form of property taxes, licensure and application fees, utility fees, sales taxes, and other miscellaneous revenues. Property tax and sales tax typically provide the most prominent segments of a community’s income stream. Residential properties contribute property tax income, but do so at a 45% reduced rate. Non-residential properties provide not only a full rate property tax but the added aspect of sales and use taxes. With Tooele City’s relative close proximity to the Salt Lake metro area and the broad commercial opportunities there, combined with the expansive digital marketplace the internet provides, it is relatively easy for sales tax dollars to escape the community for other destinations. A study performed for Tooele City has shown that the city’s leakage of retail sales tax dollars is as high as 26%. This is supported in the same study by the statistic sales tax dollars make up barely more than 20% of the City’s General Fund budget. Although this isn’t a glowing statistic, it is a clear opportunity to boost the city’s revenues within the existing population of the community. Strategies designed to expand the ability of Tooele residents to live, work, and spend their money in Tooele rather than having to look elsewhere will reduce this leakage and naturally boost the City’s General Fund which, in turn, can provide a greater return in services and recreation back to the residents.

Goals and Objectives

Goal #1 Foster new and existing economic activities and employment opportunities that are compatible with Tooele’s lifestyle.
Objectives

• Strive to grow and expand the economic base on pace and in harmony with the population and supporting built and natural environment.
• Support businesses in adapting to the constantly changing market as a result of new technologies and support those companies that are integral to the “new economy”.
• Target specific economic sectors for expansion or relocation in Tooele that will provide for the greatest positive impact and the fewest negative impacts. These include medical and health care services, biomedical research and development, technology related research and development, business and professional services, administrative offices, corporate and regional headquarters.
• Strongly pursue economic opportunities that enhance the quality of life of the community as well as have a positive economic impact. This would include those businesses that provide medical, educational, cultural or recreational amenities for the community.
• Focus on opportunities that are non-polluting and that support telecommuting and alternative transportation modes. Recruit quality companies at the forefront of economic and technological change.
• Emphasize the retention and expansion of businesses in Tooele and provide support mechanisms for small businesses in Tooele.
• Support entrepreneurial development and ‘incubator’ activities to grow and support start up businesses.
• Identify those factors that are most important to the community and articulate those factors through design criteria and requirements on new development proposals.

Goal #2  Encourage and maintain a level of diverse, unique retail and entertainment activity in Tooele that supports the needs of Tooele’s residents and visitors.

Objectives

• Encourage the location of new, high quality, regionally oriented retail activities in Tooele. New retail activity should focus on unique and diverse retail ventures.
• Maintain a strong, aggressive position in dealing with bringing new, high quality retail and entertainment experiences to the community.
• Encourage the concentration of new retail and entertainment in the historic Downtown areas.
• Advocate the development of additional retail opportunities, especially those that capture the unique flavor of Tooele and complement the quality, and outdoor, rustic character of the community.

Goal #3  Encourage and support a diversity of businesses that contribute to Tooele’s sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services can be efficiently provided.

Objectives

• Nurture and support established businesses as well as new businesses.
• Ensure adequate opportunities for future as well as expanded commercial and business activity throughout the community.
• Diversify Tooele’s business and retail community so it includes a variety of business types as well as a variety of business scales and sizes.
• Promote Tooele as a diverse shopping and entertainment destination.
• Develop existing and attract new high value/low impact businesses.
Goal #4  
Sustain and strengthen Tooele’s position as a unique destination and recreational community.

Objectives
- Maintain the quality and character of the area’s recreational amenities.
- Preserve Tooele’s natural, social, and cultural environments to enhance the Tooele experience.
- Enhance Tooele's support services including fine dining, specialty retail, and entertainment.
- Provide destination attractions that celebrate Tooele’s heritage. These should include the key theme areas of the arts, contemporary arts, pioneer lore, the mountain environment and Native American Culture.
- Build on Tooele’s strength for attracting and providing entertainment opportunities and events such as the Arts Festival, Fridays on Vine, 4th of July activities, etc.
- Ensure a wide variety of active and passive outdoor recreational opportunities, for visitors and residents alike, such as golf, hiking, horseback riding, scenic walks, etc.
- Ensure the golf experience remains a positive and readily available destination activity.

