

**MINUTES  
OF THE REGULAR MEETING OF THE  
TOOELE COUNTY PLANNING COMMISSION  
HELD SEPTEMBER 2<sup>ND</sup>, 2020**

The time Place and agenda of the meeting had been provided to the Tooele Transcript and to each member of the government body by delivering copies of the notice of agenda at least two days prior to each of them.

1. Chairman Scott Jacobs **called meeting to order at 7:00pm**. Roll Call was taken showing Scott Jacobs, Brad Bartholomew, Jeff McNeill, John Wright, and Lynn Butterfield present.

Online: Jessica Blundell and Paul Kunz.

Excused: Blair Hope. Not Present: Ryan Sorenson and Michael Pressley

Staff: Jeff Miller, Planner. Rachelle Custer, Community Development Director. Colin Winchester, Deputy County Attorney. Trish DuClos, Code Enforcement/Planner., and Teresa Young, Community Development Secretary.

2. **Approval of Meeting Minutes** from August 19<sup>th</sup>, 2020 motioned by Scott Jacobs with the changes John Wright had submitted prior to the meeting. Second by Brad Bartholomew. All in favor.

3. **Staff Update regarding General Plan and Transportation Plan Updates.**

Jeff Miller stated that we are currently in the process of selecting a consultant. We do have some proposals that have been submitted, our selection team is going through those proposals. We are hoping for some opportunity for public engagement. We will continue to keep this on agenda, so everyone is aware of what is going on.

4. **SUB 2020-08** Don Bean (on behalf of D.R. Horton) is requesting final plat approval for The Park Townhomes Subdivision. **Parcel ID:** 05-033-0-0036. **Acreage:** Approximately 5.38 Acres. **Address:** 6347 North Gateway Drive. **Unincorporated:** Stansbury Park. **Planner:** Jeff Miller.

Jeff Miller stated that during the pre-meeting there was concern with a large stack of dirt on the southern end. Jeff Miller had spoken to the applicant and they indicated that the majority of that dirt will go away, and they have been in contact with the Stansbury Park Service Agency to regrade the area. They also stated that there will be no townhomes in that southern end. That will preserve some of the feel that is there.

Scott Jacobs asked if the developer will be doing a fence? Jeff Miller replied there are no plans for a fence.

John Wright asked if they talked about the amphitheater. Jeff Miller replied they have been in contact with the service agency. They are trying to be good partners with them.

Jeff McNeill stated that he also had some concerns with the dirt. Do they have a swppp (Storm Water Pollution Plan)? They are responsible by the state, want the public to know that if there was huge storm, they are responsible. I assume they did what they were supposed to. Jeff Miller

replied they should be in full compliance with that. I'm hopeful they are mitigating any issues that come up.

Don Bean (applicant) stated that we haven't exceeded the area surface, we will ship some of the dirt out, but we will be using it to backfill when construction is done. The Stansbury Service Agency wanted to level that out, so we helped with that.

**Open Public Hearing** motioned by Brad Bartholomew, second by Jeff McNeill. All in favor.

*No Public Comment*

**Close Public Hearing** motioned by Brad Bartholomew, second by Jeff McNeill. All in favor.

Jeff McNeill **motion to grant approval** to the final plat for the proposed The Park Townhomes Subdivision. Second by Lynn Butterfield.

Roll Call Vote: Brad Bartholomew, aye. John Wright, aye. Jessica Blundell, aye. Scott Jacobs, aye. Jeff McNeill, aye. and Lynn Butterfield, aye. (Paul Kunz joined online after this motion.)

**Motion has passed.**

5. **SUB 2020-04** Jack Walters is requesting final plat approval for the Legacy Estates Subdivision. **Parcel ID:** 05-037-0-0018. **Acreage:** Approximately 3.74 Acres. **Property Address:** 16 West Bates Canyon Road. **Unincorporated:** Stansbury Park. **Planner:** Jeff Miller.

Jeff Miller stated the applicant submitted a storm water facilities maintenance agreement for the two lots in question for the retention pond, it will be a recorded document. Any future homeowner will be aware of that.

**Open Public Hearing** motioned by Jeff McNeill, second by Brad Bartholomew. All in favor.

Curtis Beckstrom, Pine Canyon. Clarification on the drain water. You can now retain water on your own property? Scott Jacobs stated Jeff Miller will address that.

