

## PUBLIC NOTICE

Notice is hereby given that the Tooele City Council and the Redevelopment Agency (RDA) of Tooele City will meet in a Work Meeting, on Wednesday, November 5, 2025, at 5:30 p.m. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website [www.utah.gov](http://www.utah.gov), the Tooele City Website [www.tooelecitey.gov](http://www.tooelecitey.gov), and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Shilo Baker, City Recorder at (435)843-2111 or [shilob@tooelecitey.gov](mailto:shilob@tooelecitey.gov).

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecitey> or by going to YouTube.com and searching "Tooele City Channel".

## AGENDA

1. **Open City Council Meeting**
2. **Roll Call**
3. **Mayor's Report**
4. **Council Members' Report**
5. **Discussion Items**
  - a. **Discussion on a Proposed Land Use Map Amendment and a Proposed Zoning Map Amendment Request for Approximately 38 Acres Located at Approximately 900 South Main Street to Re-Assign 10 Acres to the High-Density Residential Land Use Designation and to Re-Zone 38 Acres to the MR-8 PUD Multi-Family Residential and R1-7 PUD Residential Zoning Districts and to Establish the Standards of the One O'clock Hill PUD**  
*Presented by Andrew Aagard, Community Development Director*
  - b. **Discussion About How Other Cities Along the Wasatch Front Address the Issue of Automobiles Being Parked in the Front Yards of Properties Within Single-Family Residential Zoning Districts**  
*Presented by Andrew Aagard, Community Development Director*
6. **Closed Meeting**  
*~ Litigation, Property Acquisition, and/or Personnel*
7. **Adjourn**

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Shilo Baker, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Shilo Baker, Tooele City Recorder, at 435-843-2111 or [shilob@Tooelecitey.gov](mailto:shilob@Tooelecitey.gov), prior to the meeting.

**MEMORANDUM**

**To:** Tooele City Council  
**Cc:** Mayor Debbie Winn  
**From:** Andrew Aagard, AICP, Director  
**Date:** October 28, 2025  
**Re:** One O’Clock Subdivision Land Use Map and Zoning Map Amendments

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**Subject:**

In September – October of 2021 the subject property, consisting of approximately 38 acres was rezoned to the R1-7 Residential zoning district and the property was removed from the Sensitive Area Overlay. This was done to facilitate the construction of approximately 178 single-family residential homes. Since that Zoning Map Amendment approval the previous applicant received a Preliminary Subdivision approval and submitted a Final Subdivision Plat for approximately 10 lots located immediately adjacent to Settlement Canyon Road. That Final Plat application has stalled and was never recorded. The property, according to staff’s limited knowledge of property transactions, has changed ownership and the applicant of the original applications is not involved with this new round of map amendment applications. It should be noted that the developer owns about 178 acres of property but only 37 acres of property immediately adjacent to SR-36 and Settlement Canyon Road have any development potential.

The current applicant has submitted two applications. The first is a Land Use Map Amendment Application and the second is a Zoning Map Amendment application.

**Land Use Map Amendment:**

The current land use designation for the entire 38 acres of property is Medium Density Residential or MDR. The MDR land use designation is a land use that permits the construction of single-family residential, two-family residential and Accessory Dwelling Units (ADU). The City has three zoning districts that comply with the MDR designation of the Land Use Map. Those are, the R1-7, R1-8 and R1-10 Residential zoning districts. Each zoning district permits a maximum density of about 5 units per acre, give or take a few thousand square feet. The MDR land use designation does NOT permit commercial other than minor ancillary home occupations and it also does not permit the construction of multi-family residential units such as condominiums, townhomes and apartment buildings.

The applicant is requesting that approximately 10 acres located at the center of the 38 acres be re-assigned to the High Density Residential or HDR land use designation. The HDR land use designation is a land use that permits the construction of condominiums, townhomes and apartment buildings. The HDR does not permit the construction of any detached single-family residential structures, only multi-family residential. The City has four zoning districts that comply with the HDR designation of the Land Use Map. Those are, the MR-8, MR-12, MR-16 and MR-20 Multi-Family Residential zoning districts. Each zoning district varies greatly in density ranging from 8 units per acre up to 20 units per acre. The HDR land use designation does not permit commercial other than some minor ancillary home occupations.

The applicant is requesting that the 10 acres of property be re-assigned to the HDR land use designation in order to facilitate the change of zoning to a Multi-Family Residential zoning district that will permit the construction of attached town house style units.

**Zoning Map Amendment:**

The Zoning Map Amendment is a little more complicated than the Land Use Map Amendment. Please bear with me as I try to explain this without overwhelming you. As mentioned above the property is currently zoned R1-7. The applicant, however, is requesting two distinct zoning districts. For the portion of the property that is designated as MDR the applicant is requesting the zoning district of the R1-7 PUD Residential zone. For the portion of the property possibly designated as HDR (assuming Council approval) the applicant is proposing the zoning of MR-8 PUD Multi-Family Residential. The City Council will note the addition of the PUD, or, Planned Unit Development. The application also includes a request to attach to the MR-8 and R1-7 zoning districts a PUD overlay and create the One O’Clock Hill PUD ordinance. A PUD overlay is available to developers to provide reductions in design standards such as building setbacks, lot width, lot sizes, landscaping and architectural standards to enable clustering of development in exchange for a tangible public amenity or benefit. A PUD does not change land uses, nor does it provide additional densities. The densities and land uses of the development shall maintain those as permitted by the underlying zoning districts.

It is the applicant’s intention to construct within the R1-7 PUD portions of the 38 acres, small lot detached single-family cottage style homes. Basically, slightly smaller homes on significantly smaller lots. Within the MR-8 PUD portions (pending Council approval) the applicant is proposing the construction of attached town homes. Development proposals are predicting approximately 260 total units if the zoning is approved as requested by the applicant and the PUD conditions are adopted.

**PUD Standards:**

PUD standards can be approved if it can be determined that the reduction in lot sizes, setbacks and so forth that will enable clustering of units will result in a net public benefit. The applicant is proposing a trail system extending from south west to north east that could be available to the public. The applicant has also indicated to staff that they are willing to place the remainder of the property into a perpetual conservation easement so that the property will remain undeveloped open space. Whether this is a sufficient benefit to the City to consider a PUD, that is for the Planning Commission and City Council to decide.

The following are the PUD standards that the applicant is proposing for the R1-7 portion of the development. These are the standards that are different from current R1-7 requirements:

1. Minimum lot size of 3,500 square feet.
2. Minimum lot width of 40 feet.
3. Minimum interior lot rear yard setback of 15’.
4. Minimum side yard setback of 5’.
5. Maximum lot coverage of 31%.
6. Minimum dwelling unit size of 1,125 square feet.

The following are the PUD standards that the applicant is proposing for the MR-8 portion of the development. These are the standards that are different from current MR-8 requirements:

1. Minimum lot width of 20 feet.
2. Rear yard setback for interior townhomes of 12 feet.
3. Side yard setback of 5 feet.
4. Lot coverage of 62%.
5. Minimum dwelling unit size of 1,125 square feet.

The following are the PUD standards that the applicant is proposing for the architectural design elements in the development:

The proposed development has been designed to comply with the Tooele City Design Standards for Multifamily Residential Development (Chapter 11a), with one (1) exception.

1. Stucco, fiber cement siding and wood, in addition to cultured brick and stone over at least 40% percent of the front facade.

The development is also designed to comply with Single-Family Residential Standards (Chapter 11b) applicable within a Planned Unit Development with two (2) exceptions.

2. "Masonry materials" shall include "stucco, brick or stone masonry, and fiber-cement board.
3. Minimum finished dwelling space for the cottage homes shall be 1000 square feet.

**Utilities:**

One major issue that developers of this property will need to address is the numerous Rocky Mountain Power transmission lines that cross the property. It was previously determined and approved by Rocky Mountain Power that central transmission lines would be moved and co-located with transmissions lines extending along the perimeter of the site immediately adjacent to SR-36 and closer to One O'Clock Mountain. Those transmission lines have not been relocated.

**Studies:**

This property rests at the terminus of the slope of the Oquirrh Mountains and as such presents some unique geologic considerations such as slope concerns, drainage concerns, alluvial fans, soils, bedrock, seismic faults and so forth. During the original application to change the zoning of the property, studies addressing these concerns were conducted and provided to Tooele City for review. Those studies are still available and still have relevance as the geologic conditions of the property have not changed. Those studies are available for the Planning Commissioners' review if so desired.



