

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, October 14, 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.

Tooele City public meetings may be recorded and transcribed for documentation and quality assurance purposes. By attending this meeting, you consent to being recorded. If you do not consent, we encourage you to join the Planning Commission meeting electronically by visiting the Tooele City YouTube Channel, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel". If you are attending electronically and would like to submit a written comment for a public hearing item, please email pcpubliccomment@tooelecity.gov. If submission by email is not an option, written comments may be submitted to the City Planner. Written comments must be submitted by 11:59 p.m. the day before the hearing. Written comments will be addressed at the designated points in the meeting.

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Decision** on a Conditional Use Permit request by Chris Podina, representing Tire Revolution/ Action Sound, to authorize the use of "Automobile Repair and Service" and "Accessory Outside Storage" to occur at the property located at 85 North Main Street in the General Commercial (GC) zoning district on 1.01 acres. Pursuant to Section 7-16-3 of the Tooele City Code, an automobile repair facility is permitted as a conditional use within the General Commercial (GC) zoning district.
4. **City Council Reports**
5. **Review and Decision** – September 23, 2026 Planning Commission meeting minutes.
6. **Planning Commission Training** – Subdivision and Site Plan Review and Approval Processes
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

October 8, 2026

To: Tooele City Planning Commission
Business Date: October 14, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin, City Planner/ Zoning Administrator

Re: Tire Revolution/ Action Sound – Conditional Use Permit Request

Application No.: 2026071
Applicant: Chris Podina
Project Location: 85 North Main Street
Zoning: GC General Commercial Zone
Acreage: 1.01 Acres (Approximately 43,995.6 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone to authorize the use of “Automobile Service and Repair” and “Accessory Outdoor Storage” to occur at the subject property.

ADMINISTRATIVE AUTHORITY

This Conditional Use Permit application is an administrative application. The Planning Commission is fulfilling an administrative function in reviewing the request and should evaluate the application based on the conditional use requirements established in the Tooele City Code, particularly the applicable provisions of the Conditional Use Ordinance and development standards. Any decision or conditions should be based upon compliance with established City Code requirements and should be reasonably related to the impacts or requirements of the proposed use.

BACKGROUND

This application requests approval of a Conditional Use Permit for approximately 1.01 acres located at 85 North Main Street. The property is currently zoned GC (General Commercial). The applicant is seeking approval to allow “Automobile Service and Repair” and “Accessory Outside Storage” at the subject property. Pursuant to Section 7-16-3 of the Tooele City Code, an automobile repair facility is permitted as a conditional use within the General Commercial (GC) zoning district.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan designates the subject property for Regional Commercial land use. The property is currently zoned GC (General Commercial). The subject property is adjacent to Main Street on the east side. The surrounding properties are all zoned General Commercial; however, some of the properties across 500 West are used for residential purposes.

The proposed use is permitted as a conditional use within the property's current zoning district and is generally compatible with the surrounding commercial zoning designations. Mapping pertinent to the subject request can be found in Exhibit “A” of this report.

The subject property is an existing commercial site that has accommodated various commercial activities over the years. The business currently occupying the suite the applicant intends to use is Action Sound,

which installs vehicle sound systems and provides additional services, including window tinting and truck bedliner installation.

The applicant proposes that the two businesses co-occupy the space. Although the site may experience increased activity due to the two businesses operating within the same suite, the proposed use is not anticipated to substantially intensify the property's use compared to previous commercial activities.

The proposed operation will consist of two service bays: one for tire replacement and the other for oil changes. The applicant also proposes to perform minor repairs, including suspension work and brake replacement. Used oil will be stored in drums on-site and collected for recycling by a third party. New tires and spare parts will be stored indoors. Used tires will be stored in a designated outdoor area on the west side of the property and collected every two weeks.

Hours of Operation. The applicant proposes to operate the business Monday through Friday, from 9:00 a.m. to 5:00 p.m. The submitted project description does not indicate whether the business will operate on weekends.

Site Plan Layout. The subject property is an existing developed site. However, the submitted site plan does not include all the information necessary to evaluate compliance with applicable zoning requirements, including parking, the interior layout, and the square footage and locations of the proposed retail space, office, and customer waiting area. Aerial photographs illustrate the existing exterior conditions but do not provide sufficient detail regarding the proposed interior layout.

Parking. Automobile repair facilities require designated on-site areas for vehicles awaiting repair. The submitted site plan does not clearly identify where these vehicles will be stored. A partially screened area is located on the west side of the property, but the applicant has not confirmed whether this area will be used for vehicle storage.

Staff has requested additional information regarding vehicle storage and parking but has not received sufficient details. The applicant has provided an aerial image identifying the proposed outdoor storage area, overflow parking, and the commercial center's parking lot. However, the submitted information does not establish that adequate off-street parking will be available for customers and employees. The site also does not appear to provide an accessible parking stall. Additional information demonstrating compliance with parking requirements, including the provision of at least one accessible parking stall is necessary.

Fencing. A privacy fence currently encloses the portion of the property located on the west side of the site. Staff recommends that vehicles awaiting repair be stored toward the rear of the property, behind or near the existing fence. This arrangement would help minimize visibility from neighboring properties and the public street.

Security and Site Lighting. Additional on-site lighting may be necessary to address security concerns. If additional lighting is installed, staff recommends that reasonable measures be taken to minimize light pollution and reduce impacts on neighboring properties.

Accessory Outside Storage. Commercial uses may include accessory activities that are subordinate to the primary use. In this case, the applicant proposes outdoor storage of used tires.

Planning staff circulated the submitted site plan to the appropriate City departments for review. The Tooele City Fire Department expressed concerns regarding fire safety associated with the proposed tire storage. The Fire Department identified used tires as a high-hazard combustible material and determined that the proposed storage location does not comply with applicable fire code requirements. The applicant will need to work with the Fire Department to determine an acceptable method for storing or disposing of

used tires. Additional information is provided in the Fire Department Review section of this report and in the attached email correspondence.

Criteria For Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application, the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) the evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) the reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) the reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) the evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property:

1. The proposed automobile service and repair use, including accessory outside storage, may adversely affect nearby residential properties due to the proximity of the commercial activity to residential uses.
2. The outdoor storage of vehicles awaiting repair may create visual impacts on neighboring properties and adjacent streets if vehicles are not adequately screened from view.
3. Additional security lighting, if installed, may result in light pollution, glare, or light trespass that could adversely affect neighboring properties.
4. The outdoor storage of used tires may create potential fire hazards or other safety concerns if the tires are not stored and managed in accordance with applicable Fire Department requirements.

REVIEWS

Planning Division Review. The Tooele City Planning Division has reviewed the Conditional Use Permit application and identified additional information needed to complete its review of the request. The application should be tabled pending submission of the required information. If the application is ultimately approved, the following conditions should be addressed to ensure compliance with applicable zoning requirements and to minimize potential impacts on neighboring properties:

1. All new site lighting installed on the building shall be designed and installed to minimize light pollution and glare on neighboring properties.
2. The applicant shall demonstrate that adequate off-street parking is available for customers and employees, including at least one accessible parking stall, in accordance with applicable requirements.
3. Vehicles awaiting repair shall be stored only at the rear of the property, behind the existing fence, to minimize visibility from adjacent streets and neighboring properties.
4. The applicant shall coordinate with the Tooele City Fire Department to ensure that used tires are stored and managed in accordance with applicable fire safety requirements.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this proposed Conditional Use Permit.