Goal #5  
Create and maintain linkages between non-residential development and residential neighborhoods, thus improving access, visibility and protecting the integrity of those neighborhoods.

Objectives
- Regional and larger community retail centers are encouraged to locate on major streets where access is available or in close proximity to customers.
- Maintain and create distinctive commercial, retail, and entertainment districts that benefit through clustering uses together.
- Maintain and develop neighborhood-shopping areas that are in proximity to neighborhoods and residential concentrations.
- Focus major employment uses in targeted areas such as the industrial depot area and the northern gateway area.
- Insure neighborhoods are adequately protected from major commercial development through design sensitivity, land use buffering, traffic management, etc.
- Promote pedestrian, bicycle, and non-motorized transportation improvements and provide options for alternative modes of transportation to access commercial, retail, and entertainment centers.
- Encourage neighborhood commercial development as part of large residential subdivisions that complements the style and scale of the residential community.

Goal #6  
Maintain and develop partnerships that will support and promote quality employment and business opportunities.

Objectives
- Maintain and develop relationships with businesses that provide the contacts that can bolster the city’s presence and position in enhancing and attracting quality and innovative business opportunities.
- Encourage partnerships to work on the renovation or reuse of underutilized or vacant buildings and shopping centers.
- Work with other jurisdictions and agencies (i.e. Chamber of Commerce, School Districts, adjacent communities, Envision Utah Council, etc.) to coordinate business and employment opportunities.
- Work with appropriate entities within the local and metropolitan community to address issues and
economic hindrances.

Goal #7  Sustain the long-term economic wellbeing of the city and its citizens through redevelopment and revitalization efforts.

Objectives

- Encourage quality redevelopment in employment areas to provide new jobs, new retail, and new entertainment opportunities in the Tooele market.
- Encourage and support the renovation and reuse of underutilized or vacant parcels, buildings, and shopping centers.
- Enhance the experience for visitors who evaluate the quality of their experience through their visual impressions of the community by revitalizing the mature built environment of businesses and neighborhoods.
- Support and encourage appropriate public and private redevelopment and revitalization efforts in the community.
- Improve and enhance the links between the physical and social relationship between non-residential land uses and the surrounding residential neighborhoods.
- Promote residential revitalization to maintain quality housing and thus maintain quality of life and stability of the local economy.
- Work with merchants and property owners to identify and address issues that are negatively impacting the area’s business districts.

Goal #8  Encourage and expand business development and assistance.

Objectives

- Strengthen the commercial identity, organization, and coordination of merchants located in the downtown area and along the State Road 36 corridor.
- Actively recruit general merchandise stores to locate in Tooele.
- Creation of a business incubator to help educate and promote business in Tooele.
- Increase the city’s capacity to support new commercial development.
- Improve the utilization of existing prime retail space in Tooele for retail uses.
- Enhance the flexibility and user-friendly qualities of local permitting to encourage commercial expansion and construction activities.
- Establish and maintain coordination efforts with businesses to encourage retention and vitality of existing businesses.

Goal #9  Implement strategies to protect and enhance the historic downtown area.

Objectives

- Diversify retail and service offerings in downtown Tooele to meet both resident and family needs.
- Implement parking solutions that address the need for expanded, convenient, and attractively designed parking.
- Increase the organization, promotion, and marketing of the downtown area and recruit new businesses.
- Encourage the upgrading of buildings in the downtown area to encourage higher end retail development.
- Create unique attraction linkages to the downtown area that will draw citizens to the area and
create an exciting sense of place and attract families, students, visitors, and shoppers.

- Promote community festivals and downtown events to attract consumers to the downtown area.
- Create opportunities for new retail space in the downtown area.
- Market the downtown area as a specialty retail destination.
- Develop a mechanism to promote and encourage the maintenance, security, events planning, and management of downtown area.