**Close Public Hearing** motioned by Brad Bartholomew, second by Jeff McNeill. All in favor.

Jeff Miller stated for the state there is currently a cap on how much water you can retain from storm water for onsite use. The retention system is more of storm water maintenance system for the entire subdivision. Its not necessarily storing it, its going to go into the ground.

Jeff McNeill thanked the applicant for addressing the question. How do you have these on those lots and future homeowner changing it? How do you prevent that? This was a suggestion to the applicant to do something permanent so they wouldn't be surprised later, this is a good solution, thank you for taking care of that.

Brad Bartholomew motioned to **grant approval** to the Final Plat for the proposed 10-Lot Legacy Estates Subdivision, subject to the following conditions of approval:

1. The civil bonding must be in place prior to recordation of the Final Plat.
2. Building permits cannot be applied for until the Final Plat has been recorded.

John Wright asked if you would also add the storm water collection agreement will be recorded on lots 104 and 105 to that. Brad stated yes, that as well.

Second by Jeff McNeill.

Roll Call Vote: Jessica Blundell, aye. Lynn Butterfield, aye. Paul Kunz, aye. John Wright, aye. Scott Jacobs, aye. Jeff McNeill, aye. and Brad Bartholomew, aye.

**Motion has passed.**

6. **SUB 2019-14** Jack Walters is requesting preliminary plat approval for the proposed Sunnyside Estates Subdivision. **Parcel ID:** 05-037-0-0078. **Acreage:** Approximately 29.40 Acres. **Property Address:** 279 East Bates Canyon Road. **Unincorporated:** Stansbury Park. **Planner:** Jeff Miller.

Jeff Miller stated that there were no additional public comments however there were some concerns from neighbors during concept plan review regarding traffic. During our pre meeting John Wright stated we asked for the Legacy Estates that a maintenance agreement be created. For this subdivision there will be another retention type area. I think it is appropriate that we require the same thing. Scott Jacobs stated for anyone looking online it is Lot 113. Scott Jacobs asked if Jeff Miller was able to talk to the applicant about the document. Jeff Miller stated no but with it being the same applicant for the other subdivision, he does not see that being a problem.

**Open Public Hearing** motioned by Jeff McNeill, second by Brad Bartholomew. All in favor.

*No Public Comment*

**Close Public Comment** motioned by Scott Jacobs, second by Brad Bartholomew. All in favor.

Jeff McNeill motioned to **grant approval** for the proposed preliminary plat for the Sunnyside Estates Subdivision, subject to the following conditions:

1. Applicant prior to final plat provide a way to record the storm water retention on lot 113 as appropriate so the future and current owner is part of that lot.

Second by John Wright.

Roll Call Vote: Paul Kunz, aye. Jessica Blundell, aye. Lynn Butterfield, aye. Brad Bartholomew, aye. Scott Jacobs, aye. Jeff McNeill, aye. John Wright, aye.

**Motion has passed.**

7. **SUB 2020-076** Chris Robinson is requesting preliminary plat approval for the Pastures at Saddleback (Plat 11) Subdivision. **Parcel ID:** Portions of 04-070-0-0091 & 04-071-0-0036. **Acreage:** Approximately 14.38 Acres. **Approximate Location:** Located west of Plat 3, or the north side of Saddleback Boulevard and west of Lakeshore Drive. **Unincorporated:** Lake Point. **Planner:** Jeff Miller

Jeff Miller stated in regard to neighborhood response we received an email earlier today from a concerned resident, they pointed out this is just another subdivision by Chris Robinson in the RR1 zone. They expressed concern that the open space that has been provided was only installed after the County Commissioners had requested that he move forward.

Jeff McNeill asked that when looking at the plat there is a space between the back-boundary line and Saddleback Boulevard, is that public ground or is that just a place to grow weeds? Jeff Miller stated that there are some storm water maintenance areas in that right of way.

Brad Bartholomew asked the space on the east between the existing homes and lots. Jeff Miller stated there is a parcel A that would tie back into the storm drainage. We can ask for clarification, but it might be a connection point for a trail system as well.

Jessica Blundell asked since these are smaller lots will these be required to have curb and gutter? Jeff Miller replied yes.

Chris Robinson, applicant. These do have curb, gutter, and sidewalk. What the space on the east of this property is it's not storm drainage it will be part of the trail system. We do have a large drainage system coming in between the plat and the boulevard.

