

Lake Point City Council Minutes

Date: Wednesday, May 31, 2023

Place: Lake Point Fire Station 1528 Sunset Rd Lake Point, UT 84074

Time: 6:00 PM

1. **Call to Order-** 6:00 pm
2. **Prayer-** Rhondalyn Garrard
3. **Pledge of Allegiance-** Nic Jenkins
4. **Presiding Officer-** Jonathan Garrard
5. **Attendance Roll Call-** Jonathan Garrard

Lake Point Council & Staff (C=Council)	Public	Public
Jonathan Garrard (Chair)	Chaelea Allred	
Ryan Zumwalt (Vice Chair)	Hannah Caldwell	
Dan Crawford (C.)	Lori Chigbrow	
Kathleen VonHatten (C.)	James Simko	
Doyle Garrard (C.)	Rickey Lloyd	
Jamie Olson (RCDR)	Nic Jenkins Rocky Mountain Power	
Rob Patterson (Attorney)		
3:18am		

6. Legal Training – Rob (2:25 recording)

- A. (Ryan) asked about policy being violated and enforcement or actions that can be taken when there are violations.
 - i) Depends on the policy and if it has an enforcement mechanism.
- B. (Ryan) is it normal for the state to handle city affairs
 - i) (Rob) explained a few examples of when the state and federal government would step in or not step in to enforce violations on a city level.
- C. (Ryan) asked about the difference between a public comment and public hearing
 - i) (Rob) A public hearing is a required time allotted for the public to be able to speak. Public comment is not required.
- D. (Kathleen) asked about the benefits of having rules on services for the disabled.
 - i) (Rob) it's helpful to have a local process, or you don't and can rely on the state's code.
- E. (Jonathan) asked about the agenda and posting problems this week. (23:45 recording)
 - i) (Rob) explained the cities policy
- F. (Ryan) asked if a council member can post the agenda or does it have to be done by the recorder.
 - i) (Rob) would look into it further.
- G. (Ryan, Jonathan, Dan) discussed the agenda posting issues in more detail.
- H. Motion-Ryan to end this discussion and move to the next agenda item. Kathleen 2nd `
- I. Record (Kathleen) I would like to go on the record with a reminder to the council to be respectful of each other and of our community in our comments and discussion. We all ran for office to make Lake Point a better place and I believe that is our goal in all that we do. Our ways may be different like Ryan and his fight to protect us or Jonathan and his fight to keep constitutional rights or Dan and his desire to help the businesses or Doyle and his desire to protect our financial well-being or if it is me that wanted to just be there for the average person that may not know much about politics but just loves this community that we are fighting so hard to

protect. However, we cannot make Lake Point better if we ourselves do not bring our best selves to these meetings. We may differ in our approaches, but we should not disparage each other. I am doing my best with fidelity towards the community that elected me, and the oath of my office and I know that all of us feel the same. I will commit tonight to a reminder to using respectful, kind, and appropriate language in my comments and I hope that I can expect the same from the public and the rest of the council. (36:30 recording)

i) Motion passes Jonathan abstains

7. Public Comment- (39:00 recording)

A. Motion- Dan to open Public Comment Doyle 2nd

B. Vote was unanimously approved

i) Nic Jenkins with Rocky Mountain Power (Exhibit A)

- 1) Rocky Mountain Power wants to make you aware so you're aware of things coming up
- 2) Plans for a new substation, this is a while out and they will start having those discussions and talking to residents of Lake Point and talking to residents about easements
- 3) Thankful for the opportunity to work with Lake Point Days.
- 4) (Kathleen) would like information, so the public is aware of how to update their information with Rocky Mountain Power for notification reasons

ii) Ricky Lloyd -had a problem in RR-1 section 4 and was concerned with language saying whatever is on the list is prohibited and if it is not on the "list" it is not allowed. He has a real problem with how limiting it is. (54:00 recording)

- 1) Commission members Lori, Hannah, and Rickey discussed the "may" and "shall" in that verbiage and how they came to that recommendation.

iii) Lori-Chigbrow (1:07:40 recording)

- (a) Topic on meeting agenda and getting things to get done. If it's open up to others to post items other than the recorder it causes confusion, and you lose your process. It's not fair because of poor planning of someone else problem makes it her job an emergency and makes her job harder.
- (b) She lost 50% of her trust in the council today because of the arguing. If the council can't work together and get their work done, how is she as a citizen going to believe the council will do anything for her.

C. Motion- Doyle to close Public Comment. Dan 2nd

D. Vote was unanimously approved

8. Action/Business Items (1:16:00 recording)

A. ET Canal and Beehive Telephone easement agreement

- i) (Rob) updated the council and they agreed to 20 feet on center. And they wanted to see if LP had and need to talk to other property owner. The council can move forward on this agreement.
- ii) Motion- Jonathan take our ET Canal and Beehive Telephone easement agreement are good with no other changes and circulate it and signature Doyle 2nd
- iii) Passed Unanimously
- iv) (Rob) will circulate the final version

B. Ordinance 2023-12 Pending Land Use Regulation- still need a road map (1:21:46 recording)

- i) (Rob) introduced this ordinance. It is extending the delay of the processing permits until the codes are adopted. People can submit for a permit, but it won't be reviewed until the city has the code to process the permit.
- ii) Adoption date discussed
- iii) (Rob) It would be good to support this ordinance with a "road map" to show the public what you are working on and about when you will be working on each one.
- iv) Motion- Dan to approve Ordinance 2023-12 Pending Land Use Regulation as counsel advise 2nd Kathleen. (1:38:50 recording)
 - 1) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 2) Passed Unanimously