**Goal #10** *Encourage innovative and creative design that provides enhancement to neighborhoods that link to and support non-residential uses.*

**Objectives**

- Protect established single-family neighborhoods from the encroachment of rental and commercial conversions.
- Enhance the appearance and safety of Tooele’s neighborhood districts.
- Ensure that the “evolution” of Tooele does not compromise its small city quality of life.
- Enhance the attractive, safe community for local residents, businesses, and visitors.
- Actively promote and enhance environmental protection and open space.
- Work to meet the projected demand for multi-family housing.
- Encourage the creation of an appropriate amount of affordably-priced housing in Tooele.
- Clearly articulate the city’s development standards and requirements to the development community.

**Goal #11** *Capitalize on opportunities to enhance and expand the City’s industrial development base.*

**Objectives**

- Expand and support industrial development opportunities in the industrial areas.
- Recruit high tech companies and workers with connections to Tooele and higher education opportunities.
- Enhance the city’s role in local and regional economic development activities.
- Support industrial-zoned land and ensure that zoning limits the development of that land to industrial purposes to maximize the utilization of those properties in the city.

**Conclusions**

Retail vacancy in Tooele is relatively low, indicating a fairly healthy market for commercial leases and tenants. Despite this healthy market, there is a substantial amount of sales leakage from Tooele City, indicating the potential for new and expanded opportunities. The ability of the city to recapture a portion of sales leakage for certain merchandise lines, and consequently store types, is believed to be good for new stores in Tooele. The potential to recapture this leakage is not the only contributing factor to the new store potential. These opportunities are also influenced by improving roadway access, developing new retail gravity centers and a growing population base in Tooele.

The challenges in attracting national chains to the areas are many including the limited size of some of these areas and the smaller-sized existing storefronts.

Population trends indicate that the Tooele Valley, particularly Tooele City, has been growing at a faster rate than the rest of the county and region. According to indicators, this trend should continue over the next decade, resulting in steady demand for new housing development, employment, labor, and commercial and
TOOELE CITY
AREAS ZONED COMMERCIAL, INDUSTRIAL OR MIXED USE

TOOELE CITY GENERAL PLAN
AREAS ZONED NON-RESIDENTIAL
industrial development. Employment trends indicate that this expansion will most likely be in the service, retail, manufacturing, and warehousing sectors. As a result of these trends, there will be increased demand for land and building space as well as workers with increased education and skills, particularly in white-collar occupations.

The city is positioned well to capture its fair share of the future economic growth in the region. A lack of available building space and appropriately zoned land will could inhibit the City’s ability to sustain its economic development efforts. The ideas of the Economic Vitality Element should be actively employed as the foundation to the development of strategies that will keep the City on the forefront of economic development opportunities and an ever changing marketplace.
TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, March 11, 2020
Place: Tooele City Hall Council Chambers
         90 North Main Street, Tooele Utah

Commission Members Present:
Shauna Bevan
Melanie Hammer
Tyson Hamilton
Matt Robinson
Chris Sloan
Bucky Whitehouse
Dave McCall

Commission Members Excused:
Nathan Thomas
Ray Smart

City Employees Present:
Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Roger Baker, City Attorney
Paul Hansen, City Engineer

Council Members Present:
Council Member Hansen
Council Member Brady

Minutes prepared by Kelly Odermott

Chairman Hamilton called the meeting to order at 7:00 pm.

1. Pledge of Allegiance
   The Pledge of Allegiance was led by Commissioner Whitehouse.

2. Roll Call
   Matt Robinson, Present
   Melanie Hammer, Present
   Shauna Bevan, Present
   Tyson Hamilton, Present
   Chris Sloan, Present
   Bucky Whitehouse, Present
   Dave McCall, Present
3. **Public Hearing and Decision on a Conditional Use Permit request by FFG MB Stores to permits an "Accessory Drive Through Facility" for Mo’ Bettahs Restaurant at 720 North Main Street in the GC General Commercial Zone.**