Tooele City Fire Department Review. The Tooele City Fire Department issued the following comments regarding this proposed Conditional Use Permit.

1. Following a review of the outdoor used tire storage operations at the subject property, the Fire Prevention Division has determined that the current location and physical arrangement of the storage yard are unsuitable for this occupancy classification at this location. The placement of high-hazard combustible tire storage within this tight space between existing buildings and adjacent to an emergency access road presents an unmitigated fire exposure hazard, conflicts with mandatory setback requirements, and compromises emergency response capabilities under the 2024 International Fire Code (IFC). There are several fire code requirements that come into play with type of occupancy use classification. All requirements would have to be strictly adhered to with this location.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission table the Conditional Use Permit request submitted by Chris Podina, application number 2026071, pending submission of additional information and resolution of the Fire Department's concerns regarding used-tire storage. This recommendation is based on the following outstanding items:

1. The applicant shall submit a floor plan identifying the square footage and location of each proposed use within the suite. Staff will use this information to determine the required number of parking spaces and applicable accessible parking requirements.
2. The applicant shall coordinate with the Tooele City Fire Department to identify an acceptable method for storing or disposing of used tires. The Fire Department has identified significant concerns regarding the proposed storage arrangement, and an acceptable alternative must be identified before the application returns to the Planning Commission.

This recommendation is based on the following findings:

1. The proposed use is generally consistent with the intent, goals, and objectives of the Tooele City General Plan.
2. The applicant has not provided sufficient information to determine whether the proposed use complies with all applicable requirements of the Tooele City Code, including off-street parking

and accessible parking requirements. Additional information is needed to complete the compliance review.

3. The Fire Department has identified concerns regarding the proposed used-tire storage arrangement. An acceptable storage or disposal method has not yet been established to address these concerns and ensure compliance with applicable fire safety requirements.
4. The proposed use is generally consistent with the aesthetic character and physical development of the area, provided that outdoor storage and site lighting are appropriately managed to minimize impacts on neighboring properties.
5. Public services in the area appear adequate to support the proposed use; however, final determination of compliance with applicable site development and fire safety requirements remains outstanding.
6. The subject property is an existing commercial site that has historically accommodated commercial uses. Although the proposed use may generate additional activity, the extent of any increase in site activity and its potential impacts on neighboring properties must be evaluated in conjunction with the outstanding site plan and operational details.
7. Potential detrimental effects associated with the proposed Conditional Use Permit include visual impacts from outdoor vehicle and tire storage, lighting impacts on neighboring properties, and potential fire safety concerns associated with used-tire storage. These impacts may be mitigated through appropriate conditions of approval, provided the applicant demonstrates compliance with applicable zoning and fire safety requirements.

ALTERNATIVE ACTION AND CONDITIONS OF APPROVAL

Should the Planning Commission elect to approve the Conditional Use Permit, staff recommends that approval be subject to the following conditions:

1. The applicant shall submit a floor plan identifying the square footage and location of each proposed use within the suite. The applicant shall demonstrate compliance with all applicable off-street parking and accessible parking requirements before commencing the proposed use.
2. The applicant shall coordinate with the Tooele City Fire Department to identify an acceptable method for storing or disposing of used tires. The applicant shall obtain confirmation that the proposed method complies with applicable fire safety requirements before implementing the used-tire storage arrangement. If the proposed outdoor storage arrangement cannot meet applicable requirements, the applicant shall implement an acceptable alternative storage location or disposal method.
3. All new site lighting installed on the building shall be designed and installed to minimize light pollution, glare, and light trespass onto neighboring properties.
4. Vehicles awaiting repair shall be stored only at the rear of the property, behind the existing fence, to minimize visibility from adjacent streets and neighboring properties.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit request by Chris Podina, to authorize the use of “Automobile Service and Repair” and “Accessory Outside Storage” to occur at the subject property, application number 2026071, based on the findings and subject to the conditions listed in the Staff Report dated October 8, 2026:”

1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we deny approval of the Conditional Use Permit Request by Chris Podina, to authorize the use of “Automobile Service and Repair” and “Accessory Outside Storage” to occur at the subject property, application number 2026071, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