- C. Ordinance 2023-13 RR-1 Zone (1:41:39 recording)
- i) Council reviewed a substitution draft Ryan presented of this Ordinance and made edits to that substitution draft. (See Exhibit B Draft 2). The posted Original Draft 1 version (See Exhibit C), that was posted to the public, will be used as a reference in the minutes concerning the sections that the council was discussing (this is because the numbering in the Draft 2 version is not consistent for tracking). Time stamps are included so the public can easily find and/or follow the minutes with the recording. Draft 2 was printed and dispersed to the public in the meeting. Original Draft 1 was also printed and distributed to the public.
 - ii) Time stamps for the following are using Original Draft 1 of the Ordinance.
 - 1) Section 2. Purpose (1:47:25 recording)
 - 2) Section 2. Keep Draft 2 purpose paragraphs
 - 3) Inserted Draft 2 Definitions listed inside notes (not on either Exhibit) These are shown on the final adopted ordinance (2:05:00-2:42:40 recording)
 - 4) Section 3. Spot Zoning inserted from Draft 2 with added definitions (2:42:40 recording)
 - 5) Section 3.1. a. & b. Minimum Width and Reduction of Collector Class Roads (3:00:00 recording)
 - 6) Section 3.2. a. & b. Residential Dwelling Placement Frontage Requirements (3:21:48 recording)
 - 7) Section 3.2. inserted a section of Draft 2, Residential corner lot (3:22:08 recording)
 - 8) Section 3.3.a. Main Setbacks- (3:23:20 recording)
 - 9) Section 3.3.b. iii. Accessory Setbacks (3:24:33 recording)
 - 10) Section 3.4. Building Height (3:31:56 recording)
 - 11) Section 3.6. Retaining Wall (3:39:12 recording)
 - 12) Section 4.1. Commencement on Development (3:44:19 recording)
 - 13) Section 4.1.c. On-site Surface Drainage (3:46:30 recording)
 - 14) Section 4.1.g. Cul-de-sacs (3:55:05 recording)
 - 15) Section 4.1.i. Utility easement (3:58:53 recording)
 - 16) Section 4.2. Building permit and inserted section from Draft 2 (4:01:00 recording)
 - 17) Section 4.3. Parking (4:04:46 recording)
 - 18) Section 5.1.e. Farm Animals (4:09:16 recording)
 - 19) Section 5.1.g. Fruit or Vegetable Stand (4:19:14 recording)
 - 20) Section 5.1.h. Household Pets (4:43:58 recording)
 - 21) Section 5.1.h. Green Houses (4:48:36 recording)
 - 22) Section 5.1.p. Uses Authorized (4:52:25 recording)
 - 23) Section 5.2.b. Permitted Adult Day Care (4:58:20 recording)
 - 24) Section 5.2.c. Beer Sales (05:06:32 recording)
 - 25) Section 5.2.d. Childcare Residential (5:10:42 recording)
 - 26) Section 5.2.e. Construction Equipment (5:17:50 recording)
 - 27) Section 5.2.f. Construction Field Office (5:17:50 recording)
 - 28) Section 5.2.g. & h. Home-Based Business & Home Occupation (5:23:27 recording)
 - 29) Section 5.2.i. Preschool Residential (5:43:40 recording)
 - 30) Inserted Section of Draft 2- Parking of Commercial, Construction Equipment (5:45:09 recording)
 - 31) Section 5.3. b. i. ii. iii. and more inserted sections of Draft 2 ADU's (5:46:20 recording-6:19:14)
 - 32) Record- Jonathan- I thought we were trying to do things less than Tooele County, allow a little more freedom so it to be easier to live here in Lake Point and not... (Jonathan was interrupted and discussion ensued about short and long term ADU rentals) (5:53:14 recording)
 - 33) Record- Dan- This is why I was disenchanted because these are talking points that Ryan inserted, it doesn't matter if it was Ryan or Jonathan, Kathleen, or Doyle. This is why I was disenchanted because we are spending so much time on things that are really

opinion, it's all opinion... (6:02:22 recording) Dan was interrupted with discussion about time being wasted with additional regulations above what the state requires for ADU's and owner operated, primary and secondary dwelling. Dan continued his statement (6:08:14 recording) I just mentioned I don't think this is the glue that ties this together these are just Ryan's opinions, Kathleen didn't look at it, I knew this was going to go all night, we aren't even halfway through this thing. I know Ryan is passionate, but these are Talking points that Ryan put in and they are controlling the conversation. And if it were Jon, or Doyle or Kathleen, I'd say the same thing, Kathleen is on the same subcommittee and she didn't look at this and it should have been on a google doc, but it's okay we will just keep hammering it through.

- 34) Section 5.3.c. Detached ADU's
- 35) Section 5.3.c. i. number per lot (6:19:14 recording)
- 36) Section 5.3.c. ii. Acre limit (6:21:31 recording)
- 37) Section 5.3.c. iii. Off street parking (6:28:08 recording)
- 38) Section 5.3.c. viii. (6:32:20 recording)
- 39) Section 5.3.c. inserted sections from Draft 2 (6:36:00 recording)
- 40) Record-Ryan- Because it has been asserted that I am, I want it to specifically state that I am not opposed to internal or external ADU's the suggestion I made on this ordinance do not impair any resident in having an ADU, that will protect the cities financial revenues, safety and revenues and also adjacent property owners who may be impacted by these. But. I am not opposed to ADU's internal or external and feel they will help us meet our affordable housing act requirements (6:50:28 recording)
- 41) Section 5.4. Bed and Breakfast (6:51:04 recording)
- 42) Section 5.6. Pools (7:04:03 recording)
- 43) Section 5.8.c. Public Quasi-Public Uses. Church Parking (7:14:14 recording)
- iii) Motion- Jonathan to open public hearing for the 2023-13 RR-1 Zone. Dan 2nd (7:27:26 recording)
 - (a) Chaelea Allred on ADU's the more restrictive that you are the less people will tell you they are doing it. If you want honestly, give a space to be honest (7:28:00 recording)
 - 2) Motion- Dan to close public hearing. Jonathan 2nd
 - 3) Passed Unanimously
- D. Ordinance 2023-14 Zoning Map (7:29:42 recording)
 - i) Motion-Dan open Public Hearing for the 2023-14 Zoning Map. Kathleen 2nd
 - ii) Passed Unanimously
 - 1) Planning and Zoning, Council and Counsel had a Discussion on Zoning Map (7:31:00 recording)
 - iii) Motion- Ryan to close Public Hearing. Kathleen 2nd
 - 1) Passed Unanimously
 - iv) Motion- Jonathan pass Ordinance 2023-14 Zoning Map as amending (language in ordinance) during our discussion tonight. Kathleen 2nd
 - 1) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 2) Passed Unanimously
- E. Resolution 2023-15 Tentative Budget FY24 (8:34:20 recording)
 - i) Motion- Ryan open public hearing. Jonathan 2nd
 - 1) Passed Unanimously
 - ii) (Ryan) introduced the tentative budget
 - iii) Motion- Kathleen close public hearing Doyle 2nd
 - 1) Passed Unanimously
 - iv) Motion- Ryan to approve Resolution 2023-15 Tentative Budget FY24. Kathleen 2nd
 - 1) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 2) Passed Unanimously
- F. Inspector & Building Official Contracts (8:38:45 recording)