Jessica Blundell asked that in parcel A I know you've added at least a sidewalk is there anything planned on the north side to provide safer passage. Chris Robinson replied we are going to take the clay materials out of our trenches and improve the trails around the roundabouts. It will be a lime fines trail not a sidewalk.

**Open Public Hearing** motioned by Scott Jacobs, second by Brad Bartholomew. All in favor.

Mark Gines, Lake Point. Concerned with the kids crossing this road. There has been talk about a tunnel, is that still in the plans? Also concerned with the subject property, looks like it is already being built. Is this already preapproved?

Jonathan Garrard, Lake Point. More comments could have been made before this meeting but when I checked last night the staff report wasn't posted so couldn't access materials. Don't know why public can't have it a week in advance. Concerned with the laws at the time when he did the agreement, he would set aside usable land for building. The open space bank he is pulling from is too steep to build houses on. The lime fines are overgrown with weeds and it makes it almost impassable. I would recommend a hard surface when they are next to the sidewalk.

Donna Phillips, Lake Point. Concerned with the road. The plat on the website shows one exit and that is the only road out of the subdivision. Is that what is planned, or will there be more exits? He already has the commercial development approved and now he's adding 41 more homes and traffic is still a problem. Don't see it improving and don't think he should be allowed to add any more houses until the traffic is improved. Also concerned with sewer. I've heard its at 85% capacity. There is a lot going on that we need to clear up before adding on to his development agreement.

Jeff Miller stated that the staff report was posted a week prior and let everyone know to call our office if they are having problems accessing the materials

**Close Public Hearing** motioned by Scott Jacobs, second by Jeff McNeill. All in favor.

Scott Jacobs asked Jeff Miller to address the comment made by Mr. Gines. Jeff Miller explained when a developer starts preliminary grading of the site and installation of offsite improvements, those are done at their risk. We do require that when they cover anything below the road, they have to provide a third-party review of the compaction of those materials. There is nothing preventing them from doing preliminary grading.

Jeff McNeill asked if we require a bond from the developer as they build the roads and sewer? When they do bond after final plat does that have to cover anything done? Jeff Miller stated we do not take a bond for water and sewer that's a separate utility. In regard to road, curb and gutter they have two options they can chose from. They do have to have roads in before certificates of occupancy can be issued.

Jeff McNeill asked who covers the cost for the water and sewer, signs, sidewalk etc. Jeff Miller stated the developer.

Jeff McNeill there is only one egress out of the subdivision is that in county code? Jeff Miller this has been reviewed and meets the standards of the North Tooele Fire Department.

Scott Jacobs asked if the developer wanted to address the crosswalk and underpass in future phases?

Chris Robinson stated that an underpass was mentioned, it would be on the leg of Saddleback. When that goes across the railroad then there will be an underground crossing. Right now, it's a dead end and there is nothing to cross. With respect to the things that have been started. Nonpublic improvement can be done at our own risk prior to approval. Private improvements are road, curb, and gutter. Water and sewer are not bonded, they are inspected for compaction. When all improvements are installed, we put everything in and don't record plat until all the work is done then post 10% bond for one-year warranty. The rumors about sewer, the improvement district has given us a will serve letter and that is there business to manage. The lime fines are an excellent surface, the HOA has struggled to maintain some of those but a hard surface becomes very expensive and hard to maintain. The road circulation, we have three more plats you will be seeing soon, plat 12 will make another connection.

Jessica Blundell stated there is a lot of 8,000 square foot lots. I believe that is the smallest he is allowed to go. Chris Robinson replied yes. Jessica stated the only thought we've had other issues; we came up with some irregularities. Could we adjust them a little? Chris replied the issues that she is addressing was one of the home builders, they thought they were measuring from the sidewalk which violated the setbacks. That can happen on any size lot if you don't survey in your foundation and don't follow the setbacks.

Brad Bartholomew stated that every time he comes forward with a plat, the question about open space is always asked. Is there a way he can present that with every application? That way we know the percentage of open space for the whole development. Chris Robinson stated that he has

submitted an updated open space tally sheet with this. Jeff Miller stated that you can make a motion to add that for final plat.

Scott Jacobs motioned to **grant approval** to the Preliminary Plat for the proposed 41- Lot Pastures at Saddleback (Phase 11) Subdivision. Second by Brad Bartholomew.

