

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, May 27, 2026** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.gov any time after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code 7-16b-6: Landscaping Standards, regarding minimum landscaping requirements in the heavy industrial sections of the Tooele City Business Park.
4. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code Title 7, Chapter 25: Signs; regarding the display of political signs in public rights-of-way, the removal of such political signs from public rights-of-way, the regulations of such political signs, and other such regulations concerning political signs as required by Utah Code Title 20A, Chapter 17.
5. **City Council Reports**
6. **Review and Decision** – May 13, 2026 Planning Commission meeting minutes.
7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Anna Anglin, Tooele City Planner, prior to the meeting at (435) 843-2132.

STAFF REPORT

May 20, 2026

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

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

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

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

BACKGROUND

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

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

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

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

ANALYSIS

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

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

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

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

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

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

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

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

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

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

Noticing. The City staff have issued appropriate public notice as required in the City and State Codes.

STAFF RECOMMENDATION

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

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

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the proposed ordinance amendments to Tooele City Code 7-16b-6: Landscaping Standards, regarding landscaping requirements for Section “C” of the Tooele City Business Park (TCBP) zoning district, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the proposed ordinance amendments to Tooele City Code 7-16b-6: Landscaping Standards, regarding landscaping requirements for Section “C” of the Tooele City Business Park (TCBP) zoning district, based on the following findings:”

1. List findings ...

EXHIBIT A

PROPOSED AMENDMENTS

7-16b-6. Landscaping Standards.

(1) Section A (Commercial) Landscaping.

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

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

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

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

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

(3) Section C (Heavier Industrial) Landscaping.

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

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

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

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

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

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

STAFF REPORT

May 22, 2026

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

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Political Signs – City Code Text Amendment Request

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

BACKGROUND

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

ANALYSIS

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

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

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

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

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

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

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendment request and has not issued any comments.

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

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

Noticing. The City staff have issued appropriate public notice as required in the City and State Codes.

STAFF RECOMMENDATION

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

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

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's

- consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may affect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

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

1. List findings ...

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

1. List findings ...

EXHIBIT A

PROPOSED AMENDMENTS

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

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

LONG TITLE

General Description:

This bill amends provisions related to political signs.

Highlighted Provisions:

This bill:

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

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

45 **Money Appropriated in this Bill:**

46 None

47 **Other Special Clauses:**

48 This bill provides a special effective date.

49 **Utah Code Sections Affected:**

50 AMENDS:

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

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

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

54 ENACTS:

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

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

57

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

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

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

62 **Unauthorized use of endorsements.**

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

68 (i) if paid for and authorized by a candidate or the candidate's campaign committee,
69 shall clearly state that the advertisement has been paid for by the candidate or the
70 campaign committee;

71 (ii) if paid for by another person but authorized by a candidate or the candidate's
72 campaign committee, shall clearly state who paid for the advertisement and that
73 the candidate or the campaign committee authorized the advertisement; or

74 (iii) if not authorized by a candidate or a candidate's campaign committee, shall
75 clearly state the name of the person who paid for the advertisement and state that
76 the advertisement is not authorized by any candidate or candidate's committee.

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

80 (i) for placing a ballot proposition on the ballot;

81 (ii) for keeping a ballot proposition off the ballot;

82 (iii) that a voter refrain from voting on a ballot proposition; or

83 (iv) that a voter vote for or against a ballot proposition.

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

85 (i) if paid for by a political issues committee, clearly state that the advertisement was
86 paid for by the political issues committee;

87 (ii) if paid for by another person but authorized by a political issues committee,
88 clearly state who paid for the advertisement and that the political issues committee
89 authorized the advertisement; or

90 (iii) if not authorized by a political issues committee, clearly state the name of the
91 person who paid for the advertisement and state that the advertisement is not
92 authorized by any political issues committee.