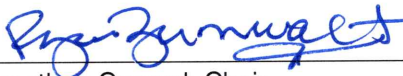
- i) Contracts discussed.
 - ii) Motion- Ryan to approve with the amendments from legal counsel and the addition and that they fill out the conflicts of interest and ethics pledge. Doyle 2nd (8:48:07 recording)
 - 1) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 2) Passed Unanimously
- G. R 2023-14 - Fee Schedule Resolution fees for elections, fireworks, building permits, building plan reviews, garbage service, business licenses, waste new account setup fee, additional can activation fee, a reconnection fee, building inspector fees, and building official fees (8:49:30 recording)
 - i) Council discussed the fees being added to the fee schedule.
 - ii) Motion- Jonathan to accept 2023-14 - Fee Schedule Resolution as amended by legal. Doyle 2nd
 - 1) Roll Call Vote-Jonathan Yea -Ryan Yea -Dan Yea -Kathleen Yea -Doyle Yea
 - 2) Passed Unanimously
- 9. Attorney Clarification -for any items in Council Update, so we may efficiently dismiss legal** (9:17:12 recording)
- 10. Council Updates** (9:18:50 recording)
 - A. Jonathan Garrard
 - i) Just that we have a meeting next week.
 - B. Doyle Garrard (3:19:06 recording)
 - i) Lake Point Estate parcel issue
 - ii) Sand Hauling - Ben Campbell has been paid
 - iii) Ownership of roads and Saddleback Plat
 - 1) (Doyle) Had expressed a question if there was a follow-up
 - iv) Follow up on Foothill, moving over to the City from the County
 - 1) (Doyle) The county has given paperwork and making sure all the roads
 - v) Rio Tinto superfund
 - 1) (Kathleen) Birds are doing better, but not all the way. They are being proactive
 - vi) All West Telecommunication Franchise Agreement
 - 1) (Doyle) asked Jed about getting Franchise Agreements and Doyle has the franchise agreement with All West.
 - vii) Sand Transfer
 - 1) (Doyle) wanted to check if the arena is ready for the sand to be dumped.
 - viii) Sales Tax and road funds deposited into PTIF
 - 1) (Doyle) Received roads funds and need to get that paid to the county
 - 2) (Doyle) Received a check on sales tax and it was really low and explained why it was low and it will get bigger.
 - C. Dan Crawford
 - i) nothing
 - D. Ryan Zumwalt (9:27:00 recording)
 - i) Policy & Procedures for Land Use Ordinance Adoption sent out for review
 - E. Kathleen VonHatten (9:28:19 recording)
 - i) (Kathleen) Asked if they wanted Fireworks map.
 - ii) (Kathleen) Express Bill Pay is close to being ready.
 - iii) (Kathleen) Trash flow update.
- 11. Public Comment** (9:31:37 recording)
 - A. Motion- Ryan to open Public Comment. Dan 2nd
 - B. Vote was unanimously approved
 - i) Ryan- wanted to thank our recorder in helping set up city and planning commission and planning secretary and grateful for making the best city that we can.
 - C. Motion- Ryan to close Public Comment. Jonathan 2nd
 - D. Vote was unanimously approved

12. Adjournment- 3:33 am on June 1

Note-The minutes may include a summary of what was discussed and are not intended to be verbatim.
All public meetings have an audio recording, time stamps are included in the minutes to help the public find where certain topics were discussed. Please see the audio recording of this meeting for a full audio record of the meeting.

Note- Additional information concerning meetings including agendas, minutes, recordings, written/typed public comment, other distributed materials, ordinances, resolutions, public notices, and how to sign up for notifications on the Public Notification Website, can be found at <https://lakepoint.gov> under Departments-Recorder.

PASSED AND APPROVED but the Council this 11 day of Dec., 2023



Jonathan Garrard, Chair



ATTEST:


Jamie Olson, City Recorder



Exhibit A
05.31.2023

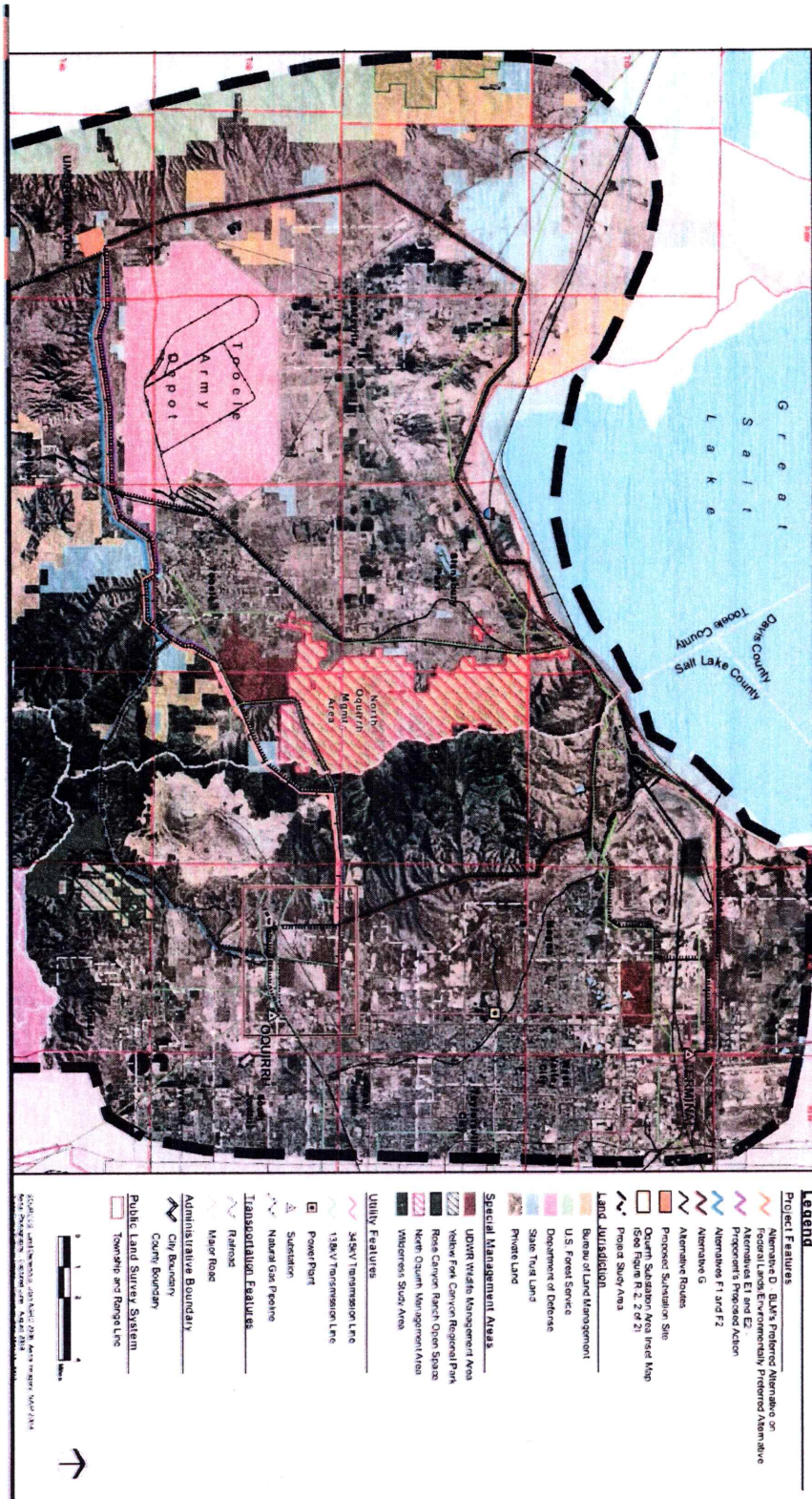


Exhibit B
05.31.2023
Draft 2

ORDINANCE NO. 2023-13

AN ORDINANCE ADOPTING AND CREATING THE RR-1 ZONING DISTRICT WITHIN LAKE POINT

WHEREAS, pursuant to Utah Code Title 10, Chapter 9a, Lake Point is authorized to adopt land use regulations, create and define zoning districts, and regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures and the use of land within such districts;