Roll Call Vote: Paul Kunz, aye. Lynn Butterfield, aye. John Wright, aye. Jeff McNeill, aye. Brad Bartholomew, aye. and Scott Jacobs, aye.

**Motion has passed.**

8. **CUP 2020-89** Kindy Griffeth is requesting conditional use approval for detached accessory housing unit. **Parcel ID:** 20-002-0-0204. **Acreage:** Approximately 5.012 Acres. **Address:** 3438 North Moyle Lane. **Unincorporated:** Erda. **Planner:** Trish DuClos.

Jeff McNeill asked about the height and how it complies? Trish DuClos replied that if there is a special roofing that matches the main dwelling there is an exception.

Jeff McNeill asked if the greenhouse has already been built? Trish DuClos replied that there is nothing built there yet. Jeff McNeill asked if the conditional use for that was already approved. Trish replied yes.

John Wright asked as we move forward with this should we request that the greenhouse should be on the plat? Trish DuClos replied they have shown that in the previous approval. John stated that they are not showing it on this. Jeff Miller replied that you can require that at the building permit level. Trish stated we will make sure they meet setbacks and coverage.

Jeff Miller stated the applicant was online but was unable to speak. They will type any responses needed. He said Michael Griffith (applicant) replied the greenhouse will be in the back of the property.

**Open Public Hearing** motioned by Brad Bartholomew, second by Jeff McNeill. All in favor.

Suzanne Meyers, Erda. On the convenience we agreed to, it says there can only be one housing unit. How can they have more then one building that can be resided in? CC&R says all lots can only be used by one single family.

Ray Stewart, Erda. Not opposed to a guest house but am against if it is going to be used for paid hands that work on the property.

**Close Public Hearing** motioned by Scott Jacobs, second by Brad Bartholomew. All in favor.

Trish DuClos stated that we do not enforce CC&R, that is separate. To having the accessory dwelling used for hands, part of the conditional use permit doesn't allow for employees except for maybe one that they can hire out.

Jeff McNeill asked if there are restrictions for an accessory dwelling. Trish DuClos replied they cannot sell it separately and the main residence has to be owner occupied.

Jeff McNeill asked if the CC&R is a civil issue not a county issue? Trish DuClos replied yes. Brad Bartholomew asked how does that work? If we approve something that goes against the CC&R's. Jeff Miller stated their zoning allows for it so they would have to resolve any issues with their HOA.

Jeff McNeill motioned to **grant approval** for the proposed conditional use, subject to the following conditions of approval:

1. The applicant complies with the requirements outlined in Table 15-3.3.b1-12.
2. Planning Staff records the required notice in table 15-3.3.b.10 upon issuance of the permit.
3. At permit application the applicant shows on the plot plan the proposed location of the already approved greenhouse.

Second by John Wright.

Roll Call Vote: Jessica Blundell, aye. Paul Kunz, aye. Lynn Butterfield, aye. John Wright, aye. Scott Jacobs, aye. Brad Bartholomew, aye. and Jeff McNeill, aye.

**Motion has passed.**

9. **TCLUO 2020-02** Planning Staff is requesting a recommendation of approval for proposed ordinance updates to Chapters 2, 15 & 16 of the Tooele County Land Use Ordinance regarding agricultural uses and animal regulations. **Planners:** Trish DuClos & Jeff Miller.

Trish DuClos stated that we have received a lot of feedback from a lot of different people. Everything that we have changed is in blue, previously changed is in red.

Scott Jacobs asked if Trish would read page 2 under the Planning Staff Recommendation. For what the intent of tonight is. Trish read from Staff Report. Scott Jacobs let the public know we are still working on this we will not adopt this tonight.

John Wright asked about offspring in Definition (10). Where did that input come from? Trish DuClos replied that we talked to multiple farmers that had experience with offspring, we came up with the number of 9 months for the largest animals.

Jeff McNeill stated he reads definition (10) differently. The colt the day he is born is one unit so what difference does it make when he is weaned. I think we want to say a colt is considered one unit once he becomes weaned or 9 months old. The mother and baby are one unit until they are 9 months old. Planning Commissioners agree that it needs to be worded differently.

Jeff McNeill asked about definition (199) would this make it so I could raise a cow and give it to my children in Salt Lake and I wouldn't be in violation. Trish DuClos replied yes. We made it so you can share with your neighbors.