MAPPING PERTINENT TO THE TIRE REVOLUTION/ ACTION SOUND CONDITIONAL USE PERMIT



**TIRE REVOLUTION/
ACTION SOUND CUP**

R1-7

GC

R1-7

**SUBJECT
PROPERTY**

NC

ZONING MAP

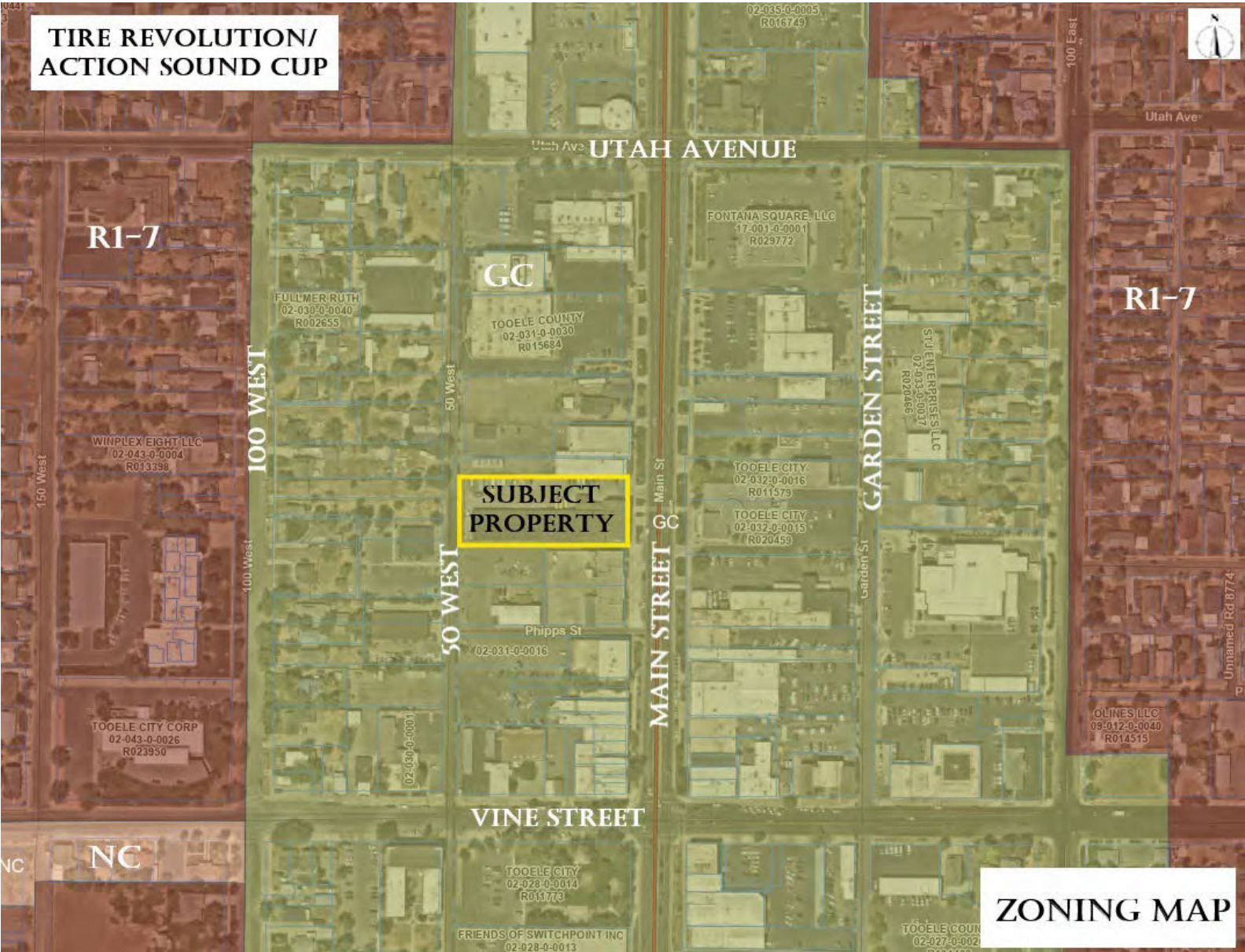


EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Conditional Use Permit Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecity.org



Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 09/02/26		Current Zoning:		Parcel #(s): 2026071 02-031-0-0023	
Project Name: Tire Revolution / Action Sound				Acres:	
Project Address: 85 n Main st tooele UT 84074				Units:	
Project Description: Tire / auto shop / Auto Accessories					
Current Use of Property: Storage					
Property Owner(s): First Response Corporation			Applicant(s):		
Address: 85 n Main st			Address:		
City: tooele	State: UT	Zip: 84074	City:	State:	Zip:
Phone:			Phone:		
Contact Person: Vasile Podina			Address:		
Phone: [REDACTED]			City:	State:	Zip:
Cellular:		Fax:	Email:		
Signature of Applicant: [Signature]					
Date: 9.2.26					

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

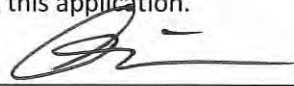
For Office Use Only			
Fee: \$600.00 (213)	Received By: [Signature]	Date Received: 9/1/26	Receipt #: 2260311 888007

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

I/we, First Response Corp, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

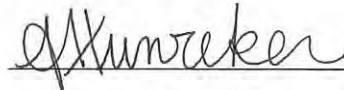


(Property Owner)

(Property Owner)

Subscribed and sworn to me this 02 day of September, 2020





(Notary)

Residing in Tooele County, Utah

My commission expires: Jan 4, 2027

AGENT AUTHORIZATION

I/we, _____, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this ____ day of _____, 20__, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)

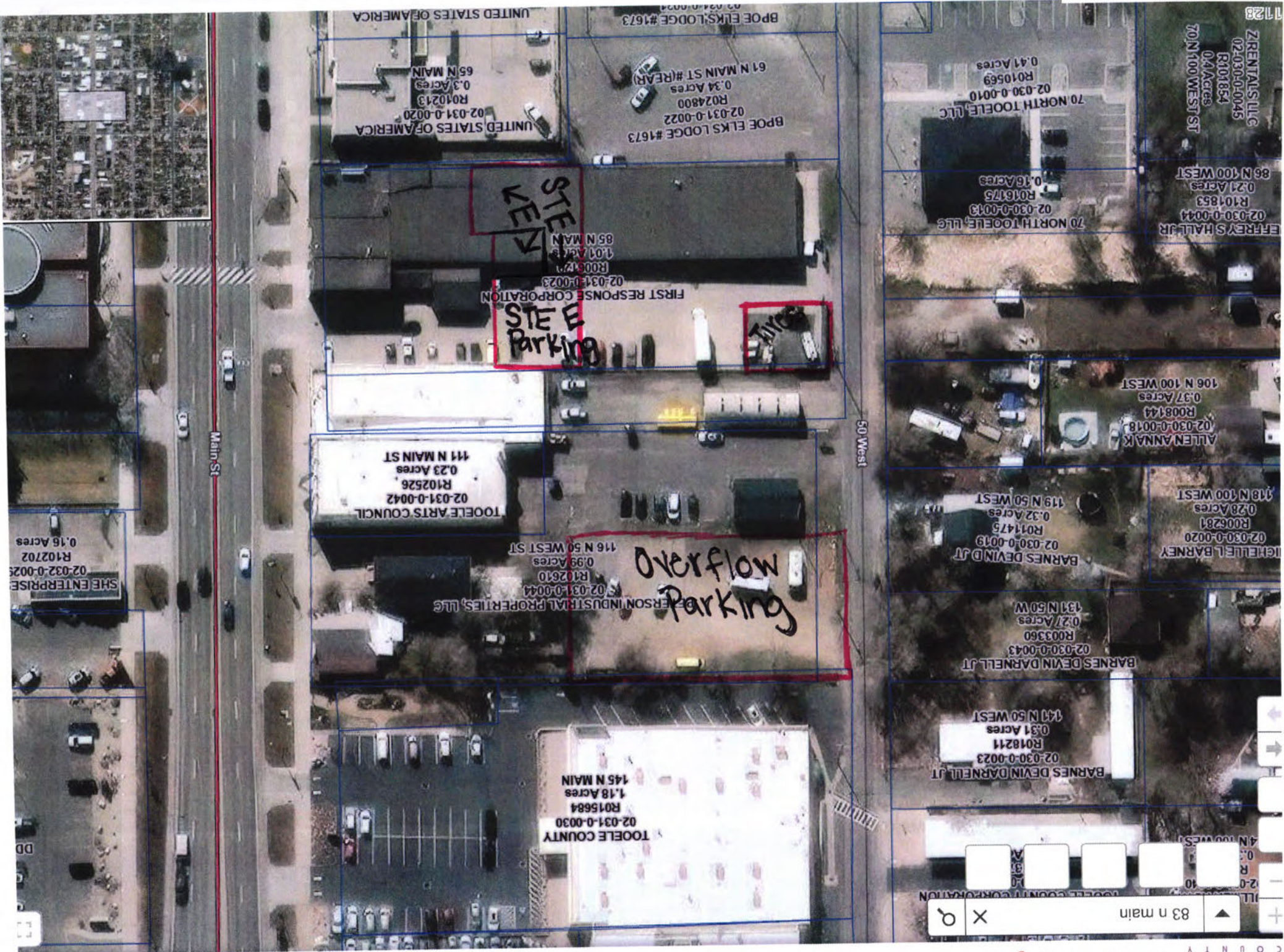
Residing in _____ County, Utah

My commission expires: _____

Tire Revolution

1. There will be 2 bays, one for tires and one for oil changes.
2. The hours of operation are Monday-Friday 9AM-5PM.
3. Sell and install new tires and wheels. Do oil changes, and small repairs such as shocks, light suspension work, and brakes.
4. All used oil is stored in 275 gallon drums and those are picked up and recycled with Tri-State oil.
5. Brand new tires will be stored inside, disposal tires will be stored outside at the end of the building to the west side. Our disposal service usually comes every other week to collect the disposal tires.