WHEREAS, Lake Point desires to establish rules and regulations for residential zoning and uses, to be known as the Rural Residential Zoning District (RR1);

WHEREAS, the Lake Point Planning and Zoning Commission provided notice of and conducted a public hearing regarding the RR1 zoning regulations, which hearing was held on May 22, 2023;

WHEREAS, the Planning and Zoning Commission issued a recommendation regarding RR1 zoning regulations for the review of the Lake Point City Council on May 22, 2023;

WHEREAS, the City Council provided notice of and conducted a public hearing regarding the RR1 zoning regulations and the recommendation of the Planning and Zoning Commission related thereto, which hearing was held on May 31, 2023;

WHEREAS, after reviewing the recommendation of the Planning and Zoning Commission, and after having made such adjustments to the recommended RR1 zoning regulations as the City Council found appropriate and necessary, the City Council finds that it will be in interest of Lake Point and its residents, and will provide for the general welfare, prosperity, and benefit of Lake Point residents, to adopt the RR1 zoning regulations as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Lake Point City Council as follows:

Section 1. The Rural Residential Zone District (RR1) is hereby created, subject to the regulations, terms, restrictions, and conditions set forth herein.

Section 2. General

1. Purpose:
2. The Rural Residential zone, also known and referred to as the RR1 zone, is established to create a rural residential zone which aims to promote and preserve conditions suitable for large-lot family life, and reduced reliance on public services. The district safeguards against the encroachment of high density housing, commercial and industrial activities and is intended as a permanent residential zone for those areas of the community

where it is desirable to maintain low residential densities for residents to enjoy a rural lifestyle, including establishing where the growing of crops and the boarding, caring for, raising, grazing, feeding, riding, and training of horses and other livestock, farm animals, and pets often found in rural areas (collectively, "Livestock"), and to have their attendant noises, odors, and sights is encouraged and supported.

The character and essence of the city is the RR1 zone and all efforts to protect this zone should be encouraged. Uses permitted in the RR1 zone must be incidental thereto and should not change the basic rural character of the zone. The RR1 area is an integral part of the Lake Point area and must be protected for residents and visitors.

The rural residential zone is intended for residential single-family dwellings that are in harmony with the rural characteristics of the area. The includes supporting purposes and ordinances to ensure adequate, air, open space for each dwelling, commensurate with single-family occupancy, and desirable residential qualities of such minimum vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall prevail.

This zone is characterized by low density, commingling of one-family detached dwellings on individual lots, agricultural activities, parks, playgrounds, schools, and churches. This zone is also characterized by promoting the health, safety, comfort, convenience, order, prosperity, aesthetics, and welfare of the present and future inhabitants of Lake Point to preserve the quality of the rural lifestyle.

3. Applicability:

1. The standards, regulations, entitlements, and terms set forth herein for the RR1 district shall apply to all property zoned RR1, as shown on the official Lake Point Zoning Map.
2. Notwithstanding the foregoing, the standards, regulations, entitlements, and terms set forth herein for the RR1 district shall not apply to any property for which a development agreement or other similar contract that establishes and vests development standards and rights has been, prior to the incorporation of Lake Point, executed and recorded for against title to the particular property. The zoning standards, regulations, entitlements, and terms for such property subject to a development agreement or other similar contract shall be as set forth in the applicable, recorded agreement or contract. The owner of such property subject to a development agreement or other similar contract may request that the City enter into a development agreement that modifies the vested development standards and rights established under the development agreement or other similar contract in accordance with state law.

Section 3. Definitions (Add in definitions relevant to ordinance)

Regulations

1. Spot zoning in the RR1 Zone is prohibited. Spot Zoning means a zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property, which is invalid because it is not in accordance with the general plan.
2. Minimum Lot Size: The minimum lot size for the RR1 district shall be 1 acre.
 - a. Reduction for Collector Class Roads: A reduction of up to 6% in the minimum lot size requirement is permitted when a Collector class road is dedicated. The cross-section width of the road should comply with Utah State Code. The Collector class road must be located appropriately and determined to be useful by the City, in accordance with the General Plan or other appropriate considerations. It must be completed before any building development commences, unless sufficient financial completion and warranty assurances are provided pursuant to state law in amounts equal to 100% of the estimated construction cost and 10% of the estimated construction cost, respectively, in the form of a letter of credit, or cash deposit, the terms of which must be reviewed and approved by the City Attorney pursuant to state law.
 - b. Minimum Width: New residential dwellings are not allowed to front onto Collector class roads, whether such roads exist or are newly created, unless such dwellings are located on a lot that requires frontage and access to a Collector class road, which lot was created as part of a subdivision plat that was approved and recorded prior to the adoption of this Ordinance.
3. Residential Dwelling Placement:
 - a. Minimum Width: The minimum width for residential lots shall be 125 feet.
 - b. Frontage Requirement: Each residential dwelling must have a minimum frontage of 25 feet on a public road or private access road.
 - c. Residential dwellings on corner lots shall have a minimum setback of thirty feet (30') from both property lines along public streets. These lots should always assure that the clear view section is established for safety.
 - d.
4. Yard Setback Requirement: Minimum yard setback requirements should be
 - a. Main Building Setbacks:
 - i. Front Yard: The minimum front yard setback for the main building shall be 30 feet from the front property line.

- ii. Side Yard: The minimum side yard setback for the main building shall be 7 feet from the side property line.
 - iii. Rear Yard: The minimum rear yard setback for the primary building shall be 20 feet from the rear property line.
- b. Accessory Building Setbacks:
 - i. Front Yard: The minimum front yard setback for the accessory building shall be 30 feet from the front property line.
 - ii. Side Yard:
 - 1. From the front setback to a distance 10 feet behind the main building: The minimum side yard setback for accessory buildings shall be 7 feet.
 - 2. From a distance 10 feet behind the main building to the rear of the lot: The minimum side yard setback for accessory buildings shall be 7 feet.
 - iii. Rear Yard: The minimum rear yard setback for accessory buildings shall be 7 feet from the rear property line.
 - iv. From main building: All accessory buildings shall be set back a minimum of 10 feet from the primary building
- c. Corner Lots: For corner lots, two front yards, along the street frontages, and two side yards, along the property lines not fronting on streets, are required, with setbacks as set forth above.
- 5. Maximum Building Height: The maximum primary building height allowed in the RR1 district shall be 35 feet above grade where the height of a structure is measured from the uniform, natural, or cut grade. No primary structure or accessory building shall exceed this height limitation.
- 6. Maximum Building Coverage: The maximum building coverage on a lot shall not exceed 20% of actual physical square footage of the building lot. This percentage represents the portion of the lot that can be covered by the footprint of the buildings.
- 7. Retaining walls: All retaining walls over 4 feet from footing shall require a building permit.