Scott Jacobs asked what landscaped area means to staff in definition (255). Trish DuClos replied anything that would have grass that is not being used by said animals', flower beds and things of that nature, anywhere the animal wouldn't be grazing on.

Jeff McNeill stated this is a change from last time. If we were voting tonight, I would vote against this because of the usable acre. If I had an acre and my four horses and I decide I want to have a nice lawn, then the county shows up because now you have too many horses with your usable half acre because of grass. Sounds like I can't have green grass and flower beds without giving up one of my horses. An acre is an acre. I can take my four horses and keep them maintained; I don't like that we are using usable acres. I would count the whole acre. If my animals are in poor condition, there are easier ways to enforce that than usable acres. Trish DuClos stated we originally had it as an acre, but we've had significant feedback on putting the usable acre in.

John Wright asked if later in the chart if you indicate useable acres is rounded up. If you have one acre, then you have one acre. What we were trying to do simply because you have one or two acres, you need to have some husbandry ideas on how to take care of those animals. If you have an acre and a half and your house occupies a quarter how many animals can you put? Where is the real space for them? Maybe you let your animals crawl up to your porch because they don't care but most people do care. We are talking about one number.

Jeff McNeill when we look at the table. I can keep more than two animals on half an acre. If all I had was a half-acre it would be a different story.

John Wright stated that one acre lots you may be the person that can feed their horse, whereas how many others graze right down to the dirt? Jeff McNeill stated you can't graze two horses. There isn't enough water and the grass doesn't grow fast enough. We aren't talking about grazing property. You would need a lot more than an acre. You will have to import grain and hay, almost nobody grazes their animals on their residential lots in Tooele County. Its not about grazing its about keeping them maintained.

Paul Kunz agrees with Jeff McNeill, doesn't like the usable acreage. He thinks a person should self-regulate.

Jessica Blundell agrees, this becomes very difficult to enforce and define for the county.

John Wright asked why? If the county had access to the tax rolls and someone complains they can look at how many acres and drive out and see what they have. What's so hard?

Brad Bartholomew asked how do you see what is usable? It could become an argument on what is usable and non-usable.

Scott Jacobs stated it sounds like this is contentious item and we need to work on it more. As we go through the rest of the document please send your comments in to Planning Staff.

Scott Jacobs asked about page 20 15-5.4 (2) why did we specifically specify in blue (nuisance animal). Trish DuClos replied there is a land use ordinance (Title 8) that is also nuisance it is

actually in a separate code. We didn't want people to be confused with Zoning Nuisance and Animal Nuisance. Its to help the public determine what document to refer to.

Trish DuClos stated that in the table 15-5-3.1 under agricultural industry or business (b) we had to cross out the C for conditional use permits for RR-5 and RR-10. We might have to come back to this and decide at a later time what we can do with this. There is a senate bill in motion that any agricultural operation is not going to be regulated at all, so if we allow them on residential property, we will have to let them free roam. Scott Jacobs asked if they could request a rezone. Trish replied yes. Rachelle Custer stated they can but an A (agricultural) zone might not be appropriate in an RR (rural residential) zone.

Brad Bartholomew stated that with having the nuisance animal code (15-5-4. (3) in here is for if someone isn't taking care of their animals properly no matter how large of land now you have some way to come to the county and say they are not taking care of their animals. Trish DuClos replied yes.

Jeff McNeill stated an example of a nuisance animal would be if a mule neighs all the time or a horse is tromping their lawn. That would be a nuisance ordinance. Trish DuClos replied yes, they would have to be convicted of a nuisance under that ordinance before any restrictions or revoking animals would happen.

Trish DuClos talked about grandfathering (15-5-4. (6) this may need to be worked over a little more. Grandfathering right now if they have ten horses on a 1-acre property they will not want to grandfather because they are only allowed 4, maybe on a ½ acre they could grandfather, that's probably the only benefit to this. The current code as it stands now is what you would be grandfathered in to (only 4 animals). Scott Jacobs stated the way its written make sense, the public problem is people that didn't understand the ordinance before. Let's educate the public first. Jeff McNeill asked so the most you can grandfather is 4 which is what the animal ordinance is now. Trish replied yes. With this new animal count, it is allowing people to have more, we are being way more liberal with the number of animals. The grandfathering really would only benefit someone with a ½ acre, then they could keep the four.