83 n main

BARNES DEVIN DARNELL JT
02-030-0-0023
R018211
0.31 Acres
141 N 150 WEST

BARNES DEVIN DARNELL JT
02-030-0-0043
R003360
0.27 Acres
131 N 150 W

BARNES DEVIN D JT
02-030-0-0019
R011475
0.32 Acres
119 N 150 WEST

IGHELIEL BARNEY
02-030-0-0020
R006281
0.28 Acres
118 N 100 WEST

ALLEN ANNA K
02-030-0-0018
R008144
0.37 Acres
106 N 100 WEST

EFFREY SHAUN R
02-030-0-0041
R101853
0.21 Acres
86 N 100 WEST

Z RENTALS LLC
02-030-0-0045
R101854
0.4 Acres
70 N 100 WEST ST

70 NORTH TOOELE, LLC
02-030-0-0013
R016175
0.16 Acres

70 NORTH TOOELE, LLC
02-030-0-0010
R010569
0.41 Acres

TOOELE COUNTY
02-031-0-0030
R015684
1.18 Acres
145 N MAIN

PETERSON INDUSTRIAL PROPERTIES, LLC
02-031-0-0044
R102610
0.99 Acres
116 N 50 WEST ST

TOOELE ARTS COUNCIL
02-031-0-0042
R102526
0.23 Acres
111 N MAIN ST

First Response Corporation
02-031-0-0023
R003120
0.85 N MAIN

BPOE ELKS LODGE #1673
02-031-0-0022
R024800
0.34 Acres
61 N MAIN ST # (REAR)

UNITED STATES OF AMERICA
02-031-0-0020
R010213
0.33 Acres
65 N MAIN

BPOE ELKS LODGE #1673
02-031-0-0022
R024800
0.34 Acres
61 N MAIN ST # (REAR)

UNITED STATES OF AMERICA
02-031-0-0020
R010213
0.33 Acres
65 N MAIN

SHEENTERPRISE
02-032-0-0025
R102702
0.16 Acres



EXHIBIT C

TOOELE CITY STAFF REVIEWS AND COMMENTS

From: Nick Wahl
To: Anna Anglin
Cc: Nathan Farrer, Patrick Buhr, Andrew Aagard
Subject: RE: Proposed CU at 85 N Main St apt
Date: Friday, October 2, 2020 9:45:51 AM
Attachments: [Proposed CU.pdf](#)
[100400201.jpg](#)

Anna,

Below I have provided some fire code language regarding requirements for outside storage of used tires.

In Utah, outside tire storage is regulated statewide under the **Utah State Fire Code** (Utah Code Title 15A, Chapter 5) which incorporates the **2024 International Fire Code (IFC)**, specifically **Chapter 34 (Tire Rebuilding and Tire Storage)**.

1. Utah International Fire Code (IFC 2024) Chapter 34 Requirements

Permits & Emergency Planning

- **Operational Permit:** An operational permit from the local Authority Having Jurisdiction (AHJ) / Fire Marshal is required to store scrap tires or tire byproducts exceeding **2,500 cubic feet** in total volume.
- **Fire Safety Plan:** The owner or operator must prepare and submit an approved Fire Safety Plan to the fire code official. At least one copy must be prominently posted on site, detailing emergency procedures and fire department access routes.
- **Emergency Contact:** Fire department contact numbers and phone locations must be posted in attended areas.

Storage Pile Size & Limits (IFC Section 3405)

- **Maximum Area:** Individual tire piles shall not exceed **5,000 square feet** of continuous area.
- **Maximum Volume:** Piles shall not exceed **50,000 cubic feet**.
- **Maximum Height:** Piles shall not exceed **0 feet** in height.
- **On-Tread Stacking:** If tires are stored on-tread, the pile dimension in the direction of the wheel holes shall not exceed **50 feet** (or **25 feet** if stored along/adjacent to a wall).

Separation Distances & Clear Spaces (IFC Section 3405)

- **Between Tire Piles:** A minimum clear space of **40 feet** must separate individual tire piles.
- **From Other Stored Products:** Minimum **40 feet** separation from other combustible stored materials.
- **From Buildings & Property Lines:** Tire piles must be set back at least **50 feet** from all lot lines and buildings.
- **Large Bulk Storage (>150,000 cu. ft.):** Individual piles are aggregated into groups up to 150,000 cubic feet; separation between these groups must be at least **75 feet**.
- **Prohibited Locations:** Outdoor waste tire storage is strictly prohibited beneath elevated roadways, bridges, trestles, or high-voltage electrical power lines (>750 volts).

Fire Breaks & Vegetation Control (IFC Section 3405.5)

- Storage yards must be maintained free of combustible ground vegetation for a minimum of **40 feet** (for grass and weeds).
- A buffer of at least **00 feet** must be maintained between stored tires and surrounding brush or forested areas.

Fire Protection & Access (IFC Sections 3406 & 3408)

- **Fire Apparatus Access:** Storage yards must be provided with all-weather fire apparatus access roads (minimum 20-foot clear width, appropriate turnarounds). Within 150 feet of any point in the storage yard.
- **Water Supply:** Public or private fire hydrants/water supply must be configured so that every portion of the tire yard can be reached using no more than **500 feet** of fire hose.
- **Extinguishers:** Fuel-fired vehicles (e.g., forklifts, loaders) operating in the yard must carry a portable fire extinguisher rated at least **2-A:20-B:C**.

2. Relevant NFPA Standards

While Utah enforces the IFC as its primary fire code, the following **National Fire Protection Association (NFPA)** standards are referenced or directly apply to specific outdoor storage conditions:

- **NFPA 1 (Fire Code - Chapter 33/34):**
 - Corresponds closely with IFC Chapter 34 provisions regarding pile separation, vegetation clearing, and fire break maintenance.
 - Emphasizes site security (fencing, controlled access) to prevent arson, which is a leading cause of outdoor tire fires.
- **NFPA 13 (Standard for the Installation of Sprinkler Systems):**
 - Applies if outdoor tire storage is located under an exterior roof, canopy, or overhang attached to a building.
 - If tires are stored near structural columns under covered areas, **Section 20.18** requires column protection and proper clearances to ensure sprinkler spray patterns are not obstructed.
- **NFPA 58B (Standard for Fire Prevention During Welding, Cutting, and Other Hot Work):**
 - Strictly regulates any maintenance or hot work taking place near tire yards. IFC Section 3404.2 explicitly prohibits hot work inside active tire storage yards without proper safety protocols and fire watches.
- **NFPA 1144 / Utah Wildland-Urban Interface (WUI) Code:**
 - For tire yards in designated Utah WUI zones, local fire departments may enforce expanded defensible space clearance requirements beyond the standard 100-foot buffer.