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

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

96 advertisement; and

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

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

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

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

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

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

107 (b) bumper stickers;

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

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

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

114 (b) The report shall include:

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

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

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

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

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

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

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

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

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

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

134 As used in this chapter:

135 (1) "Contact information" means:

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

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

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

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

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

151 (3) "Local government entity" means:

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

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

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

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

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

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

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

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

161 (i) a school district;

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

163 (k) a state institution of higher education;

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

- 2198 person knowingly removes, alters, defaces, or otherwise vandalizes a sign:]
2199 [(a) advocating the election or defeat of a candidate for public office; or]
2200 [(b) advocating the approval or defeat of a ballot proposition.]
- 2201 (1) Except as provided in Subsection (3) or (5), a person is guilty of a class B misdemeanor
2202 if the person knowingly:
- 2203 (a) removes, disposes of, alters, defaces, or otherwise vandalizes a political sign; or
2204 (b) attaches or affixes any object to a political sign, including another political sign, and
2205 the object:
- 2206 (i) hides, blocks, obscures, or otherwise substantially conceals from view the
2207 message or image on the political sign; or
2208 (ii) changes or misrepresents the intent of the message on the political sign.
- 2209 (2) A person is guilty of an infraction if the person knowingly attaches or affixes a political
2210 sign to a utility pole, light pole, an electric utility box, a traffic control device, or any
2211 railroad sign or signal.
- 2212 [(2)] (3) A person is not guilty of a violation of Subsection (1) if the person who engages in
2213 the conduct described in Subsection (1) is:
- 2214 (a) [as it relates to a sign described in Subsection (1)(a), the candidate or an agent of the
2215 candidate] the sign owner;
- 2216 (b) [as it relates to a sign described in Subsection (1)(b),] the person who placed the
2217 political sign, the person who directed the placement of the political sign, or an agent
2218 of either;
- 2219 (c) a property owner of property or of a right-of-way adjacent to property on which the
2220 political sign is placed, or the property owner's agent; or
- 2221 (d) a public official [who removes the sign in accordance with an official duty of the
2222 public official] or government employee who removes the political sign in accordance
2223 with the duties of the public official or government employee.
- 2224 (4) A sign owner that posts or displays a political sign on a roadway shall ensure that the
2225 political sign is removed from the roadway no later than 14 calendar days after the day
2226 of the election to which the political sign relates.
- 2227 (5) Notwithstanding Subsection (1)(a), any person may:
- 2228 (a) in response to another person engaging in the conduct described in Subsection (1)(b),
2229 remove the object that is attached or affixed to the political sign;
- 2230 (b) in response to another person engaging in the conduct described in Subsection (2),
2231 remove the political sign that is attached or affixed to a utility pole, light pole, an

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

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

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

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

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

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

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

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

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

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

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

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

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

260 [(ix) a school district;]

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

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

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

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

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

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

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

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

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

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

CHAPTER 25. SIGNS

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

7-25-1. Title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7-25-3. Definitions.

As used in this chapter:

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

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

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

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

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

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

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

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

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

"Area" - see "sign, area."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

extending over that grade.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Flashing sign" - see "animated sign, electrically

energized."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

wall or other structure.

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

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

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

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

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

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

"Sign, area":

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

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

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

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

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

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

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

face.

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

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

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

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

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

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

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

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

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

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

7-25-4. Signs prohibited.

The following signs are prohibited in all zoning districts:

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

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

7-25-4.1 Electronic billboards prohibited.

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

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

7-25-5. Permits required.

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

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

7-25-6. Signs not requiring permits.

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

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

7-25-7. Maintenance.

All signs shall be properly maintained. Exposed

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

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

7-25-8. Electronic signs.

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

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

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

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

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

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

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

(7) Verification.

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

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

7-25-8.1 Lighting.

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

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

7-25-9. Changeable copy.

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

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

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

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

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

7-25-11. Indemnification and insurance.

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

of negligence arising from such work.

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

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

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

The following signs are allowed in all zoning districts:

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

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

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

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

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

(6) directional/information signs;

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

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

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

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

(c) if grounded-mounted,

(i) shall not exceed four feet in height;

(ii) shall not be located within a clear view

zone; and,

(iii) shall not have more than two faces;

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

(e) shall not exceed four signs per event;

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

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

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

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

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

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

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

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

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

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

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

(C) shall not exceed 25 feet in height;

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

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

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

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

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

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

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

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

(j) feather signs pursuant to the following:

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

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

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

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

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

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

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

(m) banner signs are allowed pursuant to the

following standards:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7-25-16. Nonconforming signs.