Presented by Andrew Aagard

Mr. Aagard stated this is an application for the old Payless shoe store located at the intersection of Main Street and 700 North. Mo’ Bettahs has acquired the property and wishes to convert the building to a Hawaiian barbeque restaurant. Part of the conversion will include an addition of a drive through aisle, which requires a Conditional Use Permit approved by the Planning Commission. The property is zoned GC General Commercial, as are all of the surrounding properties and used as general commercial. The proposed drive through aisle, will enter at the north west corner of the building and will wrap south and east around the southern and western facades of the building. Traffic will then exit off the drive through aisle onto access for 700 North or into the Lucky’s grocery store parking lot. There are other businesses in town where vehicle stacking and drive aisles are located between the building and the public right-of-way. When this occurs the drive thorough aisle and waiting vehicles are the most prominent view. The applicant has considered alternate drive through aisle alternatives, but has decided that this configuration best fits with the business needs. Staff’s concern is the unsightly visual elements that are created by having the drive through aisle so prominently displayed. Staff has proposed a condition that landscape berms, decorative boulders, dense plantings be placed in the landscaping between the drive through aisle and the side walk. This will help screen the vehicle from view. Staff is recommending approval of the Conditional Use Permit with the conditions listed including the additional landscaping.

Chairman Hamilton asked the Commission if there were any comments or questions.

Commissioner McCall asked about the parking on the north side of the building, will the patrons have to walk through the drive through lane to get in the building? He stated that could potentially be a safety hazard. Mr. Aagard stated that the parking provided for the restaurant is north of the building, so customers entering the building will have to cross where vehicles are entering the drive through aisle. That would be a concern if vehicle stacking goes into the parking lot.

Mr. Hansen stated that the Commission is not approving a site plan tonight, but one of the comments from staff to the developer has been that they provide an accessible route for public, that is required for state and federal code. There needs to be a way to get the pedestrian from the sidewalk to the business. A final plan has not been presented to the City.

Commissioner Hammer asked about the access for pedestrians from the sidewalk, how would this configuration work for a way into the restaurant from the street. Mr. Hansen stated there is no adjoining sidewalk on the east or the north of the building. There has to be an accessible route for ADA access. The developer is looking at options and will be addressed during site plan review.

Chairman Hamilton opened the public hearing.
Mr. Daniel Gonzales addressed the Planning Commission. He represents For Foods Group that is the parent company of Mo’ Bettahs. They have a little over 100 units in nine states. They are excited to bring a Mo’ Bettahs to Tooele. Mr. Gonzales stated that he has been working closely with the City to meet codes and address the concerns. They are working with a landscape architect to mitigate concerns about visibility and access. They intend to be fully compliant and will have an entry off the north and west ends of the building.

Commissioner Bevan asked about the site plan as to why the drive through aisle curves into the parking lot instead of coming straight on? Mr. Gonzalez stated that the pick-up window needed to be on the southside to meet business needs. The curve has to do with the tree and drainage. Mr. Gonzalez stated that he is not a civil engineer.

Chairman Hamilton closed the public hearing.


4. Recommendation on Subdivision Final Plat request by Garlington Development LLC for England Ridge Subdivision proposed to be located at approximately 810 North 520 East for 87 single-family lots in the R1-7 Residential Zone.
Presented by Andrew Aagard

Mr. Aagard stated this application for final plat approval proposes to subdivide the 22.3 acres. The property is located east of England Acres Park and 7th street, south of Walden Drive and north of 700 North. There are numerous stub streets terminating at the property boundary that will be utilized for connection and access. Property is currently zoned R1-7 Residential, as are all of the surrounding properties. The subdivision plat proposes to subdivide the parcel into 87 single family residential lots ranging in size from 7,000 square feet up to 13,000 square feet. Each lot within the subdivision meets or exceeds minimum lot requirements for the R1-7 Residential zone for lot size and it conforms with the preliminary plan that has been previously approved. There is a storm water detention basin that will be constructed and landscaped by the development, ultimately being dedicated to Tooele City for maintenance upon City Council approval. Landscaping of the basin will be a drought tolerant buffalo sod and some trees. The development will be improving the eastern half of 700 North street according to the development requirements by Tooele City and all roads within the development will be publicly owned and maintained. Staff has extensively reviewed this application and are recommending approval with the basic housekeeping conditions listed in the Staff Report.

Commissioner Bevan asked about the development of 700 North street, will it be a partial development of the street or will the city develop the other half of the street? Mr. Hansen
stated that the development requirements for the street will end at the Middle Canyon Drainage, which is about half way through the England Acres Park, and will remain blocked from 1000 North access. The developer obligation under City code is to complete 30 feet of asphalt, which is more than half. The City has discussed finishing the street, but it is not currently funded.