Regards,

Nick Wahl

Assistant Fire Chief/Fire Marshal
Tooele City Fire Department
90 North Main Street, Tooele, UT 84074
Office: (435) 843-2213
Cell: (435) 830-5473



From: Anna Anglin in <anna@tooelecify.gov>
Sent: Friday, October 2, 2020, 10:54 AM
To: Nick Wahl <nckw@tooelecify.gov>
Cc: Paul Hansen <PaulH@tooelecify.gov>; Nathan Farrer <nathanf@tooelecify.gov>; Patrick Buhr <patrickb@tooelecify.gov>; Andrew Aagard <AndrewA@tooelecify.gov>
Subject: Proposed CU at 85 N Main Street

Nick,

I have an application for a tire shop that is proposed to operate out of an existing building. As part of the application, the applicant is requesting to use a portion of the property to store used tires outdoors in the parking lot.

Are there any fire-safety concerns or requirements that we should be aware of regarding the outdoor storage of used tires? In particular, are there any concerns regarding the location, size, screening/enclosure, separation from the building or property lines, access for emergency vehicles, or the quantity of tires that may be stored on-site?

I'm planning to address the outdoor storage as part of the Conditional Use Permit, so I would like to identify any Fire Department requirements or conditions that should be included in the approval.

If there is anyone else that has concerns about this, please let me know.

Thank you,



Anna Anglin
City Planner / Zoning Administrator
Department of Community Development | Tooele City Corporation
90 North Main Street | Tooele, Utah | 84074
Office: 358-3-2132
anna@tooelecify.gov | www.tooelecify.gov

Tooele City is committed to protecting personal data and complies with the Utah Government Data Privacy Act. Please note that this email, any attachments, and any response may be considered a government record and may be subject to public disclosure under the Utah Government Records Access and Management Act (GRAMA). If you received this message in error, please notify the sender and delete it. Unintentional use or disclosure of this message is discouraged.

From: [Anna Anglin](#)
To: [REDACTED]
Subject: RE: Amy H- CUP at 85 N Main St. Tooele, Utah
Date: Friday, October 2, 2026 10:45:00 AM
Attachments: [image001.png](#)

Hi Amy,

I just sent out the notice for your application to be on the October 14 Planning Commission agenda. I have a few clarifying questions that I need to confirm before completing the staff report:

1. **Suite:** Which suite do you plan to occupy? I noticed there are several suites within the building, including some that are not street-facing.
2. **Square Footage:** What is the square footage of the accessory retail area, office area, and customer waiting area?
3. **Parking:** How many on-site parking spaces are assigned to your unit and will be available for customer parking?
4. **Vehicle Storage:** Do you plan to store any vehicles on-site for longer than 24 hours? If so, will the vehicles be screened or fenced in? This may be a requirement for vehicle storage to mitigate visual impacts. Will any vehicles be stored in the overflow parking lot? If this is the plan, it will need to meet the requirements found in 7-4-7(2) . Here is a link to the parking chapter of the Tooele City Ordinance:
[https://files.tooelecity.gov/Documents/CityCode/Title7Chapter4\(Apr2026\).pdf?t=202604081644450](https://files.tooelecity.gov/Documents/CityCode/Title7Chapter4(Apr2026).pdf?t=202604081644450)
5. **Outdoor Tire Storage:** Please show on the site plan where the disposal tires will be stored and provide the square footage of the proposed outdoor storage area. This area will be considered **Accessory Outside Storage**, which requires a Conditional Use Permit in the CG zone. We can address the outdoor storage as part of the current CUP application, but I will need this information to include it in the staff report and identify any applicable conditions.

Please let me know if you have any questions. Thank you!



Anna Anglin

City Planner/ Zoning Administrator

Department of Community Development | Tooele City Corporation

90 North Main Street | Tooele, Utah | 84074

Office: 435-843-2132

annaa@tooelecity.gov | www.tooelecity.gov

Tooele City is committed to protecting personal data and complies with the Utah Government Data Privacy Act. Please note that this email, any attachments, and any response may be considered a government record and may be subject to public disclosure under the Utah Government Records Access and Management Act (GRAMA). If you received this message in error, please notify the sender and delete it. Unauthorized use, distribution, or copying of this message is discouraged.

From: Amy Hunzeker <amy@frcutah.com>

Sent: Wednesday, September 16, 2026 10:02 AM

To: Anna Anglin <annaa@tooelecicity.gov>

Cc: [REDACTED]

Pod: [REDACTED]

Subject: Amy H- CUP at 85 N Main St. Tooele, Utah

[External Email]

Here is the information requested. Please let me know if you have any additional questions.

Thank you!



ServiceMaster of Tooele County | **Main Enterprise #9374**

ServiceMaster by FRC | **Main Enterprise #9374**

ServiceMaster by Deseret | **Main Enterprise #10905**

85 N Main Street
Tooele, UT 84074



From: [Anna Anglin](#)
To: [REDACTED]
Cc: [Andrew Aagard](#)
Subject: Attn: Amy H- CUP at 85 N Main St. Tooele, Utah
Date: Tuesday, September 8, 2026 3:29:00 PM
Attachments: [image001.png](#)

This email is a follow-up to our phone conversation. The application you submitted for the above-referenced property is incomplete. Please provide the following information so we can continue processing your application:

- A **site plan** showing:
 - Where vehicles awaiting service will be stored;
 - Customer parking;
 - The location of the main office and service bays;
 - The location of any other tenants on the property and their designated parking areas; and
 - Any existing or proposed fencing.
- All outdoor vehicle storage must be **completely screened** from view.
- If you are planning to have a **sales floor and/ or office**, please include a floor plan showing the location and size of the sales area.
- A **description of the proposed business**, including business hours and the types of services that will be provided.

Once we receive this information, we can continue our review of the application. Please let me know if you have any questions about the requested information or what needs to be shown on the site plan.

Thank you,



Anna Anglin

City Planner/ Zoning Administrator

Department of Community Development | Tooele City Corporation

90 North Main Street | Tooele, Utah | 84074

Office: 435-843-2132

annaa@tooelecity.gov | www.tooelecity.gov

Tooele City is committed to protecting personal data and complies with the Utah Government Data Privacy Act. Please note that this email, any attachments, and any response may be considered a government record and may be subject to public disclosure under the Utah Government Records Access and Management Act (GRAMA). If you received this message in error, please notify the sender and delete it. Unauthorized use, distribution, or copying of this message is discouraged.

**Tooele City Planning Commission
Business Meeting Minutes**

Date: September 23, 2026

Time: 7:00 p.m.

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

Planning Commissioners Present:

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

Absent:

Frank Linford, Alternate

Council Member Liaisons:

Jon Gossett
Ed Hansen

Staff Present:

Andrew Aagard, Community Development Director
Anna Anglin, City Planner
Matt Johnson, City Attorney
Paul Hansen, City Engineer
Braxton Rogers, IT

Minutes Prepared by Teresa Young

1. Pledge of Allegiance

Chairman Hamilton opened the meeting at 7:00 p.m. and led the pledge of allegiance.