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

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

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

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

A legal nonconforming sign shall lose this designation if:

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

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

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

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

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

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

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

7-25-20. Abandoned signs.

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

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

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

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

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

7-25-21. Construction specifications.

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

7-25-22. Community Development Department duties.

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

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

7-25-23. Application for permits.

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

provided by the Department and shall include the following information:

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

7-25-24. Permit fees.

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

7-25-25. Issuance and denial.

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

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

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

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

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

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

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

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

7-25-27. Inspection upon completion.

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

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

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

7-25-28. Variances.

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

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

7-25-29. Violations Procedure.

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

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

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

7-25-30. Removal of signs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7-25-31. Violations.

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

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

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

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

7-25-32. Appeals.

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

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

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

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

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

7-25-33. Conflict.

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

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

7-25-34. Severability.

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

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

7-25-35. Message substitution.

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

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

**Tooele City Planning Commission
Business Meeting Minutes**

Date: May 13, 2026

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

Planning Commissioners Present:

Melanie Hammer
Frank Linford
Jon Proctor
Tyson Hamilton
Amanda Cordova
Weston Jensen
Kelley Anderson
Sarah Faircloth, Alternate

Excused:

Chris Sloan

Council Member Liaisons:

Jon Gossett
Ed Hansen, excused

Staff Present:

Andrew Aagard, Community Development Director
Anna Anglin, City Planner
Matt Johnson, City Attorney

Minutes Prepared by Teresa Young

1. **Pledge of Allegiance**

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

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

2. **Roll Call**

Melanie Hammer, Present
Frank Linford, Present
Jon Proctor, Present
Amanda Cordova, Present
Weston Jensen, Present
Kelley Anderson, Present
Tyson Hamilton, Present

Chairman Hamilton also recognized Commissioner Sarah Faircloth and staff present.

3. **Public Hearing and Recommendation on a proposed text amendment to Tooele City Code Title 7 Chapter 4: Off-Street Parking Requirements, regarding the establishment of specific parking and storage standards for automobile related commercial uses.**

Mr. Aagard presented a proposed ordinance amendment regarding parking requirements for automobile-related commercial uses. He explained that the current city code does not establish specific parking standards for these uses, which prompted the Planning Commission to direct staff to prepare amendments establishing clearer requirements. Commissioner Linford drafted preliminary language, which staff reviewed and generally supported, recommending several minor edits and consolidating certain provisions into a parking table for clarity.

Mr. Aagard outlined the proposed amendments, including establishing the purpose of the ordinance, minimum parking requirements for automotive businesses, standards for vehicle storage and display areas, and site plan requirements for towing-related storage areas. He also summarized feedback received from the City Council during a recent work session, including concerns about whether the proposed standards could create excessive parking requirements, limit redevelopment opportunities on smaller parcels, or reduce flexibility for staff and the Planning Commission when evaluating unique properties.

Planning Commissioners discussed the proposal at length, comparing the proposed standards to existing automotive businesses throughout the city. Concerns were raised that the requirements could be overly restrictive for smaller or long-established businesses that currently operate without parking issues. Planning Commissioners also discussed the importance of maintaining flexibility for unique parcels while still creating consistent standards that could assist with code enforcement and prevent excessive vehicle storage or overcrowded lots.

Commissioner Linford proposed several revisions to address concerns raised by the Planning Commission and City Council, including reducing the parking requirement for service bays, removing separate standards for auto parts retail stores, clarifying the definition of a “service bay,” and adding language allowing the Planning Commission flexibility to modify parking requirements based on parcel constraints or operational characteristics.

Additional discussion focused on balancing property rights, redevelopment opportunities, and the City’s ability to address problem properties with excessive vehicle storage. Mr. Aagard explained that the proposed amendments were intended to provide clearer enforcement tools while still allowing case-by-case flexibility through the conditional use permit process.