Commissioner Hammer stated that this is a flood area that has been discussed before and it infrequently floods. How would the homeowners know that there is a note on the plat when they buy property? Mr. Hansen stated that there is a note on the plat, which references each lot which abuts the FEMA channel, and which indicates that they will need to obtain from the City, a flood development permit. The City will be looking at the finish elevations and the model flood elevation. A requirement of the developer was that they had to retain an engineer to model the existing topography and run the Tooele County model flow through the channel to provide the City with flood elevations. There will also be fill placement within the subdivision to protect additional lots. Some of the lots will be raised and each homeowner along that channel should see the flood note in their title report. There may be restrictions on basements depending on where structures placed on the lot (both elevation wise and location).


5. **Recommendation on a Subdivision Plat Amendment Request for the Loma Vista by Tyler Kukahiko for lots located at 1356 and 1342 East and 420 South in the R1-12 Residential Zone.**

Presented by Andrew Aagard

Mr. Aagard stated this is an application to amend a subdivision plat involving the two existing lots located just east of 1335 East and north of Skyline Drive. The properties are currently zoned R1-12 Residential, as well as all of the surrounding properties. The purpose of the subdivision plat amendment is to vacate the lot lines and resub divide the parcel, thus shifting the lot line between the two homes 1.5 feet to the west. This is a previously approved plat, thus the plat must be amended and approved through the plat amendment approval process. Staff has confirmed through review that the new lot line configuration does not create any non-conformities regarding lot size, building setbacks and public utility easements will shift according to the new lot line configuration. Staff is recommending approval with the basic housekeeping conditions listed in the Staff Report.

Commissioner Robinson motion to forward a positive recommendation to the City council or the Loma Vista Subdivision Plat Amendment Request by Tyler Kukahiko, application number P19-468, based on the findings and subject to the conditions listed in the Staff Report dated March 5, 2020. Commissioner Sloan seconded the motion. The vote as follows: Commissioner

6. ** Recommendation on an Annexation Plat and Petition by Robert Smart to annex 4.96 acres of unincorporated Tooele County located at approximately Utah Avenue and Emerald Road into Tooele City**
Presented by Andrew Aagard

Mr. Aagard stated that the property proposed to be annexed into Tooele City is located east of Emerald road, west of the Union Pacific Railroad and south of Utah Avenue at approximately 230 North. The surrounding zoning is I Industrial and LI Light Industrial. Tooele County currently has a zoning attached to the property of MD, Manufacturing Distribution. Currently there is not a Tooele City zoning designation attached to the property and that will be assigned by the City Council, if they choose to annex. The property is part of a larger property in which two thirds of the property are already located within Tooele City boundaries. The annexation would bring the remainder of the property into the City.

Commissioner Bevan asked how the property was split between jurisdictions? Mr. Aagard stated he was not an employee at the time this happened. Commissioner Sloan asked if there is a downside to the annexation? Mr. Aagard stated he was not aware of one.

Mr. Baker gave a brief explanation of the why he believes the land was split between jurisdictions. It involved the annexation of the Army Depot.

Mr. Bolser informed the Planning Commission they can make a recommendation on the zoning district of the lot to the City Council.


7. **Public Hearing and Recommendation on a request by Tooele City for a text amendment to Tooele City Code Chapter 7-19 regarding the acceptance of public improvements.**
Presented by Roger Baker