Chairman Hamilton provided a quick announcement for applicants, the public, and everyone involved: "There has been a significant increase in fraudulent phishing requests using information from public notices related to Planning Commission meetings. Please be aware that Tooele City only collects fees at the time of application submittal and will never request additional payments via wire transfer. All official emails from Tooele City will end in @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

Commissioner Hammer, Present
Commissioner Sloan, Present
Commissioner Proctor, Present
Commissioner Cordova, Present
Commissioner Jensen, Present
Commissioner Anderson, Present

3. **Public Hearing and Decision on a Conditional Use Permit request submitted by Ashlee Isbell, Business Owner of Ash's Little Shop of Howlers, to authorize the use of a pet shop/ pet grooming service within the General Commercial (GC) zone. The subject property is located at 134 W 1180 N Suite 13.**

Ms. Anglin presented a request for approval of a Conditional Use Permit for approximately 0.5 acres located at 131 West 1180 North, Suite 13. The property is zoned General Commercial and designated Regional Commercial in the General Plan. The applicant is proposing to operate a pet shop and pet grooming business within an existing commercial tenant space. The business would include a small retail area for pet supplies and four grooming tables and one bathing tub. No live animals would be sold, and the applicant stated that animals would not be boarded overnight or provided daycare services.

Ms. Anglin explained that planning staff considered whether the temporary presence of multiple animals for grooming purposes would constitute a kennel, boarding, or daycare use. Based on the applicant's proposed procedures for drop-off, grooming, and pickup, planning staff determined that temporary animal holding associated with grooming services is distinct from those uses. Planning staff recommended that the CUP specifically limit the approved use to pet grooming and customary retail sales of pet supplies, with animals permitted to remain on the premises only for the time reasonably necessary to receive grooming services.

Planning Staff also identified potential impacts related to animal activity and incidental noise, odor and sanitation, water usage, and the potential expansion of the business into boarding, daycare, kennel, or other extended animal-holding activities. Recommended conditions would limit the scope of the CUP, require the premises to be maintained in a clean and sanitary condition with proper disposal of animal waste, require coordination with the City Engineer, Mr. Hansen, regarding anticipated water usage and any related utility requirements, and clarify that boarding, daycare, kennel, and extended animal-holding activities are not authorized.

Commissioner Sloan asked whether the required notice had been sent to the tenants within the building or to the property owners. Ms. Anglin clarified that notice had been sent to the property owners. Commissioner Sloan noted that some of the potential impacts identified in the staff report may be of greater concern to neighboring businesses operating within the building than to property owners who may reside elsewhere. Ms. Anglin indicated that the applicant would have an opportunity to address those concerns.

Chairman Hamilton opened the public hearing at 7:12 p.m. Seeing no members of the public coming forward. The public hearing was closed at 7:14 p.m.

Ashlee Isbell, applicant, addressed Commissioner Sloan's concerns regarding notification of neighboring tenants. Ms. Isbell explained that the property owner, Jill McIntyre, had discussed the proposed business with all of the tenants in the building prior to the applicant signing an intent to lease

or submitting the CUP application. Ms. Isbell stated that the tenants were made aware of the proposed use and that Ms. McIntyre had addressed any concerns they may have had. Ms. Isbell noted that Ms. McIntyre is local and has remained involved in the process.

Motion: Commissioner Sloan moved to approve the Conditional Use Permit Request by Ashlee Isbell, authorizing the use of a pet shop/ pet grooming business located at 131 West 1180 North, application number 2026075, based on the findings and subject to the condition listed in the Staff Report dated September 15, 2026. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

4. **Public Hearing and Decision on a Conditional Use Permit request submitted by SGA Design Group to authorize Accessory Outside Storage within the General Commercial (GC) zoning district for a Walmart Drone Delivery area. The subject property is located at 99 West 1280 North on an 18.09-acre lot.**

Ms. Anglin presented the conditional use permit request for approximately 18.09 acres located at 99 West 1280 North, the existing Walmart Supercenter. She explained that the property is zoned General Commercial and designated Regional Commercial on the General Plan. The applicant is requesting approval for an accessory outside storage use associated with a drone delivery operation within the existing Walmart parking lot. Ms. Anglin reviewed the proposed drone delivery area, parking impacts, potential visual, noise, fire, electrical, and safety considerations, and the conditions recommended by staff. She noted that the proposed facility would occupy approximately 32 existing parking stalls and that the site would remain above the required parking minimum, even when accounting for the anticipated seasonal merchandise area. Planning staff recommended approval of the conditional use permit subject to the five conditions outlined in the planning staff report.

Mr. Aagard then addressed the Commission and commended Ms. Anglin for the work and detail included in the staff report. He explained the scope of the Planning Commission's authority when considering a conditional use permit, noting that the Commission may regulate matters associated with the site itself, such as aesthetics, safety, screening, lighting, pavement, and parking, but may not regulate activities occurring off-site or matters governed by other agencies. He used a hypothetical tow truck business as an example to illustrate the distinction. Regarding the proposed drone operation, Mr. Aagard explained that airspace, flight paths, pilot certification, and drone maintenance are regulated by the Federal Aviation Administration. He also noted that the City's existing noise ordinance is enforced by the Police Department. Mr. Aagard advised that if the Commission determined additional information was necessary before making a decision, it could table the item, provided the motion clearly identified the information needed and established a date or task for returning the item.

Chairman Hamilton opened the public hearing at 7:29 p.m.

Tracy Grgich questioned whether the proposed drone delivery operation qualifies as accessory outside storage under the City's zoning code. She stated that the fenced area would contain 18 drone launch stations, charging equipment, and a battery trailer, with drones actively launching, delivering merchandise, and returning to the site, and argued that the proposal is an active commercial delivery operation rather than storage. She also questioned whether the proposed use is customary, incidental, and subordinate to Walmart's principal use. She expressed concern that the City has not previously reviewed this type of operation and that potential noise, operational, visual, fire, electrical, and

neighboring property impacts had not been fully evaluated by the appropriate City departments. She requested that the application be continued until the land-use classification is determined and the necessary departmental reviews are completed. She further requested that the CUP be denied if the Planning Commission could not establish that the reasonably anticipated detrimental effects could be substantially mitigated through enforceable conditions. She also had previously emailed a comment to Planning Commission.

Stevie Jo Torres congratulated Wing and Walmart on their partnership and Wing's milestone of one million deliveries. She expressed concerns regarding the proposed drone delivery operation, including whether the location was the safest and most appropriate use of the parking area and whether the operation could affect surrounding property values. Ms. Torres questioned the City's determination that the use qualified as accessory outside storage, noting that the site would involve active commercial operations. She also raised concerns about potential fire, electrical, hazardous material, noise, visual, safety, and privacy impacts associated with the battery trailer, charging equipment, and drone operations. She questioned how these impacts would be monitored and addressed through enforceable CUP conditions and noted that, while the FAA regulates airspace, the City has authority over the land use and site. Ms. Torres stated that additional information was needed regarding the integration of commercial drones into the national airspace system and requested that the application be tabled. She also recommended that the City Council establish a specific land-use classification and development standards for drone launch, delivery, and landing facilities.