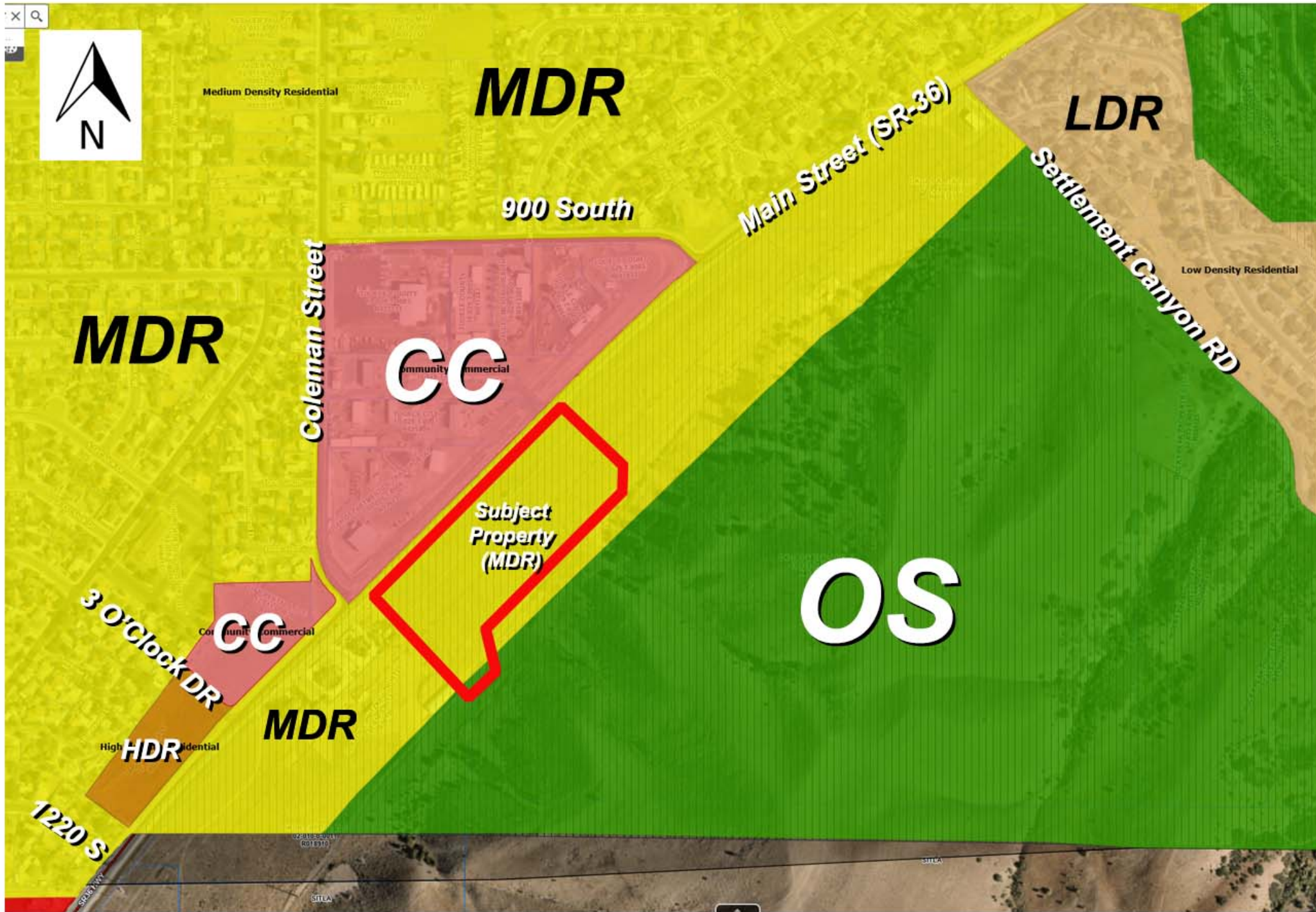
# One O'Clock Hill Subdivision Land Use Map Amendment



**Aerial View**



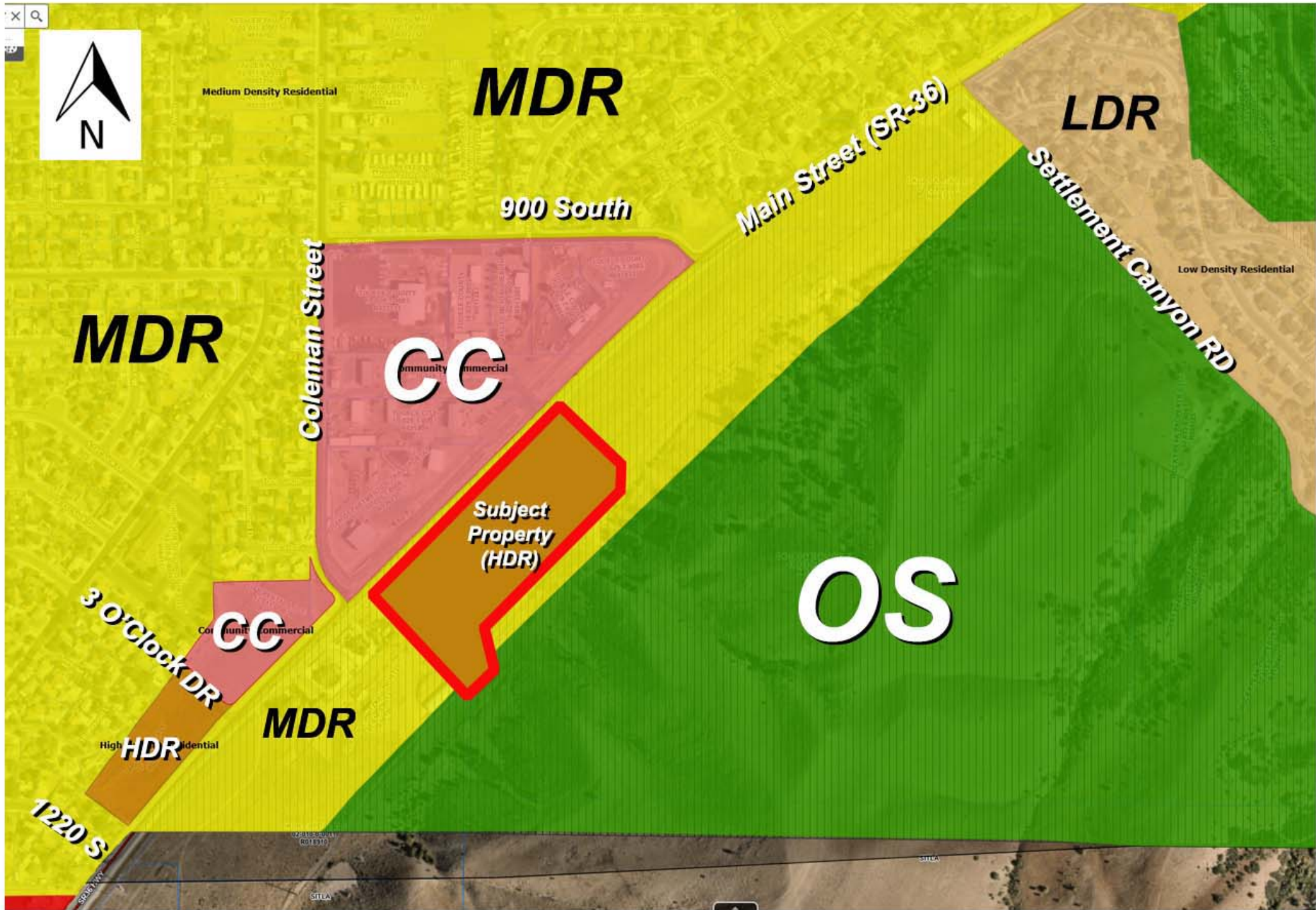
# One O'Clock Hill Subdivision Land Use Map Amendment



**Current Land Use**



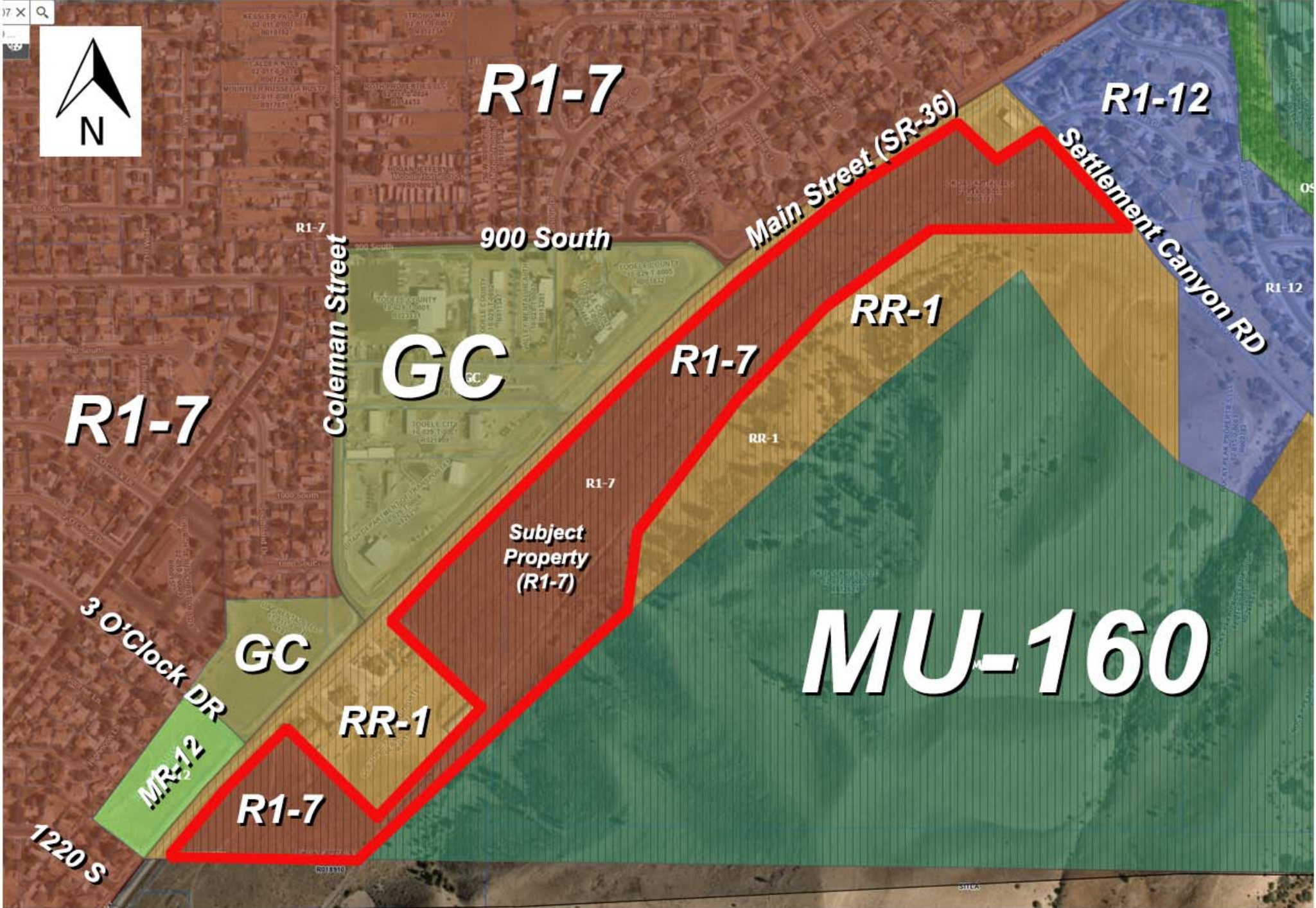
# One O'Clock Hill Subdivision Land Use Map Amendment