Mr. Baker stated that the process for accepting public improvements is a formality, but not until the public improvements are accepted, do they become owned and maintained by the City and tax payer funds. Before that acceptance they remain the responsibility and ownership of the developer that built them. It is really important that the improvements are built right and they
form the infrastructure and backbone of the City. There are clear standards for the inspectors to inspect them. At the point that the improvements are done and completed to the City satisfaction, the inspection reports are taken to the City Council for those to be accepted by resolution. In Tooele City the legislative branch of Tooele City is the City Council. By charter and state code, the City Council is only to exercise legislative functions. The Mayor has all administrative, executive, and operational functions. There is a strict separation of powers. Over the years there have been some historical anomalies that have crept in because the Tooele City form of government is not the typical form for Utah municipalities. In many municipalities, the legislative and administrative functions are mixed by a single body. Some of the ordinances from that paradigm have crept into Tooele City. This is an example of one of those areas. The acceptance of public improvements is really 100% administrative. The City Council has set the rules for what must be built, how it must be built, and when it must be built. Once those rules are in place, it is then for the Mayor and administrative departments to implement. That is done by monitoring the construction drawings, inspecting the improvements, and accepting them upon completion. The City is now prepared to transition the administrative function away from the City Council and to the Mayor and administrative departments. Rather than going to the City Council for resolution, the improvements will be signed by the Mayor and applicable department heads. Chairman Wardle has asked that the City Council retain a signature on the form and that has been added.

Commissioner Sloan asked what is the purpose of having a City Council signature if this change is being done because it is outside of the purvue of the legislative branch? Mr. Baker stated that the staff is satisfied with the 99% shift. Commissioner Hammer asked why is that line needed for the City Council? If this is a shift, then this should be a clean break. Mr. Baker stated that a City Council signature is not required. The Chairman would like a signature and there is a signature.

Chairman Hamilton opened the public hearing. There were no comments. Chairman Hamilton closed the public hearing.

Chairman Hamilton asked if the Commission had any comments, questions or concerns.

Commissioner Hammer stated that if we are making the change between branches, then we should make a clean change.


Mr. Baker asked the Commission to elaborate on the Nay votes, while not required it would be helpful.
Commissioner Sloan stated that if the Council is in agreement that this is the right thing to do, he would appreciate an explanation, but part of the reason there are these problems is an ambiguous way of taking some of them on. In this particular case, he would be more than happy to forward a positive recommendation if the grey area was gone. Commissioner Sloan asked for elaboration from the Council as to why the shift is not clear and he would like to have that discussion. As it is presented it doesn’t make a lot of sense.

Commissioner Hammer agreed with Commissioner Sloan’s comments. Commissioner Robinson agreed with Commissioner Sloan’s comments. Chairman Hamilton stated that it should be 100% or not at all.

Mr. Baker stated that it is within the Planning Commissions power to make the recommendation that they would prefer to the City Council.

Commissioner Sloan moved to reopen the recommendation.


8. Public Hearing and Recommendation on a request by Tooele City for a text amendment to Tooele City Code Chapter 7-19 regarding the process, procedure, and requirements for approval of subdivision final plat applications.

Presented by Jim Bolser

Mr. Bolser stated that currently in the state of Utah, subdivision plats and approval for subdivisions are identified as an administrative process. The reason being that the subdivision is similar to a Conditional Use Permit, where if the standards established by ordinance are met, there is an obligation to approve it. The difference in that, is that case law in the State of Utah has identified entitlements to a subdivision happen with the preliminary plan, not the final plat. There is still a vested interested, particularly for the City Council and Planning Commission in reviewing and approving the preliminary plat. The preliminary plan according to current City procedures, goes through Planning Commission and City Council. The final plat does the same process, but the final plat being post entitlements is largely a cleanup effort and finalizing everything. Through discussion with the City Council this change would make the final plat process a process to be handled at the staff level. The process wouldn’t change, the requirements wouldn’t change, the only difference would be the staff would sign off on the final plat and then bring the mylar to the Planning Commission Chair and the City Council Chair for their signatures rather than to full meetings and votes of both bodies. Those two signatures are required by state law.
Community Development Department

Commissioner Sloan asked about the City Council signature and a Planning Commission signature. Mr. Bolser stated that those are both required signatures on a plat for recording.

Chairman Hamilton opened the public hearing, there were no comments. Chairman Hamilton closed the public hearing.

Chairman Hamilton asked the Commission if there were any comments or questions, there were none.


Chairman Hamilton asked the Commission if there were any comments or questions.


10. Adjourn

Chairman Hamilton declared the meeting adjourned at 7:58 p.m.

Mr. Baker discussed legal case, Wallingford, Miller, et. al. v. Moab City with the Planning Commission.

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

Approved this 25th day of March, 2020

Tyson Hamilton, Chairman, Tooele City Planning Commission