

Lake Point Planning and Zoning Commission Minutes

Date: Monday, May 15, 2023

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

Time: 7:00 PM

1. **Call to Order-** 7:02 pm
2. **Prayer-** Doyle Garrard
3. **Pledge of Allegiance-** Ryan Zumwalt
4. **Presiding Officer-** James Simko
5. **Attendance Roll Call-**

Lake Point Planning and Zoning Commission & Staff (PZ=Commission)	Public	Public
James Simko (PZ Chair)	Ryan Zumwalt	
Hannah Caldwell (PZ Vice Chair)	Mike Hansen (RCC)	
Lori Chigbrow (PZ)	Jonathan Garrard	
Rickey Lloyd (PZ)	Rhondalyn Garrard	
Kirk Pearson (PZ) not in attendance	Gino Garcia	
Bryan Coulter (PZ)	Doyle Garrard	
Marylin Sharp (PZ)	Dan Crawford	
Jamie Olson (RCDR)		
Chaelea Allred (PZ secretary)		

6. **Public Comment-**

- A. Motion- Lori to open Public Comment. Hannah 2nd
- B. Vote was unanimous approved.
- C. Motion Hannah to close Public Comment Bryan 2nd
- D. Vote was unanimous approved.

7. **Action/Business Items**

- A. Discussion with the Secretary about the minutes- this was discussed last week and mistakenly added to the agenda for this week.
- B. Approve the Minutes- 04.17.2023
 - i) Tabled for next week.
- C. Open discussion with City Planner about Residential zoning
 - i) CUP's discussed (Conditional Use Permit)
 - 1) A and B Accessory Dwelling Unit
 - 2) C. Agriculture Industry or Business (40:00 recording)
 - 3) D. Apiary (beehives) (44:00 recording)
 - 4) E. Aviary (47:00 recording)
 - 5) F. Educational Farm Animals (53:00 recording)
 - (a) Motion- Bryan Coulter – to take off 1.2.3.4. off that f. section. As Farm Animals Permitted Hannah-2nd

- (i) Vote was unanimous approved
- 6) G. Farms is devoted to marketing fowl, fish, frogs, hogs, and swine. (1:05:00 recording)
 - (a) Eliminate this section
- 7) H. Feedlot
 - (a) Eliminate this section
- 8) I. Forestry
 - (a) Not applicable. Eliminate.
- 9) J. Forestry except for forest industry
 - (a) Keep
- 10) L. Household Pets (1:10:00 recording)
 - (a) Keep
 - (b) Maximum Number of dogs as household pets
 - (c) Rename – responsible number of households pets.
- 11) M. Kennels (1:18:00 recording)
 - (a) Permitted with noise control and sanitary consideration and take off minimum size.
 - (b) Reference animal code
- 12) N. Personal Agriculture (1:28:48 recording)
- 13) O. Plant Nursery (1:28:48 recording)
 - (a) Keep
 - (b) Cross out 20,000 square feet
- 14) P. Riding/Barns (1:30:15 recording)
 - (a) Keep
- 15) Q. Solar (1:31:28 recording)
 - (a) keep
- 16) R. Stables (1:31:00 recording)
 - (a) Keep private or commercial permitted on one acre.
 - (b) Get rid of 1. through 5. And everything under private
- 17) S. Storage of Ag Equipment (1:38:30 recording)
 - (a) permitted
- 18) T. Temp Animal Housing (1:38:49 recording)
 - (a) Get rid of
- 19) U. Urban Farm Assessment ACT. (1:39:04 recording)
 - (a) permitted
- iii) Commercial and Industrial Use (1:40:05 recording)
 - 1) A. Accessory building and uses conditional uses (1:40:06 recording)
 - (a) Remove
 - 2) B. Accessory Building incidental to permitting uses
 - (a) remove
 - 3) C. Adult DAY CARE (1:40:26 recording)
 - (a) allow
 - 4) D. Beer sales (1:40:33 recording)
 - (a) Remove already addressed by an ordinance in place.
 - 5) E. Canals Ponds (1:42:13 recording)
 - (a) keep
 - 6) F. Cannabis (1:43:10 recording)
 - (a) Take out
 - 7) G and H. Childcare Residential and take out Commercial (1:43:44 recording)
 - (a) permitted
 - (b) remove all those H.
 - 8) I. and J. Construction Equipment and J Construction Field Office (1:49:20 recording)
 - (a) Remove them