Nicholas Hanson, representing Bonneville Realty Management and managing three commercial properties directly adjacent to the proposed site in Tooele Landing, expressed concerns about the proposed drone delivery operation. He stated that the location of the landing pads could negatively affect leasing and property values due to potential noise and safety concerns. Mr. Hanson also raised concerns regarding the limited data available on drone operations near buildings and the potential risks associated with lithium battery fires and other unknown impacts. He suggested that the landing pads be moved toward the center of the Walmart parking lot, where they could be located farther from adjacent buildings while maintaining sufficient parking. Mr. Hanson stated that he was not opposed to new technology but believed additional consideration, information, and a process for adjacent property owners to provide feedback and guidance were needed because the proposal involved more than simply a landing pad.

Katrina Mick asked City leaders to pause and carefully consider any zoning ordinance that would allow Walmart to operate a drone delivery facility in the community. She stated that her concerns were not about opposing technology or convenience but about the potential effects of regular commercial drone activity on neighborhoods, including noise, privacy, safety, and the character of the community. Ms. Mick questioned how frequently the drones would operate, how late they would be permitted to fly, what safeguards would be in place, and who would be responsible in the event of a crash or other incident. She also expressed concern about the potential for misuse of drones and the impact of increased commercial activity on residents' peace and privacy. Ms. Mick asked the Council not to rush the decision and to take additional time to consider the long-term effects of the proposed use as the community continues to grow.

Seeing no other members of the public coming forward, Chairman Hamilton closed the 7:42 p.m.

Applicant representative, Zenobia Haines of Wing, addressed questions regarding the proposed drone delivery operation. She stated that FAA-approved operating hours are 7:00 a.m. to 10:00 p.m., with operations generally expected to mirror Walmart's hours. Existing Wing locations typically conduct

approximately 50 to 100 flights per day. She reported that the drones produce approximately 43 decibels at a 150-foot cruising altitude and up to 62.6 decibels when hovering approximately 20 feet above a customer's property, with the delivery process taking less than 60 seconds. She explained that the maximum flight range is six miles from the launch site, or approximately 12 miles round trip, and that drones are restricted from flying over schools, government buildings, prisons, jails, and large bodies of water. Ms. Haines also explained that the proposed fencing would need to remain transparent or use mesh to allow the drones to properly navigate to their landing pads. She clarified that the kiosk/storage shed would only be used to store drones when they are not operating and would not contain mechanical or electrical equipment.

During Commission discussion, members questioned whether the proposed use was appropriately classified as accessory outside storage or whether a specific land-use classification and development standards should be established for drone facilities. Staff explained that the use was classified as accessory storage because the operation is ancillary to Walmart and involves storage of drones and equipment, and that staff is required to interpret the City Code in favor of an applicant when possible. The City Attorney, Mr. Johnson, stated that state law limits the City's ability to regulate drone flight but noted that the City may regulate the site and land-use impacts. Planning Staff and the Planning Commission also discussed whether lithium-ion batteries would constitute hazardous materials under the City Code.

Planning Commissioners expressed concerns about making a decision without sufficient information regarding potential impacts, including the operation's proximity to residential and commercial properties, noise, safety, property rights, and nearby helicopter and AirMed operations. They also questioned whether the proposed location was appropriate given the area's helicopter traffic and whether conditions could adequately address unforeseen issues. The Planning Commission discussed obtaining additional information, including clarification from the City Attorney regarding state law, examples of regulations adopted by other communities, an aerial depiction of the six-mile flight radius, potential impacts to neighboring properties, and options for establishing a specific land-use classification or temporary/conditional use process. Planning Commissioners generally indicated that additional information was needed before making a final determination on the application.

Commissioner Anderson questioned why the proposed drone operation was being classified as outside storage and suggested the City consider creating a specific land use with appropriate restrictions or conditions. Staff explained that, because the commercial use table did not specifically address drone operations, the City interpreted the use as accessory storage because the drones and related equipment would be stored on-site and the use was ancillary to Walmart. Staff noted that the City is required to interpret its code in favor of an applicant when possible. Staff also discussed that an ordinance amendment or conditional-use approach could be considered in the future.

Planning Commissioners discussed whether the lithium-ion batteries associated with the drones would qualify as hazardous materials and whether state law governing unmanned aircraft limited the City's ability to regulate the use. City Attorney, Mr. Johnson, explained that while the City has limited authority over drone flight operations, the Planning Commission could regulate the use based on impacts at the site.

Commissioner Jensen expressed concern that the Commission did not yet have enough information to determine appropriate conditions or understand the potential impacts of the use. He noted concerns regarding noise, surrounding properties, and the City's ability to address potential problems if they arose. He also questioned whether Walmart's existing outdoor storage area had an existing conditional

use permit. Staff indicated that the area had been used for outdoor storage for many years but that staff could not readily locate a conditional use permit for it.

Commissioner Jensen made a motion to table the item for approximately 60 days to allow staff to research the applicable state law, potential impacts, and possible regulations or conditions. The motion was seconded. Commissioner Jensen subsequently withdrew the motion to allow further discussion regarding the specific concerns and information needed before the item could be reconsidered.

Following the withdrawal of the motion, Planning Commissioners discussed concerns regarding the proposed location, particularly its proximity to the AirMed and hospital helipads, military helicopter operations, and other aircraft using the area. Commissioners also expressed concern about potential impacts to surrounding businesses and property owners, including noise and the effect the operation could have on neighboring properties. Staff and Planning Commissioners discussed the possibility of having the City Council consider a new land-use classification, ordinance amendment, or other regulatory approach, including a temporary or conditional-use framework if authorized by code.

The Planning Commission requested additional information regarding the applicable state and federal regulations, proximity to other air operations, potential impacts to neighboring properties and businesses, possible regulatory options and conditions, examples of how other communities regulate similar uses, and an aerial map showing the proposed six-mile radius. Commissioners generally indicated that additional information was needed before making a decision on the application.

Motion: Commissioner Sloan to table the drone CUP application until the first Planning Commission meeting in November, approximately 45 days, to allow staff and the Commission additional time to research and clarify applicable FAA and state laws regarding drones and the City's authority to regulate the use. The Commission also requested further consideration of whether a different land-use classification, temporary CUP, or other regulatory approach would be appropriate, as well as concerns regarding the proposed location, surrounding businesses, proximity to the AirMed and hospital helipads, and the six-mile radius. The Commission requested an aerial visual showing the six-mile radius and the proximity of the proposed use to surrounding properties and air operations. The motion was seconded by Commissioner Anderson.

Staff confirmed that 45 days would be sufficient for the requested research, although additional time may be needed if an ordinance amendment is pursued. Staff also clarified that the existing application would still need to be addressed even if the City ultimately chose to pursue an ordinance amendment.

The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed to table this item 7-0.

Commissioner Hammer asked whether the item would include another public hearing at the first meeting in November. Chairman Hamilton explained that, under the bylaws, holding another public hearing would be at the Chair's discretion and indicated that he anticipated opening the public hearing again due to the significant public interest. Mr. Aagard clarified that additional public hearing notices would not be mailed, as the required notice had already been provided for the item.