Chairman Hamilton opened the public hearing at 7:35 p.m. Seeing no members of the public coming forward, Chairman Hamilton closed the public hearing at 7:35 p.m.

Motion: Commissioner Jensen moved to table the item to allow for additional cleanup and clarification of the ordinance language, incorporating the concerns and discussion points identified during the meeting. Commissioner Anderson seconded the motion.

Prior to the vote, the Planning Commission discussed ensuring that all previously identified language concerns would be addressed before the item returned for further consideration. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Linford, “Aye”; Commissioner Proctor, “Aye”; Commissioner Cordova, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton “Aye”. The vote passes 7-0.

4. **Public Hearing and Recommendation on a proposed text amendment to Tooele City Code 7-11a-17. Design Standards: Walls and Fences, regarding an exception to the current fencing requirements when a new multi-family residential project is constructed adjacent to an existing single-family residential development where fencing has already been installed.**

Mr. Aagard presented a proposed text amendment to Tooele City Code 7-11a-17 regarding fencing requirements for multi-family residential developments adjacent to single-family residential properties. The amendment was submitted by Brett Lovell on behalf of the Ledger Cove development to address situations where existing residential fencing conflicts with current code requirements for solid fencing with masonry columns or piers.

Mr. Aagard explained that the current ordinance provides no mechanism for exceptions when adjacent homeowners have already installed fencing that does not meet the city’s design standards. As a result, developers are often required to construct a second fence alongside an existing fence, creating maintenance issues, weed growth, debris accumulation, and inconsistent appearances. The proposed amendment would allow exceptions to the masonry column or pier requirement when certain criteria are met, including consistency with surrounding development, cohesive appearance, and existing fencing conditions. The original proposal recommended City Council approval for such exceptions, while staff suggested the authority instead be granted to the Planning Commission or potentially staff.

The Planning Commissioners generally supported the intent of avoiding unnecessary double fencing but discussed several concerns related to fence ownership, maintenance responsibilities, property rights, and potential disputes between homeowners and developers. Commissioners questioned how damage, repairs, and liability would be handled if developers relied on privately owned fences. Discussion also included whether homeowners should be required to provide written consent or affidavits before a developer could utilize or connect to existing fencing.

Several planning commissioners expressed support for allowing staff or the Planning Commission to review exceptions administratively, provided adjacent property owners receive notice and an opportunity to comment. Planning Commissioners also discussed requiring developers to submit photographs and documentation to support exception requests.

Questions were raised regarding the absence of the applicant and whether nearby homeowners were aware of the proposed ordinance amendment. Mr. Aagard explained that ordinance amendments are noticed through public postings rather than direct mailed notices because they apply citywide. Planning Commissioners discussed the possibility of tabling the item until the applicant could attend and respond

to concerns. Mr. Aagard advised that the Planning Commission could table the item for a specific period but recommended avoiding an indefinite delay because the applicant had paid an application fee.

Discussion concluded with several commissioners expressing support for moving the amendment forward with additional requirements for neighbor notification and review authority assigned either to staff or the Planning Commission.

Chairman Hamilton opened the public hearing at 7:58 p.m. Seeing no members for the public coming forward, Chairman Hamilton closed the public hearing at 7:58 p.m.

Planning Commissioners continued discussion regarding the proposed fencing ordinance amendment and whether exceptions should be reviewed administratively by staff or by the Planning Commission. Several commissioners expressed support for keeping the Planning Commission involved in contentious cases while allowing staff to handle routine requests. Planning Commissioners noted that public hearings could provide affected property owners an opportunity to voice concerns on the record rather than directing complaints solely toward staff.

Discussion focused heavily on the importance of notifying adjacent property owners. Planning Commissioners discussed requiring developers to contact affected homeowners and provide affidavits documenting whether property owners approved or opposed the proposed fencing arrangement. Questions were raised regarding how notices are currently sent and whether absentee property owners would receive notification.

Planning Commissioners considered language that would allow staff to approve requests administratively unless disputes or objections arose, at which point the matter could be brought before the Planning Commission. Staff advised that defining what constitutes a “contentious” issue could complicate the ordinance, but commissioners agreed that property owners should have the ability to request Planning Commission review if concerns existed.