**Proposed Land Use**



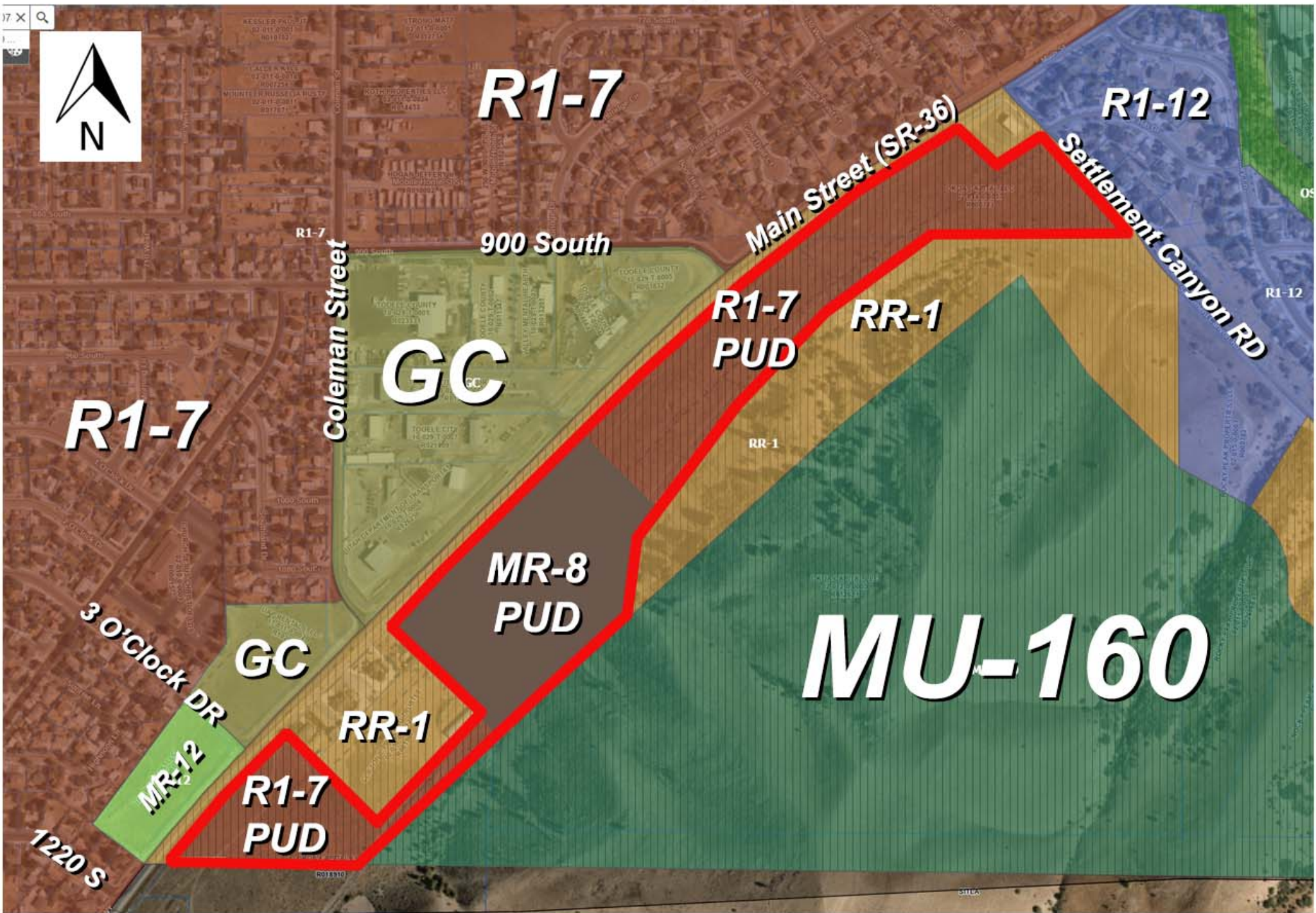
# One O'Clock Hill Subdivision Zoning Map Amendment



**Current Zoning**



# One O'Clock Hill Subdivision Zoning Map Amendment



**Proposed Zoning**

September 18, 2025

Andrew Aagard  
Director of Community Development  
Tooele City  
90 North Main Street, Tooele, UT 84074

Re: One O’Clock Hill - Proposed Rezone: R1-7 to MR-8

Dear Mr. Aagard

This firm represents Tooele 90, LLC (“**Tooele 90**”), the developer of the 178.4 acres of real property owned by OKOA Capital, LLC and located at approximately SR-36 and Settlement Canyon Road, Tooele City, Utah (“**Property**”). Tooele 90 previously received approval to subdivide 134 single family residential lots on the Property in 2023. Based on the continuing efforts of the State of Utah and Tooele City to address housing opportunity, Tooele 90 seeks to rezone the Property in order to provides the opportunity for diverse and attainable housing types. This letter intends to clarify the compatibility of the proposed rezone with the existing area and Tooele City plans.

### 1. Present Zoning of the Property

Approximately 38 acres of the 178.40-acre property is currently zoned R1-7 (Single-Family Residential, minimum 7,000 sq. ft. lots). This zoning supports conventional single-family development but does not provide the flexibility to accommodate a range of housing types or the open space features envisioned in Tooele City’s General Plan and Moderate-Income Housing Plan and desired by the community.

### 2. Consistency with Current Land Use Designation

The General Plan designates the subject property as Medium Density Residential. We have submitted an application to modify the Land Use Map of the MR-8 portion of the development to High Density. The proposed mix of MR-8 (16.13 acres for 110 townhomes) and R1-7 PUD (18.51 acres for 151 smaller cottage lots, in a future application) is consistent with this designation by introducing diverse residential types while preserving neighborhood character.

The proposed 11.23 acres of open space further supports the land use goals by creating community amenities, enhancing livability, and ensuring a balanced development pattern. The overall density of the property will be 1.48 units per acre, which is lower than the 4-6 units per acre identified for the Medium Density Residential Land Use Category. *See page 3.10 of the Tooele City General Plan.*

### 3. Compatibility with Surrounding Zoning

The area to the northeast of the Property is an established R1-12. Across SR-36 to the west has residentially zoned R1-7 and MR-12, as well as GC (general commercial) zoning. The introduction of MR-8 townhomes and R1-7 PUD cottage lots (future application) in this location provides an efficient use of developable land with adequate access and public utilities. By clustering housing types and incorporating significant open space, the proposal ensures compatibility and buffers between

different residential forms. The majority of the property will remain as MU-160 zoning.

#### **4. 4. Suitability for the Existing Property**

The property's size and configuration allow for a thoughtful master-planned approach. The MR-8 designation supports the townhome component, creating a moderate-density residential area well-suited to the site's access and infrastructure. The future R1-7 PUD designation will allow smaller cottage-style lots that remain consistent with the overall residential character, while the 11.23 acres of open space create shared amenities, trail connections, and gathering areas. The *One O'Clock Hill Traffic Impact Study* prepared by Hales Engineering analyzed access at Settlement Canyon Road and Main Street (SR-36) and evaluated future (2025 and 2030) traffic conditions with the project. The study concluded that the site can be accommodated by the existing roadway network, with recommended storage lengths and minor intersection improvements ensuring efficient and safe operations during peak hours. These findings confirm that the property's location and available access support the proposed land uses, reinforcing the suitability of the site for a cohesive residential community.