Section 4. Required Improvements for Development

- 1. Prior to commencing any development within the RR1 district, the following improvements are required to be constructed and installed, or sufficient financial completion and warranty assurances are provided pursuant to state law in amounts equal to 100% of the estimated construction cost and 10% of the estimated

construction cost, respectively, in the form of a letter of credit or cash deposit, the terms of which must be reviewed and approved by the City Attorney. All improvements shall be constructed and installed according to AWWA, AASHTO, and other city, state, or industry standards:

- a. Street Grading: The grading of streets within the development area must be completed.
- b. Street Base: A suitable street base must be constructed to ensure proper road stability and durability.
- c. On-site Surface Drainage: Adequate on-site surface drainage facilities must be provided to prevent water accumulation and ensure proper water runoff. All drainage shall be contained on-site, either within each lot or within an approved storm- and surface- water drainage system. The construction of retaining walls, the installation of impermeable surfaces, and the re-grading of property shall not cause water or runoff to drain onto adjacent property except as part of an approved storm- and surface-water drainage system.
- d. Water Facilities: Proper water facilities, including connections to an adequate water supply, must be established to meet the needs of the development. Will-serve letters or other approvals of the entity providing such service must be provided.
- e. Wastewater Disposal: Adequate wastewater disposal systems must be in place to handle and treat sewage generated by the development. Will-serve letters or other approvals of the entity providing such service must be provided.
- f. Street Monuments: Street monuments, as required by engineering standards, must be installed to mark important points or boundaries along the streets.
- g. Cul-de-sacs: Cul-de-sacs and other dead-end streets shall not be permitted to be longer than 600 feet without providing a second point of access.
- h. Turn-arounds: Turn-around areas shall be provided for any dead-end, stub, or other street that is not a cul-de-sac and does not currently connect to another street. The size, design, and location of any turn-around or cul-de-sacs shall be as required by the Fire Marshal. The turn-around or cul-de-sac shall be on property that is dedicated as a public right of way or subject to an easement for the maintenance of the turnaround area.
- i. Utility Easement: Each new development shall provide, with each lot, a minimum 10-foot-wide utility easement along and adjacent to all property lines of each lot. Such easement shall be dedicated as a municipal utility easement, owned and regulated by Lake Point, for the purposes of allowing public utilities, entities with which the City has executed a franchise agreement, and other public or private entities that provide utility or utility-like services to use, access, and construct required facilities in and under. In all such use, access,

and construction, all persons and entities shall treat the easement as though it is a public utility easement.

2. Building permits are required prior to construction of any building, structure, or improvement regulated by the State Construction Codes.

Building permit required.

The construction, alteration, repair, erection, placement, or removal of any building, structure, mobile home, modular home, manufactured home, office trailer or part thereof as permitted in any chapter of this land use ordinance shall not be commenced or continued except after review by the zoning administrator or designated representative and a written permit from the building inspector. If work is not started or substantial progress is not made within 180 days a new permit will be required.

Occupancy Permit Required

Land, buildings or premises in any zoning district shall hereafter be used only for a purpose permitted in such district and in accordance with the zoning district regulations. An occupancy permit shall be issued by the zoning administrator, chief building official or designated representative to the

Site plans required.

A detailed plan of appropriate scale and sheet size as determined by the zoning administrator shall be filed as part of any application for a land use or building permit.

Inspection.

The zoning administrator, the chief building official or their designated representatives are authorized to inspect or to have inspected all buildings and structures in the course of their construction, modification or repair, and to inspect land uses to determine compliance with the land use ordinance provisions. The zoning administrator or any authorized employee of the city shall have the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with this land use ordinance, provided that such right of entry is to be used only at reasonable hours, unless an emergency exists. In no case shall entry be made to any occupied building in the absence of the owner, representative, employee or tenant thereof, without written permission of an owner, or written order of a court of competent jurisdiction

Permits or licenses.

All departments, officials and public employees of Lake Point which are vested with the duty or authority to review, issue permits or licenses shall conform to the provisions of

this land use ordinance and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions thereof. Any permit or license, if issued in conflict with the provisions of this land use ordinance, shall be null and void

Fees may be charged to applicants for building, occupancy, conditional use permits, design review, planned unit development approval, planning commission and board of adjustment hearings, and such other services required by this land use ordinance to be performed by public officers or agencies. Such fees shall be established by resolution of the county commission and shall be in amounts reasonably necessary to defray costs to the public.

Limit on pending applications per parcel.

No more than one pending land use application will be accepted at any one time per parcel or address. A subsequent application will not be accepted for review for differing land use applications until the pending application has been approved, denied or formally withdrawn by the applicant. This section does not apply to subdivision developments with multiple phases originating from the parent parcel, or to land use applications for the same development or projects that require multi-stage approvals, which may be in review simultaneously

1. Parking:

- a. Each single-family residence shall provide a minimum of two off-street parking areas.

Section 2. Permitted Uses

The following uses are permitted within the RR1 District. Any use not expressly permitted herein shall be prohibited.

1. Residential Agriculture, Forestry, and Keeping Animals Uses, as Follows:

- a. Accessory Buildings and Uses: Customarily incidental to permitted uses.
- b. Agricultural Industry or Business: Agricultural-related industry or business operations.
- c. Apiary: The keeping of bees is allowed.(beehives)
- d. Aviary:
- e. Farm Animals: The keeping of farm animals is permitted (Educational or personal) (Non Commercial)
- f. Forestry (excluding forest industry): Forestry activities, such as tree cultivation and management.

- g. Fruit or Vegetable Stand: (Non Commercial)
- h. Household Pets: As limited by state law
- i. Personnel Kennel: subject to noise, nuisance, sanitation ordinances and state animal cruelty laws
- j. Personal Agriculture: Includes grazing and pasturing of animals
- k. Plant Materials Nursery/Greenhouse: (greenhouse not to exceed ??? Sf)
- l. Riding Academy or Riding Arena, Horse Show Barns or Facilities:
- m. Rooftop mounted solar arrays
- n. Horse Stables
- o. Storage, Placement, Keeping, Locating, Parking, Maintaining, and Keeping of Agricultural Equipment:
- p. Uses authorized or described by the Utah Code Title 4 Chapter 5a Home Consumption and Homemade Food Act. Urban Farming Assessment Act, Title 59, Chapter 2, Part 17 of the Utah Code Annotated, as amended.

2. Commercial and Industrial Uses, as Follows:

- a. Accessory buildings and uses customarily incidental to permitted uses.
- b. Permitted Adult Day Care: Adult day care facilities are permitted, provided they have off-street parking to accommodate the expected number of vehicles for employees and patients. Use shall comply with all laws and regulations under Utah State Law
- c. Childcare Residential: (Non Commercial Childcare are Allowed, provided they have off-street parking and pickup/drop-off areas for parents or guardians. One off-street parking space shall be provided for each employee who resides outside of the dwelling, in addition to the off-street parking required for the dwelling. Use shall comply with all laws and regulations under Utah State Law.
- d. Construction Equipment and Supply Trailer (Temporary): Temporary placement of construction equipment and supply trailers associated with active construction in a 30 day period, .
- e. Construction Field Office (Temporary): Temporary construction field offices associated with an active development.with active construction in a 30 day period. .