Additional discussion centered on whether the Planning Commission would be expected to mitigate disputes or simply evaluate requests against the ordinance criteria. Staff clarified that the Planning Commission would not be required to negotiate solutions but could approve or deny requests based on whether the established criteria were met.

Some commissioners remained concerned about moving forward without broader public awareness, noting that nearby property owners may not have known the ordinance amendment was under consideration because ordinance amendments are not directly mailed to surrounding residents. Commissioners emphasized that future requests should require documented communication between developers and affected property owners before exceptions could be considered.

Staff explained that similar situations had occurred previously and that developers had typically been required to construct a second fence when property owners refused to allow connections to existing fencing. Commissioners generally agreed that if a homeowner did not consent, the developer would simply need to construct a separate fence to comply with city standards.

Following further discussion, Commissioner Linford asked whether the public hearing could be reopened to allow additional public comment after noting that an audience member had repeatedly indicated a desire to speak.

Chairman Hamilton reopened public hearing at 8:08 p.m.

Richard Stribling commented that in Lee County, Florida, surrounding property owners are notified whenever a code variation or exception is requested and are given an opportunity to attend a public hearing and express objections. He recommended that Tooele City follow a similar case-by-case process for fencing exceptions rather than creating additional citywide ordinances or regulations. Mr. Stribling questioned why different fencing standards exist between residential and commercial or multi-family developments and suggested that developments adjacent to residential areas should simply follow residential fencing standards. He expressed concern that continually adding new ordinances and regulations creates unnecessary complexity for businesses and property owners. He encouraged the Commission to focus on individual exception requests with proper neighbor notification and public input rather than adopting broader code amendments. He stated that if affected neighbors are notified and no objections are raised, the request could move forward more easily, while objections could be addressed during the public hearing process.

Chairman Hamilton closed the public hearing at 8:11 p.m.

Motion: Commissioner Jensen made a motion to forward a positive recommendation for the proposed ordinance amendment with additional conditions that exception requests be reviewed administratively by staff; that developers communicate with affected property owners and obtain affidavits documenting the property owners' approval or opposition; and that affected property owners be allowed to request a public hearing with the Planning Commission if they disagree with a staff decision.

Commissioners clarified that the Planning Commission would not be responsible for mitigating disputes and that if a property owner did not consent to the use of their fence, the developer would be required to construct a separate compliant fence.

During discussion of the motion, commissioners considered whether a timeframe should be established for requesting a hearing. Mr. Johnson, City Attorney noted that other administrative appeal processes typically include a 10-day deadline, though no formal amendment to the motion was made regarding a specific timeframe. Commissioners further clarified that property owners would retain full control over whether developers could connect to or utilize existing fencing on private property.

Commissioner Cordova seconded the motion.

The vote was as follows: Commissioner Hammer, "Nay"; Commissioner Linford, "Nay"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Nay"; and Chairman Hamilton "Aye". The vote passes 4-3.

5. City Council Reports

Councilman Gossett reported that UDOT had determined it would not move forward with the proposed stoplight at Skyline and Main Street. He noted that the outcome demonstrated the value of public participation and thanked residents who submitted feedback during the public outreach process.

Councilman Gossett also shared an anecdote from a past development project in Greeley, Colorado, where city requirements mandated bicycle parking spaces for businesses. He remarked that the experience highlighted how local planning regulations can vary and emphasized the Planning Commission's important role in determining what standards and requirements are appropriate for the community.

6. **Review and Decision – April 22, 2026 Planning Commission meeting minutes**

There were no corrections to the minutes.

Motion: Commissioner Proctor moved to approve the April 22, 2026 Planning Commission Meeting Minutes. Commissioner Linford seconded the motion.

The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Linford, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton "Aye". The vote passes 7-0

7. **Adjourn**

Chairman Hamilton adjourned the meeting at 8:18 p.m.

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

Approved this _____ day of May, 2026

Tyson Hamilton, Tooele City Planning Commission Chair