#### **5. Promotion of Tooele City Goals and Objectives**

The proposed rezoning supports Tooele City's General Plan and its Moderate Income Housing Plan through the following contributions:

##### **A. Moderate Income Housing Plan**

##### **1. Strategy One – Higher Density Zoning Amendments**

*Action Alignment:* This rezone request is for a higher-density zoning designation (MR-8) and the ability to cluster smaller single family lots (R1-7 PUD, future application), enabling the development of 110 townhomes and 154 cottage lots. While affordability is ultimately developer-driven, this zoning provides the regulatory framework necessary for a broader housing supply and potential rental opportunities.<sup>1</sup>

*Barrier Consideration:* Recognizing that higher density does not guarantee affordability, this project nonetheless provides the flexibility for townhome and smaller cottage lot development, which typically meets market demand for more moderately priced housing compared to conventional single-family lots.

##### **2. Strategy Two – Proximity to Major Transportation Corridors and Transit Routes**

*Action Alignment:* The property is within ¾ mile of an existing UTA bus stop and

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<sup>1</sup> "Also the MDR Medium Density Residential zone, which has since been reconfigured into the MR-8 Multi-Family Residential zone, supporting eight dwelling units per acre has 4.25 available acres suitable for affordable housing. The R1-7 Residential zone, supporting 5 units per acre with 2,227.66 available acres, and the R1-8 Residential zone, supporting 4.5 units per acre with 39.52 available acres, are the most suitable zones for affordable single-family homes." Tooele City General Plan, pg. 4.20 - 4.21



increases the probability of bus service being expanded further south to serve this and other projects. The proposed rezoning leverages this access by locating medium-density housing where transit connectivity exists, consistent with the City's ordinance direction.

*Barrier Consideration:* While the City cannot mandate affordability, this rezone provides opportunity for housing types with greater potential to serve moderate-income households.

## **B. General Plan Goals**

### **Goal #1 – Assortment of Commerce and Housing Opportunities**

- Provides a wide range of housing opportunities, including townhomes and smaller single-family cottage lots to complement the existing housing inventory which largely consists of traditional single-family homes.
- Encourages quality development with open space amenities that strengthen Tooele's unique identity and high quality of life.
- Accommodates controlled residential growth in a manner compatible with surrounding neighborhoods.

### **Goal #2 – Regional Coordination**

- With the additional residential density, there is an increased possibility of UTA expanding Route 451 further south to serve this project. Currently the nearest bus stop is less than  $\frac{3}{4}$  of a mile from the project.
- Relates housing density to existing regional mobility corridors.

### **Goal #3 – Mobility and Accessibility**

- Incorporates open space, trails, and pedestrian connections to promote non-motorized travel within and between neighborhoods.
- Supports compact development patterns that reduce reliance on automobiles.
- Places higher-intensity residential uses in a location where expanded transit routes are a possibility.

### **Goal #4 – Balance of Land Uses**

- Ensures a balanced land use pattern by integrating diverse housing opportunities with shared community amenities.
- Supports affordability through a variety of unit types and development patterns.
- Provides high-quality public amenities (11.23 acres of open space) at efficient service levels.

## **Goal #5 – Resource Conservation**

- Concentrates growth within a defined area, discouraging sprawl and conserving land and infrastructure resources.
- Integrates drainage ways and open space into the neighborhood design to protect water quality and natural systems.

## **Goal #6 – Appropriate Transitions**

- Provides a gradual transition from conventional R1-12 single-family neighborhoods to townhomes and cottage lots.
- Uses open space and thoughtful design to buffer different land use intensities.

## **Goal #7 – Sense of Community**

- Establishes neighborhood identity through parks, trails, and gathering areas.
- Utilizes PUD principles to create innovative cottage lot housing.
- Strengthens community interaction by providing amenities and design standards consistent with neighborhood character.

## **Goal #8 – Integration with Physical and Natural Environment**

- Sensitively integrates open spaces and natural features into neighborhood design.
- Focuses higher-intensity residential uses along transportation networks, with lower-intensity uses adjoining established neighborhoods.

## **Summary**

The proposed rezoning of **16.13** acres from R1-7 to **MR-8** and a future application for a R1-7 PUD (18.51 acres) designation, with 11.23 acres of open space, directly advances Tooele City's Moderate Income Housing Plan strategies and General Plan goals. The rezoning provides opportunities for diverse and attainable housing types in locations supported by adequate access, while maintaining neighborhood compatibility and enhancing community quality of life.

October 1, 2025

Andrew Aagard  
Director of Community Development  
Tooele City  
90 North Main Street, Tooele, UT 84074

Re: One O'Clock Hill - Proposed PUD Rezone

Dear Mr. Aagard

This firm represents Tooele 90, LLC ("**Tooele 90**"), the developer of the 178.4 acres of real property owned by OKOA Capital, LLC and located at approximately SR-36 and Settlement Canyon Road, Tooele City, Utah ("**Property**"). Tooele 90 previously received approval to subdivide 134 single family residential lots on the Property in 2023. Based on the continuing efforts of the State of Utah and Tooele City to address housing opportunity, Tooele 90 seeks to rezone a portion of the to MR-8 (9.96 acres for 110 townhomes) and a PUD be applied to 34.64 acres of the property (R1-7 24.68 acres for 151 smaller cottage lots, MR-8 - 9.96 acres for 110 townhomes) in order to provides the opportunity for diverse and attainable housing types. This letter intends to clarify the compatibility of the proposed PUD with the existing area and Tooele City plans.

## Introduction

This application requests the establishment of a Planned Unit Development (PUD) Overlay District for approximately 36.64 acres of the larger 178.40 acres in Tooele City. The PUD designation is sought to allow a thoughtfully master-planned residential community that includes a mix of townhomes (MR-8 zoned) smaller cottage-style lots (R1-7 zoned), and significant open space amenities. The PUD approach provides the flexibility needed to meet Tooele City's General Plan and Moderate-Income Housing Plan goals, while ensuring compatibility with surrounding neighborhoods. The overall density of the project will be 1.48 units per acre, which is lower than the 5 units per acre that is permitted in a R1-7 PUD and 8 units per acre that is permitted in the MR-8 PUD. (See *Tooele City Code §7-14-4, Table 2*).

The following narrative demonstrates how the proposed PUD satisfies the standards for approval, including property suitability, availability of public services, efficiency of service delivery, provision of community amenities, compatibility with surrounding land uses, and the overall benefit to the health, safety, and welfare of the community.

## PUD Evaluation Criteria (Tooele City Code §7-6-4)

### (a) Suitability of the Properties for a PUD Overlay District Designation

The property's size, location, and configuration make it ideally suited for a PUD designation. With 9.96 acres planned for MR-8 townhomes, 24.68 acres for future R1-7 cottage lots, and including 11 acres of open space, the development achieves a balanced design that could not be accomplished under

conventional zoning. The PUD framework ensures flexible lot standards, clustering of housing types, and preservation of meaningful open space to create a cohesive and livable neighborhood.

**(b) Adequacy of Public Services and Facilities**

Public services and facilities are available or can be extended to serve the site. Utilities, including water, sewer, storm drainage, and power, are accessible. The One O’Clock Hill Traffic Impact Study prepared by Hales Engineering confirms that the existing roadway network—particularly Settlement Canyon Road and SR-36—can accommodate anticipated traffic with minor improvements. These findings demonstrate that the necessary services and infrastructure exist to support the PUD.

**(c) Efficiency in the Delivery of City-Provided Services**

The PUD provides a compact development pattern that supports efficient delivery of City services such as police, fire, utilities, and roadway maintenance. By clustering residential uses within a defined boundary and providing strong connectivity to existing corridors, the PUD reduces the per-unit cost of public service delivery compared to more dispersed development patterns.

**(d) Provision of Additional Amenities Compared to Conventional Development**

Through the PUD framework, approximately 11.23 acres of open space, parks, trails, and community gathering areas will be incorporated into the neighborhood design. These amenities go beyond what would typically be provided in a conventional subdivision. The inclusion of diverse housing types—townhomes and cottage lots—further enhances the neighborhood’s value by meeting community needs for housing variety and livability. Additionally, by moving the available density and water rights to a small portion of the property, it preserves the remaining approximately 130 acres of 1 O’clock Hill. Tooele 90 is willing to discuss the possibility of a conservation easement on a portion of the property, if the city would like to explore this option.

**(e) Impacts on Nearby and Adjoining Properties**

The proposed PUD has been designed with sensitivity to surrounding uses. To the northeast, the transition from R1-12 single-family homes to townhomes and cottage lots is buffered with open space and thoughtful design features. To the west, across SR-36, the proposal is compatible with R1-7, MR-12, and General Commercial zoning. By clustering development and maintaining MU-160 zoning over much of the site, the PUD protects the rights, enjoyment, and values of neighboring properties.

**(f) Public Health, Safety, Welfare, and Overall Community Benefit**

The proposed PUD delivers broad benefits to Tooele City. It advances General Plan goals by providing housing diversity, integrating open space and natural features, supporting walkability, providing public trails and encouraging non-motorized transportation. It conserves land and infrastructure resources by concentrating growth in a defined area, while enhancing neighborhood identity and community interaction. These outcomes strengthen public health, safety, and welfare, and ensure the long-term success of the community.