Scott Jacobs stated that with Permits (15-5-4. (7). It is allowing any educational purpose animals to be allowed over these limits. I suggest adding rehabilitation of animals as well.

Scott Jacobs asked staff if any planning commissioners have any more suggestions, they can send them in? Trish DuClos replied yes, this is still a working document.

#### BREAK FOR 10 MINS

Scott Jacobs asked for a vote on usable acres. This is something that was new that was introduced in this session. Roll Call vote on verbiage of usable acreage: Jessica Blundell, nay. Paul Kunz, nay. Brad Bartholomew, nay. Jeff McNeill, nay. John Wright, aye. Lynn Butterfield, aye. Scott Jacobs, nay. Vote is 5 to 2.

Scott Jacobs stated that before we go to the public hearing, we will remove that language. The Planning Staff will revise this once again and we will have another public hearing. He asked the public to please send in any ideas you have.

**Open Public Hearing** motioned by Scott Jacobs, second by Jeff McNeill. All in favor.

Chaelea Allred. Majority of concerns is we have a lot of horses. We spend a lot of time with our horses on properties around the state. They come to our property during the winter months. What category does that fall under when my parents have 9 children but only 2 acres? We have that many horses and we take them out often. During the winter months when we bring them home, we will be out of compliance. We also have property that we graze our horses on. We have done a lot of therapy with our horses for special needs and military families. We take care of our animals. How do you give special permissions to some and not to others? But to those of us that were born and raised in the same house and all the sudden this is not a thing anymore?

Jonathan Garrard, Lake Point. Thank you for striking the sole use of persons occupying the residence. The grandfather in this ordinance, there was a grandfathering before that. The animals existed before that; you need to be clear on that verbiage. With Covid19 we have seen shortages of produce and meat, its nice to have these things during the disruption of the supply chain. In 15-5-3.2 agriculture industry things you have crossed out there are cottage business allowed now. It doesn't matter how many acres, or if I have a half-acre. I think you need to self-regulate. When you have freedom, people need to be responsible.

Joe Quintana, Lake Point. To address Mr. Wright, you have multiple acres in Erda? Do you like people telling you what you can and can't do with it. You don't like it when someone says we aren't going to put up with this. You've been dealing with it for four years. I've been dealing with this for 12 years. I remember the public packed this auditorium and we had to move to a different location. You are still trying to take animal rights away. Where is the county getting their base line from? Heard it was from suburban communities. What about taking some input from Morgan, Logan, Tremonton, places that are farming communities. We are going to grow but we don't have to destroy the communities. I posted on pages that this was happening, I was called a liar. If the vet says your animals are okay and neighbors aren't complaining, you must be doing something right. We don't need another governing body saying we are doing it wrong. The grandfathering issue, if you want to adopt a grandfather clause and allow a CUP outside of that I think most people would say they could stand behind that.

Clyde Christensen, Erda. Could make this simple but you wouldn't like it. You had animal rights, there wasn't a number on it, it was just animal rights. But that won't happen. The commercial needs to go away. We raise animals and selling, it is not your business to tell me what I can do.

Marianne Gines, Erda. What you have to deal with and what we have to deal with, I think there was a grandfather before a grandfather. This was started 4 years ago, was this over some Texas longhorns? I suspect that is what it is. I think you are trying to make this political out of something very simple. Why do you even care? Thank you for taking out the usable acre. Don't live in a HOA, that is why we moved out here. We have raised 6 horses and a cow. We kept up with the manure and cleaned the stalls. Don't understand why you are making this complicated and making our small farms a HOA. Its really upsetting. Most of you grew up here, why can't

you go back to your values. Stop bullying your neighbors. The nuisance that's what you should be worrying about not giving us a number.

Janet Hancey, Erda. Appreciate you. Understand the position you are in, this isn't easy. They are doing this because they have gotten complaints, they are trying to make it peaceful. We need to make this work, or they will have to do this for us. We have learned that there were 4 animals per parcel before, what are we discussing now? Laws haven't been obeyed. Property owners do not know the law, they just assume things. The laws were not known by the new commissioners. If the laws are unknown there may be an unwillingness to acuteness. Everyone has opinions, we can do what we want. We have a responsibility to our neighbors and our community to not go to war. If we can't do it on our own, we turn it over to the commissioners since we can't come up with a conclusion. Nothing was put into place for those of us that have animals. The law was never policed. There is a problem, and this has been caused by both parties.