- f. Home-based Businesses: A owner occupied business with less than ?? employees who reside outside of the dwelling are permitted, provided a off-street parking is available or provided on the property. One off-street parking space shall be provided for each employee who resides outside of the dwelling in addition to the off-street parking required for the dwelling.
 - g. Home Occupations: Home occupations, which involve conducting a business or professional activity within a owner occupied residential dwelling with the occupation done by the owner of the home.
 - h. Preschool-Residential: Allowed, provided they have off-street parking and pickup/drop-off areas for parents or guardians. One off-street parking space shall be provided for each employee who resides outside of the dwelling, in addition to the off-street parking required for the dwelling. Use shall comply with all laws and regulations under Utah State Law
 - i. Parking of commercial, construction or specialized equipment off street for homeowners occupational or business use.
3. Residential Dwellings and Uses, as follows:
- a. Accessory buildings and uses customarily incidental to permitted uses.
 - b. Accessory Dwelling Units (ADU) (Internal): Internal ADU are allowed within the primary dwelling's footprint, subject to the following conditions.
 - i. Internal Accessory Dwelling Units (ADUs) must have separate house numbers from the primary dwelling.
 - ii. May not be rented for less than 30 consecutive days.
 - iii. Only one internal ADU may be built per primary dwelling.
 - iv. The primary dwelling is occupied by the owner of record.
 - v. an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;
 - vi. Replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport and is a habitable space;
 - vii. Internal ADUs shall provide at least one additional off-street parking space in addition to the parking spaces required for the primary dwelling, if the primary dwelling has three or fewer existing off-street parking spaces or if parking space within an attached garage is removed due to the creation of the ADU.

- viii. Construction of new internal ADUs must comply with current Utah State health, building, and fire codes.
- ix. Record a notice for an internal accessory dwelling unit in accordance with Subsection 6 of Utah State code 10-9a-530.
- c. Accessory Dwelling Unit ADU (Detached): Detached accessory dwellings (ADUs) are permitted, provided the primary dwelling is occupied as the primary residence by the record owner. The following conditions apply:
 - i. Only one detached ADU is allowed per parcel.
 - ii. The parcel must be on a minimum of .75 acre of physical land.
 - iii. Adequate off-street parking must be provided, with a minimum of two additional parking spaces provided for the use of the detached ADU.
 - iv. The detached ADU must be a permanent structure subordinate to the primary residence.
 - v. The detached ADU cannot be rented for a period of less than 30 consecutive days.
 - vi. The total of all structures on the parcel must not exceed the maximum building coverage allowed in the zoning district.
 - vii. The detached ADU cannot be converted to an autonomous dwelling and the detached ADU and the property cannot be partitioned or subdivided from or otherwise conveyed separately from the primary dwelling.
 - viii. The detached ADU must not exceed the height of the primary dwelling.
 - ix. Construction of new detached ADUs must comply with Utah State health, building, and fire codes.
 - x. A detached accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling and single family lot;
 - xi. Replace any parking spaces contained within a detached garage or carport if a detached accessory dwelling unit is created within the detached garage or carport and is a habitable space;
 - xii. Record a notice for an internal accessory dwelling unit in accordance with Subsection 6 of Utah State code 10-9a-530.

xiii. The detached ADU shall follow all setbacks for the primary dwelling, and shall be separated from the primary dwelling by at least 10 feet.

xiv. The location of the detached ADU may not impair adjacent properties.

d. Single-family dwelling units.

4. Bed and Breakfast: Bed and Breakfast establishments are permitted, provided the owner resides in the residence. Guest rooms shall not contain cooking facilities for meal preparation by guests. Meals are served only to residents and overnight guests. Bed and Breakfast establishments must meet State building, fire, and health codes and city commercial, business license and other codes. That the establishment obtains a Lake Point City Business License.
5. Dwellings or Residential Facilities for Elderly or Disabled Persons: Dwellings or residential facilities specifically designed for elderly or disabled persons are permitted within the RR1 district. Must meet minimum State Code.

Pools: Permanent and temporary above- and below-ground pools are permitted. All construction shall be pursuant to an approved building or construction permit and shall comply with Utah State law and construction codes. An outdoor family swimming pool shall be completely enclosed by a substantial fence of not less than six feet in height with a self closing gate or a power safety cover meeting the requirements of the International Building Codes. Lights used to illuminate said pool or its accessories shall be so arranged as to reflect the light away from adjoining premises. A "substantial fence" means any fence that will not allow nominal passage by any person except through an otherwise locked gate.

6. Mounted Solar Arrays: Installation of solar arrays.

7. Public and Quasi-Public Uses:

- a. Accessory buildings and uses customarily incidental to permitted uses.
- b. Cemetery:
- c. Church: 1 parking space per 1,000 square feet of building
- d. Private Roads: Construction and maintenance of private roads within the RR1 district.
- e. Public-Owned Parks and Recreational Facilities: Development and operation of parks and recreational facilities owned by public entities.
- f.

8. Utilities and Utility Services:

- a. Accessory Building and uses customarily incidental to permitted uses.
- b. Essential Service Facilities: Construction and operation of essential service facilities, such as water treatment plants or electrical substations.

9. Residential Power Generation for On-Site Residential Use: unless intended for emergency situations as depicted below.

- a. Solar
- b. Wind Driven under 5.9 KVA

Section 3. This Ordinance shall be effective immediately upon its adoption and publication according to law.

PASSED, APPROVED, AND ADOPTED on the _____ day of _____, 2023

Lake Point

By _____
Chair

ATTEST:

City Recorder

SEAL

Voting:

Daniel Crawford	Yea___	Nay___	Absent___
Doyle Garrard	Yea___	Nay___	Absent___
Jonathan Garrard	Yea___	Nay___	Absent___
Kathleen VonHatten	Yea___	Nay___	Absent___
Ryan Zumwalt	Yea___	Nay___	Absent___

Exhibit C
2023.05.31
Original Draft PZ Version

ORDINANCE NO. 2023-13

AN ORDINANCE ADOPTING AND CREATING THE RR-1 ZONING DISTRICT WITHIN LAKE POINT

WHEREAS, pursuant to Utah Code Title 10, Chapter 9a, Lake Point is authorized to adopt land use regulations, create and define zoning districts, and regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures and the use of land within such districts;

WHEREAS, Lake Point desires to establish rules and regulations for residential zoning and uses, to be known as the Rural Residential Zoning District (RR1);

WHEREAS, the Lake Point Planning and Zoning Commission provided notice of and conducted a public hearing regarding the RR1 zoning regulations, which hearing was held on May 22, 2023;

WHEREAS, the Planning and Zoning Commission issued a recommendation regarding RR1 zoning regulations for the review of the Lake Point City Council on May 22, 2023;

WHEREAS, the City Council provided notice of and conducted a public hearing regarding the RR1 zoning regulations and the recommendation of the Planning and Zoning Commission related thereto, which hearing was held on May 31, 2023;

WHEREAS, after reviewing the recommendation of the Planning and Zoning Commission, and after having made such adjustments to the recommended RR1 zoning regulations as the City Council found appropriate and necessary, the City Council finds that it will be in interest of Lake Point and its residents, and will provide for the general welfare, prosperity, and benefit of Lake Point residents, to adopt the RR1 zoning regulations as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Lake Point City Council as follows:

Section 5. The Rural Residential Zone District (RR1) is hereby created, subject to the regulations, terms, restrictions, and conditions set forth herein.