## **Proposed PUD Dimensional Requirements**

The proposed dimensional requirement of the PUD include:

	<b>R1-7</b>	<b>PUD Proposed R1-7 Cottage Lots</b>
Minimum Lot Size	7,000 sq. ft.	3,500 sq. ft.
Minimum Lot With	35'	35'
Minimum Lot With at front setback	60'	<b>40'</b>
Setbacks		
Front	20'	20'
Rear Yard		
Open space behind	20'	20'
Along Hwy 36	20'	25'
Cottage lot behind	20'	<b>15'</b>
Side	6'	<b>5'</b>
Corner side yard		20'
Lot coverage	35%	<b>31%</b>
Minimum Dwelling Size (2-car)	1,125 sq. ft.	1,000 sq. ft.

	<b>MR-8</b>	<b>PUD Proposed MR-8 Townhomes</b>
Minimum Lot Size	NA	NA
Minimum Lot With	35'	<b>20'</b>
Setbacks		
Front	20'-25'	20'-25'
Rear Yard		
Exterior townhomes	25'	25'
Interior townhomes	25'	<b>12.5'</b>
Side	6'	<b>5'</b>
Corner side yard	15'	15'
Lot coverage	35%	<b>62%</b>
Minimum Dwelling Size (2-car)	1,125 sq. ft.	1,125 sq. ft.

### **PUD Design Regulations**

The proposed development has been designed to comply with the Tooele City Design Standards for Multifamily Residential Development (Chapter 11a), with one (1) exception.

- We are requesting that the exterior materials requirement of 7-11a-18(1) and 7-11a-18(3) be modified to permit stucco, fiber cement siding and wood, in addition to cultured brick and stone over at least 40% percent of the front facade.

The development is also designed to comply with Single-Family Residential Standards (Chapter 11b) applicable within a Planned Unit Development with two (2) exceptions.

- We are requesting that the term “masonry materials” used in 7-11b include “stucco, brick or stone masonry, and fiber-cement board as defined in 3.D of Table 1.
- The building size for the cottage home be reduced to 1,000 square feet of habitable space from the 1,100 square feet requirement found in 7-11b-5(6)(a).

The project reflects the stated purpose and scope (Section §7-11a-2 and Section §7-11b-3) by creating a high-quality residential environment that protects property values, integrates with surrounding neighborhoods, and promotes walkability and livability.

The general provisions and procedures (Sections §7-11a-3 and §7-11b-4) have been followed in preparing and submitting the application, including context analysis (§7-11a-5) to ensure appropriate transitions to adjacent land uses.

Building placement complies with orientation standards (§7-11a-6), establishing primary entrances oriented toward streets and open spaces, while vertical and horizontal alignment standards (§7-11a-7 and §7-11a-8) are met through varied rooflines, façade articulation, and modulation that break up building massing. Generous windows (§7-11a-9) provide natural light and visual interest, while entries and project entrances (§7-11a-10 and 7-11a-11) are emphasized with covered porches, architectural detailing, and pedestrian-scaled features.

The landscaping (§7-11a-12) will incorporate trees, shrubs, and groundcover to enhance public areas and buffer parking, which has been designed for safe parking and circulation (§7-11a-13 and §7-11a-13.1). Signage and lighting (§7-11a-14 and §7-11a-15) are modest and compliant, reinforcing community character and dark-sky principles. All utilities (§7-11a-16) will be placed underground, with attractive fencing (§7-11a-17) designed to screen private areas while maintaining visibility for safety.

The proposed dwelling units will use durable, high-quality materials and color schemes (§7-11a-18 and §7-11b-5) that are compatible with Tooele’s character. The site also includes well-designed common areas and pedestrian pathways (§7-11a-22 and §7-11a-23) to create a connected, livable neighborhood.

Taken together, these design elements ensure the project not only meets but embraces the City’s design standards, supporting the goals of Chapter 11a and 11b by delivering a community that is attractive, functional, and enduring.

## **Conclusion**

The proposed PUD Overlay District represents a well-planned, balanced approach to growth in Tooele City. It ensures the suitability of the property for development, confirms that adequate services exist, supports efficient service delivery, and provides amenities that enhance quality of life. It is designed to be compatible with surrounding neighborhoods and delivers clear public benefits consistent with the General Plan and Moderate-Income Housing Plan.

For these reasons, the proposed PUD designation should be considered an important step toward achieving Tooele City's vision for sustainable growth, housing diversity, and community well-being.

Sincerely,

**SNELL & WILMER L.L.P.**



Jason Boal, AICP

## **Attachments:**

- Revised Zoning Map Changes
- Revised Zone Legal Description
- Concept elevations of proposed dwellings



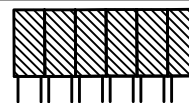

PUD ZONE  
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 4 WEST, S. L.B.& M., TOOELE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

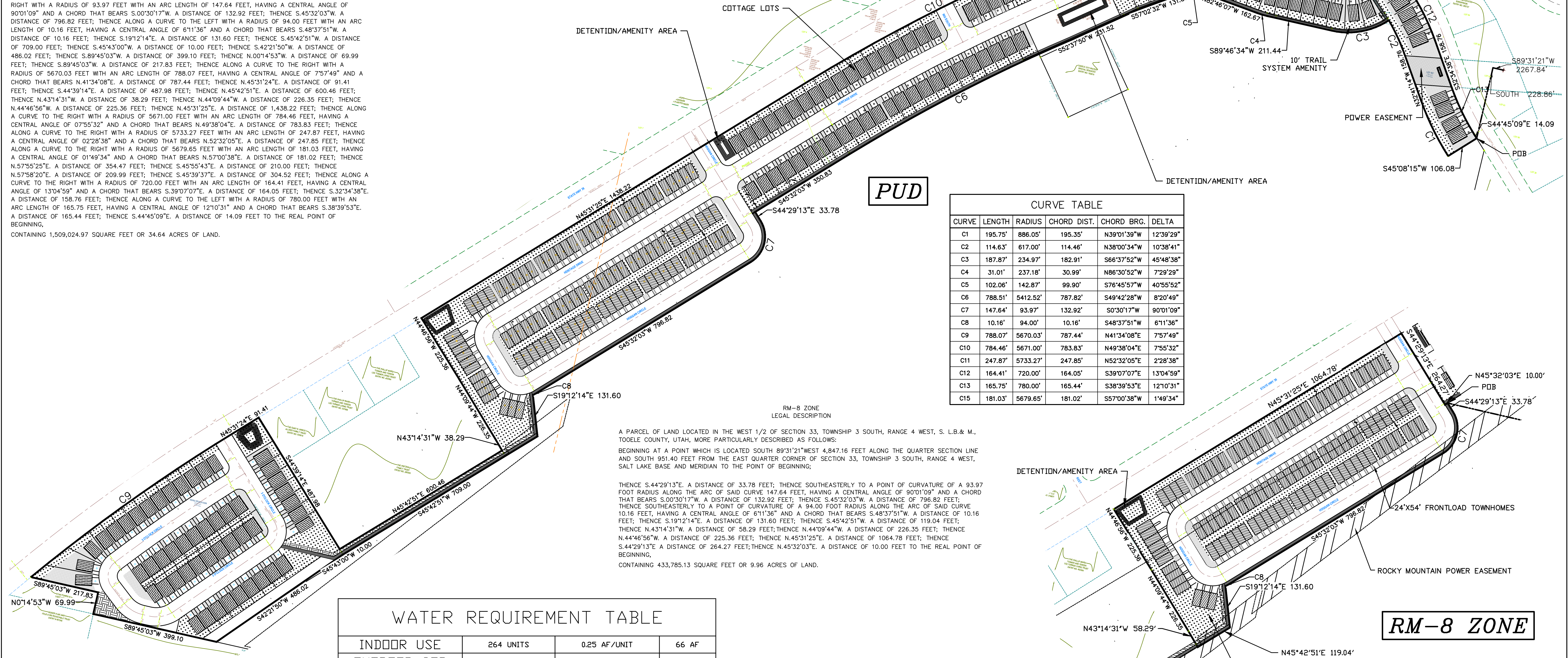
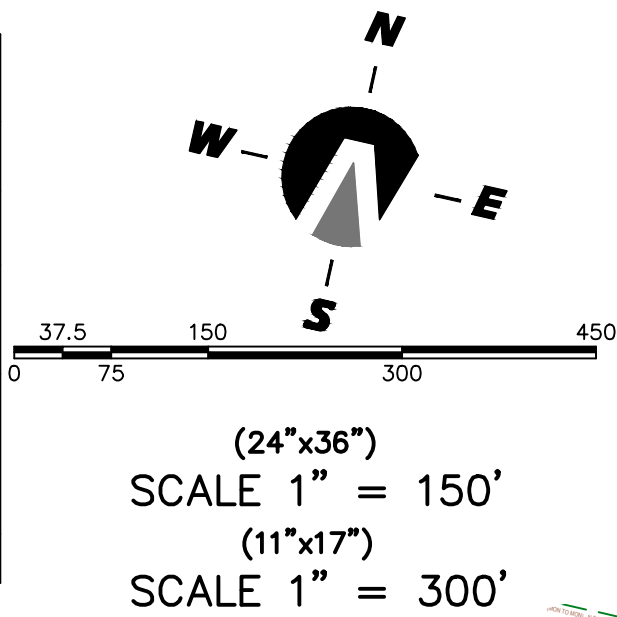
BEGINNING AT A POINT WHICH IS LOCATED SOUTH 89°31'21"WEST 2,677.84 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 228.86 FEET FROM THE EAST QUARTER CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN TO THE POINT OF BEGINNING;