5. **Decision on a Preliminary Subdivision Plan request by Perry Homes, Inc., for the Compass Point Village 5 subdivision proposed to be located at 3072 N 400 West consisting of 181 residential lots on 21.75 acres in the Compass Point RSD zoning district.**

Ms. Anglin corrected the proposed number of units to 168 and explained that Perry Homes is proposing a residential development consisting of 117 townhomes and 51 single-family lots. The General Plan identifies the property as medium-density residential, and the Compass Point RSD allows for a mixture of residential product types and densities within individual villages while maintaining an overall density of less than five units per acre. Planning Staff found the preliminary subdivision plan consistent with the RSD, the General Plan, and applicable City Code requirements.

Ms. Anglin clarified that the current application is only for the preliminary subdivision of the property. The townhouse portion will require a separate site plan design review before construction can begin. The development will have two connections to 3100 North and one connection to the properties to the north. The streets serving the single-family portion will be public and maintained by the City, while the private streets, common areas, and landscaping within the townhouse portion will be maintained by the homeowner's association.

Ms. Anglin explained that the preliminary subdivision plan establishes the townhouse lots and common areas but does not approve the final townhouse building designs or final subdivision plat. Staff from Planning, Engineering, Public Works, and the Fire Department completed their reviews and recommended approval, subject to completing required technical reviews, landscaping and irrigation plans, site plan design review for the townhouse portion, and documentation establishing the HOA and its maintenance responsibilities.

The applicant, Lynsi Neve of Perry Homes, thanked City staff for their work and confirmed for the record that the project will consist of 168 units, including 117 townhomes and 51 single-family homes. She also noted that the townhouse site plan would be submitted separately with additional details.

Motion: Commissioner Proctor moved to approve the Preliminary Subdivision Plan Request by Lynsi Neve, representing Perry Homes, Inc. to approve the Compass Point Village 5 Preliminary Subdivision Plan, application number 2025064, based on the findings and subject to the conditions listed in the Staff Report dated September 3, 2026. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

6. Public Hearing and recommendation on a proposed code amendment request by Tooele City to amend City Code Section 7-26-2(3)(a) regarding water rights conveyance requirements and depletion rates for interior uses for new development.

Mr. Hansen provided an overview of the City's water-right conveyance and depletion requirements for new development. He explained the distinction between diversion, which is the amount of water legally withdrawn from a source, and depletion, which is the amount of water consumed and not returned to the system. He reviewed how water rights can be changed in terms of point of diversion, place of use, and timing, but the underlying water right cannot be enlarged.

Mr. Hansen explained that the City has required 100 percent depletion on water rights for interior residential use since 2006 in connection with its water reclamation and reuse system. At the time, the State Engineer recommended the requirement because the City was among the first communities in Utah to implement the reuse process and wanted to ensure sufficient water rights were available to fully utilize reclaimed water. He noted that the City's current code requires 0.25 acre-feet of water rights per dwelling unit for interior residential use.

Following additional study of the City's reclamation process and accumulated water rights, staff determined that the City now has sufficient water rights to account for evaporation from the reclamation facility's ponds, oxidation ditches, and clarifiers. The remaining losses within the reclamation process are estimated at approximately five percent, while 55 percent depletion is required for the irrigation use of the reclaimed water. Based on these findings, staff proposed reducing the required depletion from 100 percent to 60 percent, consisting of approximately 55 percent for end use and five percent for losses within the reclamation facility.

Mr. Hansen stated that the proposed change to Title 7, Chapter 26 would ensure the City requires only the amount of depletion necessary, while benefiting future development and maintaining compliance with state water-right requirements. He explained that the Planning Commission was being asked to provide a recommendation to the City Council, which would make the final determination and establish an effective date. He recommended that the change apply to developers or homeowners who have not yet conveyed water rights to the City at the time the amendment becomes effective.

Planning Commissioners thanked Mr. Hanson for the presentation and indicated that the explanation and supporting data addressed their questions. Commissioners expressed support for making the requirement more equitable now that the City has sufficient data and water rights to support the reduction.

Chairman Hamilton opened the public hearing at 8:28 p.m.

Stevie Joe Torres questioned whether reducing the required depletion from 100 percent to 60 percent would mean developers and homeowners would be required to convey less water to the City. She expressed concern that, based on her experience in the water-right industry and real estate, there has historically been more water represented on paper than is actually available in the ground. She asked whether safeguards should be considered to ensure the City continues to have an adequate water supply to support future development.

Seeing no other members of the public coming forward, Chairman Hamilton closed the public hearing.

Mr. Hansen addressed Ms. Torres' concerns and explained that the City recently modified its water-right exaction policy to allow for additional review to ensure that water rights conveyed to the City are demonstrated and reliable rather than solely paper rights. He stated that new developments are also required to complete water and sewer modeling through the City's third-party consultant to verify that projected demand can be met and that the City has the infrastructure capacity to deliver the water through its wells and storage tanks. Mr. Hansen noted that the City continually evaluates sustainable water yield and reliability but is limited by law in the amount of water it can require from developers. He emphasized that the City is working to ensure the water rights it receives are available, reliable, and sustainable. Following the discussion, the Commission returned the matter for further deliberation and consideration of a recommendation to the City Council.

Motion: Commissioner Proctor moved to make a positive recommendation for the text amendments presented by Paul Hanson, City Engineer, to the City Council for approval.

Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

7. **City Council Reports**

Councilman Gossett provided an update on recent City Council discussions and actions. He noted that the City Council recently approved a water study for the east side of Tooele to continue evaluating whether sufficient water resources will be available to support future development. He also addressed the recent Canyon Road item that had received a positive recommendation from the Planning Commission. Councilman Gossett explained that, after additional questions and information were presented to the City Council, the Council determined that a negative recommendation was appropriate at this time. He emphasized that the Council takes the Planning Commission's recommendations seriously and that a different decision does not mean the Commission's input was disregarded.

Councilman Gossett also reported that the City Council approved a fire plan to work with the Fire Department as the community grows and the City transitions toward additional staffing. He noted that the Council also continued discussions regarding bonds for improvements to the wastewater treatment plant. Councilman Gossett thanked the public for the large turnout and encouraged residents to attend future City Council and Planning Commission meetings, emphasizing that public input is welcomed.

8. **Review and Decision – August 26, 2026 Planning Commission Meeting Minutes.**

There were no corrections to the minutes.

Motion: Commissioner Hammer moved to approve the August 26, 2026 Planning Commission Meeting Minutes. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

9. **Planning Commission Training – Subdivision and Site Plan Review and Approval Processes**

Chairman Hamilton proposed moving agenda items nine and ten and entertained a motion to adjourn.

Mr. Aagard then discussed whether to proceed with the training that evening or postpone it until the next meeting. He explained that the training would take approximately one hour and recommended holding it at the next meeting to allow additional Planning Commissioners to attend. The majority of the Commission agreed to postpone the training until the next meeting.

10. **Adjourn**

Chairman Hamilton adjourned the meeting at 8:36 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 October, 2026

Tyson Hamilton, Tooele City Planning Commission Chair