Section 6. General

4. Purpose: The RR1 district aims to promote and preserve conditions suitable for large-lot family life, the keeping of animals and fowl, and reduced reliance on public services. The district primarily serves residential purposes and safeguards against the encroachment of commercial and industrial activities.
5. Applicability:

1. The standards, regulations, entitlements, and terms set forth herein for the RR1 district shall apply to all property zoned RR1, as shown on the official Lake Point Zoning Map.
2. Notwithstanding the foregoing, the standards, regulations, entitlements, and terms set forth herein for the RR1 district shall not apply to any property for which a development agreement or other similar contract that establishes and vests development standards and rights has been, prior to the incorporation of Lake Point, executed and recorded for against title to the particular property. The zoning standards, regulations, entitlements, and terms for such property subject to a development agreement or other similar contract shall be as set forth in the applicable, recorded agreement or contract. The owner of such property subject to a development agreement or other similar contract may request that the City enter into a development agreement that modifies the vested development standards and rights established under the development agreement or other similar contract in accordance with state law.

Section 7. Regulations.

1. Minimum Lot Size: The minimum lot size for the RR1 district shall be 1 acre.
 - a. Reduction for Collector Class Roads: A reduction of up to 6% in the minimum lot size requirement is permitted when a Collector class road is dedicated. The cross-section width of the road should comply with Utah State Code. The Collector class road must be located appropriately and determined to be useful by the City, in accordance with the General Plan or other appropriate considerations. It must be completed before any building development commences, unless sufficient financial completion and warranty assurances are provided pursuant to state law in amounts equal to 100% of the estimated construction cost and 10% of the estimated construction cost, respectively, in the form of a letter of credit, or cash deposit, the terms of which must be reviewed and approved by the City Attorney pursuant to state law.
 - b. Minimum Width: New residential dwellings are not allowed to front onto Collector class roads, whether such roads exist or are newly created, unless such dwellings are located on a lot that requires frontage and access to a Collector class road, which lot was created as part of a subdivision plat that was approved and recorded prior to the adoption of this Ordinance.
2. Residential Dwelling Placement:
 - a. Minimum Width: The minimum width for residential lots shall be 125 feet.
 - b. Frontage Requirement: Each residential dwelling must have a minimum frontage of 25 feet on a public road or private access road.
3. Yard Setback Requirement: Minimum yard setback requirements should be
 - a. Main Building Setbacks:

- i. Front Yard: The minimum front yard setback for the main building shall be 30 feet from the front property line.
 - ii. Side Yard: The minimum side yard setback for the main building shall be 7 feet from the side property line.
 - iii. Rear Yard: The minimum rear yard setback for the primary building shall be 20 feet from the rear property line.
- b. Accessory Building Setbacks:
 - i. Front Yard: The minimum front yard setback for the accessory building shall be 30 feet from the front property line.
 - ii. Side Yard:
 - 1. From the front setback to a distance 10 feet behind the main building: The minimum side yard setback for accessory buildings shall be 7 feet.
 - 2. From a distance 10 feet behind the main building to the rear of the lot: The minimum side yard setback for accessory buildings shall be 7 feet.
 - iii. Rear Yard: The minimum rear yard setback for accessory buildings shall be 7 feet from the rear property line.
 - iv. From main building: All accessory buildings shall be set back a minimum of 10 feet from the primary building
- c. Corner Lots: For corner lots, two front yards, along the street frontages, and two side yards, along the property lines not fronting on streets, are required, with setbacks as set forth above.
- 4. Maximum Building Height: The maximum building height allowed in the RR1 district shall be 40 feet. No structure or building shall exceed this height limitation.
- 5. Maximum Building Coverage: The maximum building coverage on a lot shall not exceed 20% of actual physical square footage of the building lot. This percentage represents the portion of the lot that can be covered by the footprint of the buildings.
- 6. Retaining walls: All retaining walls over 4 feet from footing shall require a building permit.

Section 8. Required Improvements for Development

- 1. Prior to commencing any development within the RR1 district, the following improvements are required to be constructed and installed, or sufficient financial completion and warranty assurances are provided pursuant to state law in amounts

equal to 100% of the estimated construction cost and 10% of the estimated construction cost, respectively, in the form of a letter of credit or cash deposit, the terms of which must be reviewed and approved by the City Attorney. All improvements shall be constructed and installed according to AWWA, AASHTO, and other city, state, or industry standards:

- a. Street Grading: The grading of streets within the development area must be completed.
- b. Street Base: A suitable street base must be constructed to ensure proper road stability and durability.
- c. On-site Surface Drainage: Adequate on-site surface drainage facilities must be provided to prevent water accumulation and ensure proper water runoff. All drainage shall be contained on-site, either within each lot or within an approved storm- and surface- water drainage system. The construction of retaining walls, the installation of impermeable surfaces, and the re-grading of property shall not cause water or runoff to drain onto adjacent property except as part of an approved storm- and surface-water drainage system.
- d. Water Facilities: Proper water facilities, including connections to an adequate water supply, must be established to meet the needs of the development. Will-serve letters or other approvals of the entity providing such service must be provided.
- e. Wastewater Disposal: Adequate wastewater disposal systems must be in place to handle and treat sewage generated by the development. Will-serve letters or other approvals of the entity providing such service must be provided.
- f. Street Monuments: Street monuments, as required by engineering standards, must be installed to mark important points or boundaries along the streets.
- g. Cul-de-sacs: Cul-de-sacs and other dead-end streets shall not be permitted to be longer than 600 feet without providing a second point of access.
- h. Turn-arounds: Turn-around areas shall be provided for any dead-end, stub, or other street that is not a cul-de-sac and does not currently connect to another street. The size, design, and location of any turn-around or cul-de-sacs shall be as required by the Fire Marshal. The turn-around or cul-de-sac shall be on property that is dedicated as a public right of way or subject to an easement for the maintenance of the turnaround area.
- i. Utility Easement: Each new development shall provide, with each lot, a minimum 10-foot-wide utility easement along and adjacent to all property lines of each lot. Such easement shall be dedicated as a municipal utility easement, owned and regulated by Lake Point, for the purposes of allowing public utilities, entities with which the City has executed a franchise agreement, and other public or private entities that provide utility or utility-like services to use, access, and construct required facilities in and under. In all such use, access,

and construction, all persons and entities shall treat the easement as though it is a public utility easement.