THENCE S.45°08'15"W. A DISTANCE OF 106.08 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 886.05 FEET WITH AN ARC LENGTH OF 195.75 FEET, HAVING A CENTRAL ANGLE OF 12°39'29" AND A CHORD THAT BEARS N.39°01'39"W. A DISTANCE OF 195.35 FEET; THENCE N.32°41'14"W. A DISTANCE OF 158.76 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 617.00 FEET WITH AN ARC LENGTH OF 114.63 FEET, HAVING A CENTRAL ANGLE OF 10°38'41" AND A CHORD THAT BEARS N.38°00'34"W. A DISTANCE OF 114.46 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 234.97 FEET WITH AN ARC LENGTH OF 187.87 FEET, HAVING A CENTRAL ANGLE OF 45°48'38" AND A CHORD THAT BEARS S.66°37'52"W. A DISTANCE OF 182.91 FEET; THENCE S.89°46'34"W. A DISTANCE OF 211.44 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 237.18 FEET WITH AN ARC LENGTH OF 31.01 FEET, HAVING A CENTRAL ANGLE OF 07°29'29" AND A CHORD THAT BEARS N.86°30'52"W. A DISTANCE OF 30.99 FEET; THENCE N.82°46'07"W. A DISTANCE OF 162.67 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 142.87 FEET WITH AN ARC LENGTH OF 102.06 FEET, HAVING A CENTRAL ANGLE OF 40°55'52" AND A CHORD THAT BEARS S.76°45'57"W. A DISTANCE OF 99.90 FEET; THENCE S.57°02'32"W. A DISTANCE OF 131.85 FEET; THENCE S.52°37'50"W. A DISTANCE OF 231.52 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 5412.52 FEET WITH AN ARC LENGTH OF 788.51 FEET, HAVING A CENTRAL ANGLE OF 08°20'49" AND A CHORD THAT BEARS S.49°42'28"W. A DISTANCE OF 787.82 FEET; THENCE S.45°32'03"W. A DISTANCE OF 350.83 FEET; THENCE S.44°29'13"E. A DISTANCE OF 33.78 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 93.97 FEET WITH AN ARC LENGTH OF 147.64 FEET, HAVING A CENTRAL ANGLE OF 90°01'09" AND A CHORD THAT BEARS S.00°30'17"W. A DISTANCE OF 132.92 FEET; THENCE S.45°32'03"W. A DISTANCE OF 796.82 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 94.00 FEET WITH AN ARC LENGTH OF 10.16 FEET, HAVING A CENTRAL ANGLE OF 6°11'36" AND A CHORD THAT BEARS S.48°37'51"W. A DISTANCE OF 10.16 FEET; THENCE S.19°12'14"E. A DISTANCE OF 131.60 FEET; THENCE S.45°42'51"W. A DISTANCE OF 709.00 FEET; THENCE S.45°43'00"W. A DISTANCE OF 10.00 FEET; THENCE S.42°21'50"W. A DISTANCE OF 466.02 FEET; THENCE S.89°45°03"W. A DISTANCE OF 399.10 FEET; THENCE N.00°14'53"W. A DISTANCE OF 69.99 FEET; THENCE S.89°45°03"W. A DISTANCE OF 217.83 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5670.03 FEET WITH AN ARC LENGTH OF 788.07 FEET, HAVING A CENTRAL ANGLE OF 7°57'49" AND A CHORD THAT BEARS N.41°34'08"E. A DISTANCE OF 787.44 FEET; THENCE N.45°31'24"E. A DISTANCE OF 91.41 FEET; THENCE S.44°39'14"E. A DISTANCE OF 487.98 FEET; THENCE N.45°42'51"E. A DISTANCE OF 600.46 FEET; THENCE N.43°14'31"W. A DISTANCE OF 38.29 FEET; THENCE N.44°09'44"W. A DISTANCE OF 226.35 FEET; THENCE N.44°46'56"W. A DISTANCE OF 225.36 FEET; THENCE N.45°31'25"E. A DISTANCE OF 1,438.22 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5671.00 FEET WITH AN ARC LENGTH OF 784.46 FEET, HAVING A CENTRAL ANGLE OF 07°55'32" AND A CHORD THAT BEARS N.49°38'04"E. A DISTANCE OF 783.83 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5733.27 FEET WITH AN ARC LENGTH OF 247.87 FEET, HAVING A CENTRAL ANGLE OF 02°28'38" AND A CHORD THAT BEARS N.52°32'05"E. A DISTANCE OF 247.85 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5679.65 FEET WITH AN ARC LENGTH OF 181.03 FEET, HAVING A CENTRAL ANGLE OF 01°49'34" AND A CHORD THAT BEARS N.57°00'38"E. A DISTANCE OF 181.02 FEET; THENCE N.57°55'25"E. A DISTANCE OF 354.47 FEET; THENCE S.45°55'43"E. A DISTANCE OF 210.00 FEET; THENCE N.57°58'20"E. A DISTANCE OF 209.99 FEET; THENCE S.45°39'37"E. A DISTANCE OF 304.52 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 720.00 FEET WITH AN ARC LENGTH OF 164.41 FEET, HAVING A CENTRAL ANGLE OF 13°04'59" AND A CHORD THAT BEARS S.39°07'07"E. A DISTANCE OF 164.05 FEET; THENCE S.32°34'38"E. A DISTANCE OF 158.76 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 780.00 FEET WITH AN ARC LENGTH OF 165.75 FEET, HAVING A CENTRAL ANGLE OF 12°10'31" AND A CHORD THAT BEARS S.38°39'53"E. A DISTANCE OF 165.44 FEET; THENCE S.44°45'09"E. A DISTANCE OF 14.09 FEET TO THE REAL POINT OF BEGINNING,

CONTAINING 1,509,024.97 SQUARE FEET OR 34.64 ACRES OF LAND.

TABULATIONS						
		UNITS	SETBACKS			
			FRONT	REAR	SIDE	NOTES:
	24'X52' FRONT LOAD TOWNHOMES	110	25	25	—	
	42' WIDE COTTAGE LOTS	154	20	20	5	- REAR LOTS ALONG HIGHWAY HAVE A 25' SETBACK - COTTAGE LOTS LOCATED ON THE SOUTH END THAT ARE BACK TO BACK USED A 15' SETBACK.
	OVERALL TOTAL	264				

	OPEN SPACE - DRIP	4.88 ACRES
	OPEN SPACE - SOD	6.24 ACRES



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	195.75'	886.05'	195.35'	N39°01'39"W	12°39'29"
C2	114.63'	617.00'	114.46'	N38°00'34"W	10°38'41"
C3	187.87'	234.97'	182.91'	S66°37'52"W	45°48'38"
C4	31.01'	237.18'	30.99'	N86°30'52"W	7°29'29"
C5	102.06'	142.87'	99.90'	S76°45'57"W	40°55'52"
C6	788.51'	5412.52'	787.82'	S49°42'28"W	8°20'49"
C7	147.64'	93.97'	132.92'	S0°30'17"W	90°01'09"
C8	10.16'	94.00'	10.16'	S48°37'51"W	6°11'36"
C9	788.07'	5670.03'	787.44'	N41°34'08"E	7°57'49"
C10	784.46'	5671.00'	783.83'	N49°38'04"E	7°55'32"
C11	247.87'	5733.27'	247.85'	N52°32'05"E	2°28'38"
C12	164.41'	720.00'	164.05'	S39°07'07"E	13°04'59"
C13	165.75'	780.00'	165.44'	S38°39'53"E	12°10'31"
C15	181.03'	5679.65'	181.02'	S57°00'38"W	1°49'34"

WATER REQUIREMENT TABLE			
INDOOR USE	264 UNITS	0.25 AF/UNIT	66 AF
OUTDOOR SOD	6.24 ACRES	4.00 AF/AC	24.96 AF
OUTDOOR DRIP	4.88 ACRES	2.00 AF/AC	7.76 AF
TOTAL WATER REQUIRED FOR PROJECT			98.72 AF

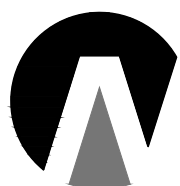
A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 4 WEST, S. L.B.& M., TOOELE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS LOCATED SOUTH 89°31'21"WEST 4,847.16 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 951.40 FEET FROM THE EAST QUARTER CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN TO THE POINT OF BEGINNING;

THENCE S.44°29'13"E. A DISTANCE OF 33.78 FEET; THENCE SOUTHEASTERLY TO A POINT OF CURVATURE OF A 93.97 FOOT RADIUS ALONG THE ARC OF SAID CURVE 147.64 FEET, HAVING A CENTRAL ANGLE OF 90°01'09" AND A CHORD THAT BEARS S.00°30'17"W. A DISTANCE OF 132.92 FEET; THENCE S.45°32'03"W. A DISTANCE OF 796.82 FEET; THENCE SOUTHEASTERLY TO A POINT OF CURVATURE OF A 94.00 FOOT RADIUS ALONG THE ARC OF SAID CURVE 10.16 FEET, HAVING A CENTRAL ANGLE OF 6°11'36" AND A CHORD THAT BEARS S.48°37'51"W. A DISTANCE OF 10.16 FEET; THENCE S.19°12'14"E. A DISTANCE OF 131.60 FEET; THENCE S.45°42'51"W. A DISTANCE OF 119.04 FEET; THENCE N.43°14'31"W. A DISTANCE OF 58.29 FEET; THENCE N.44°09'44"W. A DISTANCE OF 226.35 FEET; THENCE N.44°46'56"W. A DISTANCE OF 225.36 FEET; THENCE N.45°31'25"E. A DISTANCE OF 1064.78 FEET; THENCE S.44°29'13"E. A DISTANCE OF 264.27 FEET; THENCE N.45°32'03"E. A DISTANCE OF 10.00 FEET TO THE REAL POINT OF BEGINNING,

CONTAINING 433,785.13 SQUARE FEET OR 9.96 ACRES OF LAND.