Andrew Halliday, Erda. Find this ordinance out of a place this is geared toward a city not a county. City ordinance is very similar. Other county ordinances are different. If people want to live in a place without animals, they can go somewhere else. Where do we go? We would have to find another county. Pushing us away from our families and our jobs. We feel strongly about this, we see this as a way of life. If I have kids, I want to have all my kids to ride horses with me. I don't see the point in it. What is the problem we are trying to solve? Strengthen the nuisance laws. We need a law for animal rights. We don't have this law, so we need to have this law. If it's for horse's well-being, a horse will stand in one spot all day. The size of the lot has nothing to do with how healthy they are. It's how much you use them. You don't need a certain amount of land to keep horses. We have to feed them a regulated diet. We need laws that take these factors into account. I haven't heard what the problem is that we are trying to solve.

Alan James. Where did these numbers come from? Heard it's not enough to pasture. We all buy feed we don't pasture. If I have two acres and 5 horses and bring in 15 steers to practice roping, I'm in trouble. I didn't pasture anything they were only there for 3 months then the steers are gone. I'm concerned where these numbers came from. My horses are in a pen and whatever I do with the rest of the ground we get to do. I am now breaking the law by just having fun. You guys get to hit golf balls I like to rope steers.

Jake Sill. The only reason you would start to attempt this is because someone complains. People will complain. More laws and rules the more the complaints. The largest county land mass is going to restrict everyone because of a complaint. This is not for us. There has been a lot of talk with rezoning and high density. If you get rid of people's ability to have animals, this is the only reason, we are using the excuse of people complaining. We are going to make all these laws. Laws affect people's lives. All political force is the tip of the spear if you are willing to jail someone if they resist arrest, if they resist with enough force. You don't just make a rule, and this just happens. If people don't know what the rules are there are consequences. We had chickens in West Jordan and didn't know what the ordinance was, those chickens changed my girl's lives having that experience. Something happened, animal control comes out and we got a ticket for having too many chickens. You really need to think about what you are doing and if it is just to make a buck, I think that is disgusting.

Sheryl Davis, 100% agree with what everyone has said. I do this for my children and my grandchildren. You come and tell them which horses they can't have because we have too many right now. I think the biggest problem is we need to figure this out ourselves. Take the complaints. I delivered all of my horses myself. My grandchildren help with them and clean up and now I have to tell them some have to go? You come do it. I can't do it. These horses are like my children. My husband's family settled Lake Point; we live in the house his grandfather grew up in. We just built a really nice barn and we haven't gotten complaints. Coming from a grandma we are in trouble and we need to figure this out.

Christine Kirk, Erda. Many people don't understand there is an ordinance on the book. Four animals is very restrictive this proposal gives you so much more. The planning staff has done an amazing job. Most people now are out of compliance with what is on the books right now. The new one gives a lot more freedom and it allows for permits so if you need more for grandkids or have them for just part of the year. The county isn't going to come around and round them up because you are over the number its only if it's causing a huge problem. People are acting like this is a huge take over but what we have now is much more restrictive. I think people need to take a look at that and see that we need it to be better and be more open to that.

Doug Dolgner, Erda. Owner of Bit and Spur. This is a rural community and all these house additions coming in. Don't punish the people now. If someone had a problem 4 years ago, go after them, not us. The kids enjoy riding, it's a beautiful place. If a person overdoes something, go after them.

Tessa Garrard, Lake Point (online). Came to the meeting when it was held at Deseret Peak. Most of old Tooele County is ran off water rights, it's my understanding the state already designates water per animal for whatever parcel of land size you have. If the state already has set restriction, then that is what we continue with instead of adding additional restrictions. Taking care of animals and making sure their welfare is being taken care of. I think that is great but don't think a number is the way to go I know people that can't keep a goldfish alive. Saying a number your allowed to have is wrong. If they can take care of them, let them have them if they are in the number rights of water dictated by the state. Go with the water and with the conditions of the animals.