2. Building permits are required prior to construction of any building, structure, or improvement regulated by the State Construction Codes.
3. Parking:
 - a. Each single-family residence shall provide a minimum of two off-street parking areas.

Section 9. Permitted Uses

The following uses are permitted within the RR1 District. Any use not expressly permitted herein shall be prohibited.

1. Residential Agriculture, Forestry, and Keeping Animals Uses, as Follows:
 - a. Accessory Buildings and Uses: Customarily incidental to permitted uses.
 - b. Agricultural Industry or Business: Agricultural-related industry or business operations.
 - c. Apiary: The keeping of bees is allowed.(beehives)
 - d. Aviary:
 - e. Farm Animals: The keeping of farm animals is permitted.
 - f. Forestry (excluding forest industry): Forestry activities, such as tree cultivation and management.
 - g. Fruit or Vegetable Stand:
 - h. Household Pets:
 - i. Kennel: subject to noise and sanitation ordinances.
 - j. Personal Agriculture: Includes grazing and pasturing of animals
 - k. Plant Materials Nursery/Greenhouse:
 - l. Riding Academy or Riding Arena, Horse Show Barns or Facilities:
 - m. Rooftop mounted solar arrays
 - n. Horse Stables
 - o. Storage, Placement, Keeping, Locating, Parking, Maintaining, and Keeping of Agricultural Equipment:

- p. Uses authorized or described by the Utah Urban Farming Assessment Act, Title 59, Chapter 2, Part 17 of the Utah Code Annotated, as amended.

2. Commercial and Industrial Uses, as Follows:

- a. Accessory buildings and uses customarily incidental to permitted uses.
- b. Permitted Adult Day Care: Adult day care facilities are permitted, provided they have adequate off-street parking to accommodate the expected number of vehicles for employees and patients. Use shall comply with all laws and regulations under Utah State Law
- c. Beer Sales at Public Recreational Facilities: If approved by the Board of the City Council.
- d. Childcare Residential: Allowed, provided they have adequate off-street parking and off-street pickup/drop-off areas for parents or guardians. One off-street parking space shall be provided for each employee who resides outside of the dwelling, in addition to the off-street parking required for the dwelling. Use shall comply with all laws and regulations under Utah State Law.
- e. Construction Equipment and Supply Trailer (Temporary): Temporary placement of construction equipment and supply trailers associated with active construction.
- f. Construction Field Office (Temporary): Temporary construction field offices associated with an active development.
- g. Home-based Businesses with employees who reside outside of the dwelling are permitted, provided adequate off-street parking is available or provided on the property. One off-street parking space shall be provided for each employee who resides outside of the dwelling in addition to the off-street parking required for the dwelling.
- h. Home Occupations: Home occupations, which involve conducting a business or professional activity within a residential dwelling.
- i. Preschool-Residential: Allowed, provided they have adequate off-street parking and off-street pickup/drop-off areas for parents or guardians. One off-street parking space shall be provided for each employee who resides outside of the dwelling, in addition to the off-street parking required for the dwelling. Use shall comply with all laws and regulations under Utah State Law

3. Residential Dwellings and Uses, as follows:

- a. Accessory buildings and uses customarily incidental to permitted uses.
- b. Accessory Dwelling Units (ADU) (Internal): Internal ADU are allowed within the primary dwelling's footprint, subject to the following conditions.

- i. Internal Accessory Dwelling Units (ADUs) must have separate house numbers from the primary dwelling.
 - ii. Internal ADUs shall provide at least one additional off-street parking space in addition to the parking spaces required for the primary dwelling, if the primary dwelling has three or fewer existing off-street parking spaces or if parking space within an attached garage is removed due to the creation of the ADU.
 - iii. Construction of new internal ADUs must comply with current Utah State health, building, and fire codes.
 - c. Accessory Dwelling Unit ADU (Detached): Detached accessory dwellings (ADUs) are permitted, provided the primary dwelling is occupied as the primary residence by the record owner at the inception of the ADU. The following conditions apply:
 - i. Only one detached ADU is allowed per lot.
 - ii. The parcel must be on a minimum of 0.5 acre of physical land.
 - iii. Adequate off-street parking must be provided, with a minimum of two additional parking spaces provided for the use of the detached ADU.
 - iv. The detached ADU must be a permanent structure subordinate to the primary residence.
 - v. The total of all structures on the parcel must not exceed the maximum building coverage allowed in the zoning district.
 - vi. The detached ADU cannot be converted to an autonomous dwelling and the detached ADU and the property cannot be partitioned or subdivided from or otherwise conveyed separately from the primary dwelling.
 - vii. The detached ADU must not exceed the height of the primary dwelling.
 - viii. Construction of new detached ADUs must comply with Utah State health, building, and fire codes.
 - ix. The detached ADU shall follow all setbacks for the primary dwelling, and shall be separated from the primary dwelling by at least 10 feet.
 - d. Single-family dwelling units.
4. Bed and Breakfast: Bed and Breakfast establishments are permitted, provided the owner resides in the residence. Guest rooms shall not contain cooking facilities for

meal preparation by guests. Meals are served only to residents and overnight guests. Bed and Breakfast establishments must meet State building, fire, and health codes.

5. Dwellings or Residential Facilities for Elderly or Disabled Persons: Dwellings or residential facilities specifically designed for elderly or disabled persons are permitted within the RR1 district. Must meet minimum State Code.
6. Pools: Permanent and temporary above- and below-ground pools are permitted. All construction shall be pursuant to an approved building or construction permit and shall comply with Utah State law and construction codes.
7. Mounted Solar Arrays: Installation of solar arrays.
8. Public and Quasi-Public Uses:
 - a. Accessory buildings and uses customarily incidental to permitted uses.
 - b. Cemetery:
 - c. Church: 1 parking space per 1,000 square feet of building
 - d. Private Roads: Construction and maintenance of private roads within the RR1 district.
 - e. Public-Owned Parks and Recreational Facilities: Development and operation of parks and recreational facilities owned by public entities.
9. Utilities and Utility Services:
 - a. Accessory Building and uses customarily incidental to permitted uses.
 - b. Essential Service Facilities: Construction and operation of essential service facilities, such as water treatment plants or electrical substations.
10. Residential Power Generation for On-Site Residential Use: unless intended for emergency situations as depicted below.
 - a. Solar
 - b. Wind Driven under 5.9 KVA

Section 10. This Ordinance shall be effective immediately upon its adoption and publication according to law.

PASSED, APPROVED, AND ADOPTED on the _____ day of _____, 2023

Lake Point

By _____
Chair

ATTEST:

City Recorder

SEAL

Voting:

Daniel Crawford
Doyle Garrard
Jonathan Garrard
Kathleen VonHatten
Ryan Zumwalt

Yea___ Nay___ Absent ___
Yea___ Nay___ Absent ___
Yea___ Nay___ Absent ___
Yea___ Nay___ Absent ___
Yea___ Nay___ Absent ___