5				DESIGNED BY:	DATE:
4				DRAWN BY:	DATE:
3				CHECKED BY:	DATE:
2				APPROVED:	DATE:
1				COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:
K:\3-25-024-00 1 O'Clock Hill Tooele\CADD\Design\CONCEPT 13 TOWNHOMES.dwg 9-30-2023.dwg 10/1/2025 9:42 AM					



**Northern  
ENGINEERING INC**  
ENGINEERING—LAND PLANNING  
CONSTRUCTION MANAGEMENT

1040 E. 800 N.  
OREM, UTAH 84097  
(801) 802-8992

*1 O'CLOCK SUBDIVISION*

CONCEPT 12 — BOUNDARIES

TOOELE, UTAH

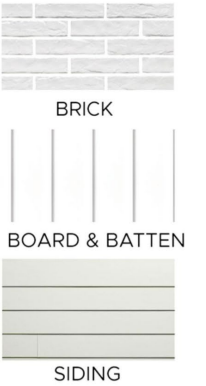
JOB NO.  
3-25-024

SHEET NO.  
C-12

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.



# One O'Clock Hill - Proposed PUD Townhome Concept Elevations



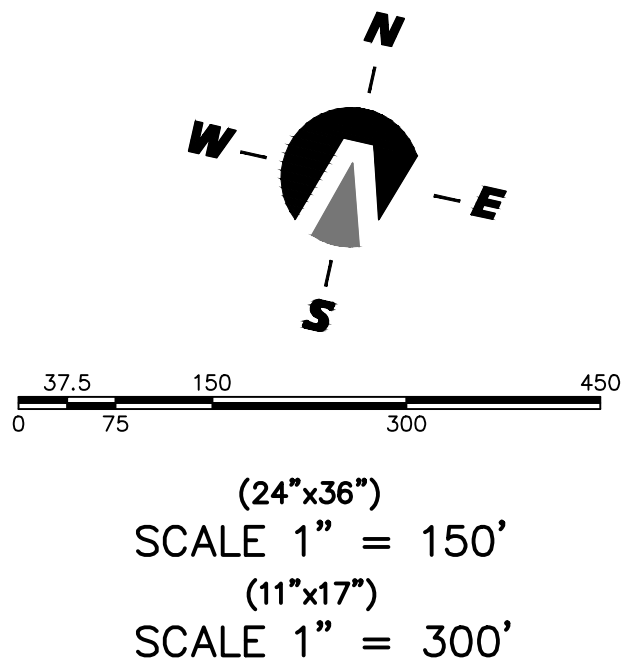
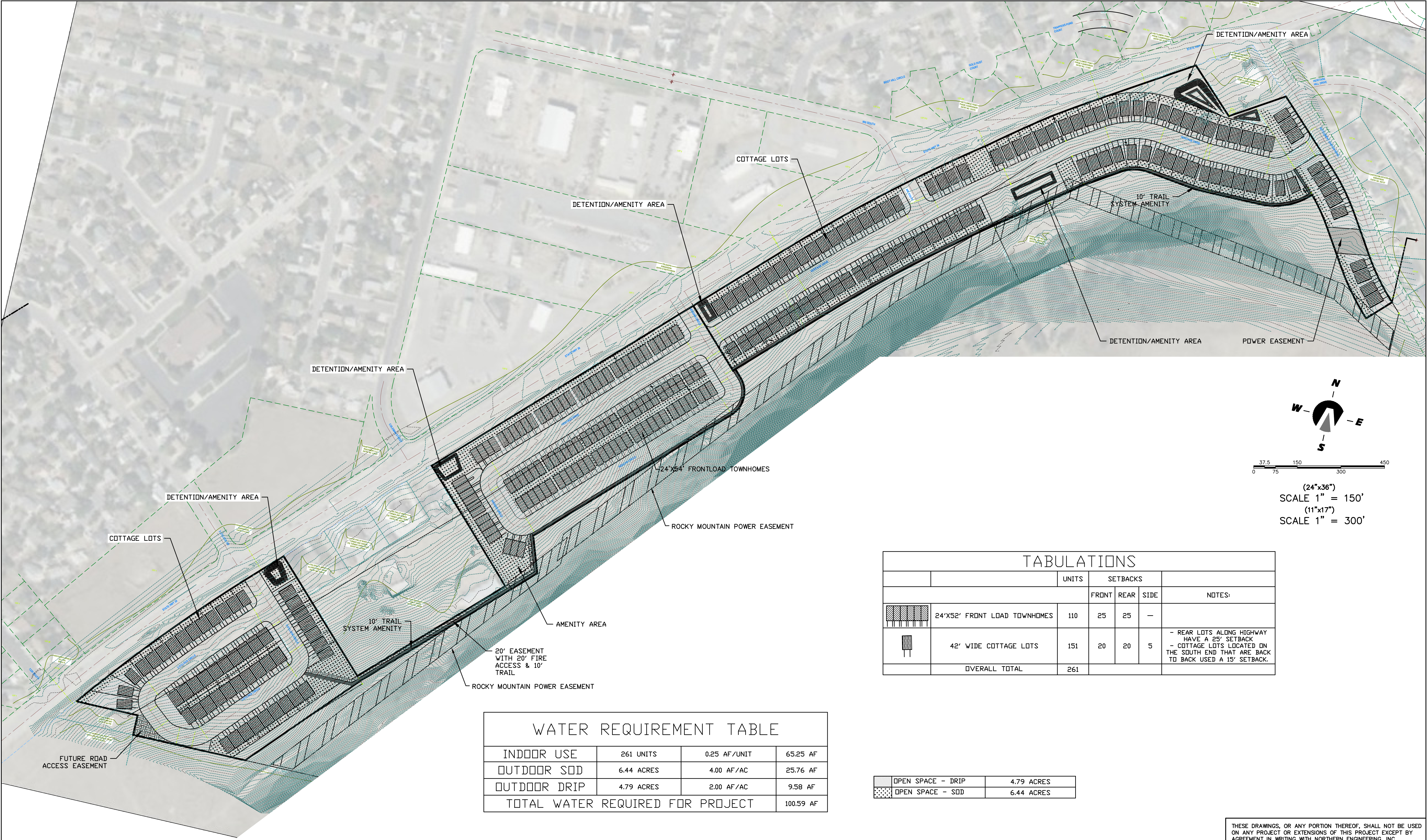


# One O'Clock Hill - Proposed PUD Cottage Homes Concept Elevations



## **Proposed Site Plan**





TABULATIONS						
		UNITS	SETBACKS			NOTES
			FRONT	REAR	SIDE	
	24'X52' FRONT LOAD TOWNHOMES	110	25	25	—	
	42' WIDE COTTAGE LOTS	151	20	20	5	<ul style="list-style-type: none"> <li>- REAR LOTS ALONG HIGHWAY HAVE A 25' SETBACK</li> <li>- COTTAGE LOTS LOCATED ON THE SOUTH END THAT ARE BACK TO BACK USED A 15' SETBACK.</li> </ul>
	OVERALL TOTAL	261				

WATER REQUIREMENT TABLE			
INDOOR USE	261 UNITS	0.25 AF/UNIT	65.25 AF
OUTDOOR SOD	6.44 ACRES	4.00 AF/AC	25.76 AF
OUTDOOR DRIP	4.79 ACRES	2.00 AF/AC	9.58 AF
TOTAL WATER REQUIRED FOR PROJECT			100.59 AF

	OPEN SPACE - DRIP	4.79 ACRES
	OPEN SPACE - SOD	6.44 ACRES

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5			DESIGNED BY:	DATE:
4			DRAWN BY:	DATE:
3			CHECKED BY:	DATE:
2			APPROVED:	DATE:
1			COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:
K:\3-25-024-00 1 O'Clock Hill Tooele\CAD\Design\CONCEPT 13 TOWNHOMES.dwg 9/9/2025 9:53 AM				



**Northern**  
**ENGINEERING INC**  
ENGINEERING—LAND PLANNING  
CONSTRUCTION MANAGEMENT

1040 E. 800 N.  
OREM, UTAH 84097  
(801) 802-8992

*1 O'CLOCK SUBDIVISION*

CONCEPT 12

TOOELE, UTAH

JOB NO.  
3-25-024

SHEET NO.  
**C-12**



## MEMORANDUM

**To:** Tooele City Council  
**Cc:** Mayor Debbie Winn  
**From:** Andrew Aagard, AICP, Director  
**Date:** October 27, 2025  
**Re:** Automobile Parking in Front Yards of Properties in Single-Family Residential Zones.