Craig Smith, Erda. I run a ranch about 14,000 acres. I'm an animal rights advocate. Want to thank the planning staff for taking the input they have and adding it in. I think this is a good ordinance, the number is generous. I've had 5 acres and 16 horses at one time and that was too much. They were well taken care of, but the ground can only hold so much. As far as the ordinance goes, we need a special number. Self-regulation doesn't work, we know that. I love the idea of getting a CUP for special needs. The grandfathering clause is good. Sometimes we forget we live in subdivisions; 1 to 5 acres doesn't mean farm. This is to protect our animal rights that can last years. If we get this it to place it protects us. If we do a weak ordinance we will be outnumbered and there will not be enough people with animals.

Ken Webb, Erda. We have tried to settle this before and it didn't work then, and it won't work now. People that love animals take care of their animals. To place a number on its way too restrictive. 100% against this, the reason is you want to take our animals out and build homes. A friend once said animals don't drive cars and they don't need schools; people need all those

things and we are already behind on that. You should let people do what they wish. How can someone on A20 do it but I can't on a RR5, that is a direct insult. All of my animals are well taken care of. In the event you continue, I think the ordinance has too much left to be desired, its incomplete and can be interpreted many different ways. For the mother and the baby, the baby is counted as one, it should be counted with the mother. Very hard to interpret, there's a lot of loopholes. The numbers as far as size of property are unevenly distributed. Why is that, why are you punishing the guys with 5 acres? The 4 animals per unit was put in 2005 I moved here in 2004 so I should be grandfathered into whatever it was before then, but no one can tell me what that was. This ordinance is a license for neighbors to complain. Four years ago, this started with me because neighbors complained after I complained on them for speeding. But there wasn't an animal law when I moved in. Now I'm in a mess and we have been charged with a zoning violation and we are going to trial. That is what you will put people through and that is not right.

Troy Kirk, Erda. I live next to Ken Webb and I'm about 95% in favor of this ordinance, if you get rid of usable acres. Some rural counties don't have ordinances. Eventually they will grow just like Tooele County is. The laws need to be developed and created. In my research some of the ordinances are so old. Erda wants to become a city. There will be more ordinances. Do you think they will allow unlimited animals in the future? You are delusional, it won't happen. Horses and cows need a half-acre, pigs need more. Roosevelt City the RR1 is 1 horse or cow for 20,000 square feet and an additional 10,000 square feet for other animals. Cache county concentrated on feed lots; those are not allowed in RR zones. Some have no agricultural use by a well at all. We get harassed the day of the hearing, quit putting this off. I have pages and pages of examples. Do the right thing and let's move forward. Make Tooele County a better place to live.

William Christy. No one has ever complained about my cows. A lot of my neighbors are elderly, so they bring their cows over. You will come up with a number whether we want it or not. I think you should go with the nuisance law if you are taking a complaint from a neighbor. A neighbor should be the person in front, back and sides, not a block over. Go a different way so you don't have to see my cows. Fine tune the nuisance law. I think a lot of people will respect that. I bring in calves and sell them I don't consider myself a commercial use. I teach my kids good hard labor and good hard work ethic. They know they have to take care of the animals, it's just good parenting. We are taxpayers and you are telling me I can only use so much of my property then why am I getting taxed on the whole thing?

Caitlin Halliday, Erda. We just moved here a year ago, we are the newer people. We came here after looking for a year. I have horses and I take care of my horses. We moved here intending to move our horses here. We are putting up trees and making an arena. We are trying to beautify our property for the horses. This is not a question of space. We are very excited to move our horses but with the new rule I would have to choose which horses I can bring. These horses are my children, the entire reason we are here was to bring our horses.

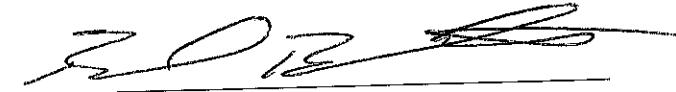
**Close Public Hearing** motioned by Scott Jacobs, second by Brad Bartholomew. All in favor.

Lynn Butterfield **motion to table** TCLUO 2020-02 until October 7<sup>th</sup>, 2020 meeting. Second by Scott Jacobs. All in favor.

**Item tabled.**

10. **Adjournment motioned** by Lynn Butterfield, second by Brad Bartholomew. All in favor.  
Time of adjournment 10:57pm.

THE FOREGOING MINUTES ARE HEREBY APPROVED BY:

A handwritten signature in black ink, appearing to read "Brad Bartholomew", is written over a horizontal line.