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### **Subject:**

A few weeks the Community Development department was asked to do some research on how other cities along the Wasatch Front address or deal with the issue of residential properties using their front yards for parking lots and to present their findings to the City Council for discussion. Staff took some time to research the parking codes for a number of other cities of various size and location along the Wasatch Front. The following cities regulate parking in the front yard of residential properties as follows:

1. Salt Lake City. Parking is not permitted on the front yard or corner-side yard. Parking spaces for automobiles may not be used for recreational vehicle (RV) parking. It is unlawful to have any portion of the front, side, or corner yard graveled or paved to accommodate parking vehicles. Parking is not allowed on the strip between the sidewalk and the street, on the side walk, or over hanging the sidewalk. Parking must be on a hard surface.
2. Clinton City. Parking in the front yard is prohibited except in cases where the area is developed for public parking in conjunction with a permitted multi-family or commercial use. No portion of the front yard, other than driveways leading to a garage, shall be paved or improved so as to encourage or make possible the parking of vehicles therein.
3. Midvale City. Parking in the side or rear yard shall be improved with concrete, asphalt, concrete pavers or gravel. Parking areas surfaced with either concrete pavers or gravel must be maintained to ensure no weeds grow in these areas. With the exception of the driveway and approved side yard parking, no other portion of the front or side yards shall be surfaced or used for parking. At no time shall parking occur on any landscaped area.
4. South Salt Lake City. All vehicles must be parked on a hard surface of asphalt or concrete. Vehicles are prohibited from parking in yards or landscape areas.
5. Bountiful City. No off street parking shall be permitted in any required residential front yard or street side yard. No vehicle, trailer or similar device may be parking on the lawn, park strip or any other non-paved surface.

The City Council will note that all of these cities out-rightly prohibit parking in the front and side yards. Midvale City, however, is the least restrictive of all of these permitting parking in the side and rear yards as long as those parking areas are paved and maintained in a weed free condition.

Riverton City does not address or otherwise out-rightly prohibit parking in the front yard, however, it does utilize a different approach to regulate this issue. Riverton City requires landscaping in the front yards in its ordinances. Automobile or vehicle parking is not permitted to displace any of the required front yard landscaping. Therefore, even though the code does not prohibit parking in the front yard, it does prohibit the loss of required landscaping in the front yard and is therefore enforceable through the landscaping ordinances. Therefore, in a round-about way, automobile parking in the front yard is prohibited because landscaping is required and must be maintained.

Currently, Tooele City does not have any requirements that a front yard be landscaped. It is permissible under current codes for a property owner to not have any landscaping in the front yard as long as the weeds are maintained and do not create any hazards or nuisances. In order for the Riverton City approach to function, Tooele City would need to amend the residential zoning codes to require front yard landscaping which may be more difficult than enforcing a prohibition on automobiles parking in the front yard. Many property owners in Tooele make no effort to landscape or otherwise beautify their front yards. These properties are in far greater number than those properties that utilize their front yards as a parking areas for their vehicles.

If the City Council decides to pursue a prohibition on automobile parking in the front yard, staff's suggestion would be to utilize the Midvale City model. The ordinance amendment would be simple. There is already a section in Tooele City Code 7-4-7: Parking Location; that addresses some vehicular parking in residential zones. Currently, paragraph 4, of the code section addresses parking of recreational vehicles in residential zones. The code as currently written requires recreational vehicles to be parked on hard surfaces behind the front wall plane of the primary structure. Staff is proposing to amend this section to eliminate the recreational reference and add the language "single-family" to the paragraph, striking the language as it currently exists in its entirety and replacing that language with front yard parking restrictions similar to that of Midvale City.

Staff has suggested Midvale City's approach because Midvale City does permit the side yards and rear yards to be utilized for parking if those areas are properly paved and maintained. It also prohibits parking in the front yard.

As with any new code, enforcement of the code is an issue that must be considered. The automobile parking code, 7-4, does not include any enforcement penalties or fines. Therefore all enforcement penalties related to vehicular parking in the front yard would fall under the nuisance abatement process as found in Tooele City Code 8-4: Abatement of Nuisances; unless the City Council desires to include enforcement and abatement processes and fine specific to automobile parking within the automobile parking code itself.



## Front Yard Parking

Salt Lake City – Parking is not permitted on the front yard or corner-side yard. Parking spaces for automobiles may not be used for Recreational Vehicle (RV) parking. It is unlawful to have any portion of the front, side, or corner yard graveled or paved to accommodate parking vehicles. Parking is not allowed on the strip between the sidewalk and street, on the sidewalk, or over hanging the sidewalk. Parking must be on a hard surface.

Clinton City – Parking in the front yard is prohibited except in cases where the area is developed for public parking in conjunction with a permitted multi-family or commercial use. No portion of the front yard, other than driveways leading to a garage, shall be paved or improved so as to encourage or make possible the parking of vehicles therein.

Midvale City - Parking in the side or rear yard shall be improved with concrete, asphalt, concrete pavers or gravel. Parking areas surfaced with either concrete pavers or gravel must be maintained to ensure no weeds grow in these areas. With the exception of the driveway and approved side yard parking, no other portion of the front or side yards shall be surfaced or used for parking. At no time shall parking occur on any landscaped area.

South Salt Lake City - All vehicles must be parked on a hard surface of asphalt or concrete. Vehicles are prohibited from parking in yards or landscape areas.

Bountiful City – No off street parking shall be permitted in any required residential front yard or street side yard. No vehicle, trailer or similar device may be parking on the lawn, park strip or any other non-paved surface.

#### **7-4-7. Parking Location.**

(1) On-Site Parking. Except as allowed in Subsection (2), all required parking shall be located on the same lot or parcel as the use to which it is associated. On-site parking shall be made available without charge for the use of or providing of the parking. In the case of a multi-tenant non-residential development in which multiple parcels are covered by the tenant uses and their associated parking, the parking shall be considered on-site for all of those tenant uses.

(2) Off-Site Parking. Where practical difficulties exist in providing on-site parking or if public safety would be better served by locating parking on a separate lot or parcel, the Planning Commission may authorize such off-site parking subject to the following conditions:

(a) no other practical alternative exists for providing on-site parking such that any of the following shall deem a request for off-site parking ineligible for approval:

(i) the hardship causing the need for off-site parking is self-imposed;

(ii) the hardship causing or resulting from the provision of off-site parking is financial in nature;

(b) providing off-site parking does not affect or reduce the amount of parking required or provided;

(c) required ADA-compliant parking spaces shall not be located in an off-site parking area;

(d) off-site parking areas shall be located in the same or a more intensive zone which applies to the property where the use served is located;

(e) the shortest practical and safe walking path is conveniently usable without causing unreasonable:

(i) hazard to pedestrians;

(ii) hazard to vehicular traffic;

(iii) traffic congestion;

(iv) interference with safe and convenient access or use of other parking areas in the vicinity;

(v) detriment to the appropriate, convenient and reasonable use of any business in the vicinity;  
or

(vi) detriment to any residential neighborhood;

(f) no off-site parking space shall be located more than 600 feet from a public entrance of the use served, measured along the route of the shortest practical and safe walking path;

(g) off-site parking shall not be separated from the principal use by a street right-of-way of a collector or arterial class;

(h) off-site parking separated by from the principal use by a local class street has adequate and convenient crosswalk facilities to serve the practical and safe walking path;

(i) availability of each off-site parking area shall be assured by an agreement reviewed and accepted by the City which requires at least the following:

(i) all parking spaces shall be available perpetually to all uses utilizing the parking;

(ii) all parking spaces shall be available without charge; and

(iii) provisions exist for the perpetual maintenance and upkeep, including but not limited to snow removal, striping, and signage, of the practical and safe walking path by private parties to the agreement; and

(3) Vacant Lots and Open Land. Vacant lots and open land areas shall not be used as parking areas, except as allowed for a temporary use or special event.

(4) Parking of ~~Recreational~~ Vehicles in Single-Family Residential Zones. ~~Personal recreational vehicles, including but not limited to cars, trucks, vans, trailers, boats and watercraft, travel trailers, utility trailers, and motor homes parked in residential zones shall be parked on a hard surfaced area behind the front wall plane of the primary structure on the same property. Parking for such vehicles within residential developments approved with off-street recreational vehicle parking areas shall be allowed within those recreational vehicle parking areas only.~~ Vehicle parking, including all recreational vehicles and associated trailers, is permitted in the side and rear yards and shall be improved with concrete, asphalt, concrete pavers or gravel. Parking areas surfaced with concrete pavers or gravel shall be maintained to prevent weed growth in these areas. With the exception of the driveway and approved side yard parking, no other portion of the front or side yards shall be surfaced or used for parking. Parking shall not, at any time, occur on any landscaped area.