- 9) K. Cottage Industry (1:54:30 recording)
 - (a) Remove 10 employee limit with adequate off-street parking
 - (b) permitted
- 10) L. Electromagnetic Interface Testing (1:56:00 recording)
 - (a) remove
- 11) M. Home-Based Business w/10 employees (1:56:31 recording)
 - (a) permit
- 12) N. Home Occupations (1:59:10 recording)
 - (a) Remove 10 employees with adequate off-street parking
 - (b) permit
- 13) O. Medical Cannabis Pharmacy (2:03:07 recording)
 - (a) remove
- 14) P. Preschool (2:03:12 recording)
 - (a) Allow and leave all the rules off
- 15) Q. Process composting (2:03:29 recording)
 - (a) Remove
- 16) R. Radio and television (02:04:45 recording)
 - (a) Remove
- 17) S. Storage (2:06:00 recording)
 - (a) Permit
- iv) Dwelling Living Quarters and long or short-term residences (2:21:50 recording)
 - 1) A. Accessory Building conditional uses
 - (a) remove
 - 2) B. Accessory Building permitted uses (2:22:00 recording)
 - (a) permit
 - 3) C. Accessory Dwelling Units (internal) (2:23:00 recording)
 - (a) Permit
 - (b) Removing 1, 2, 3, 6, 7
 - (i) Remove 5. edit with adequate off-street parking per state law
 - (ii) 9. As per the state code
 - 4) D. Accessory Dwelling Units (detached) (2:50:00 recording)
 - (a) Allowed
 - (i) Keep 1. No more than 1 ADU may be located on any parcel But be specific that it's allowing one external ADU on anything more than .50 acre (3:37:05 recording)
 - (ii) Keep 2 add "at time of creation" at the end.
 - (iii) Keep 3 allow them to be switched.
 - (iv) Keep 4
 - (v) 5 - separate Address
 - (vi) 6 - Adequate off-street parking
 - (vii) 7 - Adequate off-street parking
 - (viii) 8 - Keep
 - (ix) 9 - Remove
 - (x) 10 - Remove
 - (xi) 11 - skip for now- it will be addressed later
 - (xii) 12 - keep
 - (xiii) 13 - keep
 - (xiv) 14 - remove - covered in a different area
 - (xv) 15 - permit
 - (xvi) 16 - remove
 - 5) E. Bed and Breakfast (4:09:35 recording)
 - (a) 1. Keep all of E. 1-7

- 6) F. Conservation Subdivision (4:10:07 recording)
- 7) G. Dwelling or Residential facilities for elderly or disabled persons (4:12:00 recording)
 - (a) Permit
- 8) H. Farm or Ranch Housing (4:11:57 recording)
 - (a) remove
- 9) I. Single Family Dwellings (4:12:47 recording)
- 10) J. Pools- permit (4:13:02 recording)
 - (a) Cover-applicant consider
 - (b) Fencing-applicant consider
 - (c) Self-closing gate- applicant consider
- 11) K. Temporary Building guard and night watchmen (4:19:00 recording)
 - (a) Doesn't apply
- 12) L. Two Family Dwelling Duplex (4:19:15 recording)
 - (a) Not allow for now
- v) RR-1 Public and Quasi-public uses (4:26:00 recording)
 - 1) A. permit
 - 2) B. permit
 - 3) C. permit
 - 4) D. permit
 - 5) E. doesn't apply
 - 6) F. permit
 - 7) G. permit
 - 8) H. permit
- vi) Uses RR1 recreation Camping Amusement (4:30:13 recording)
 - 1) A. not allowed.
 - 2) B. permitted.
 - 3) C. remove
 - 4) D. not applicable
 - 5) E. not applicable
- vii) H (4:34:14 recording)
 - 1) A. no
 - 2) B. yes
 - 3) C. essential Service facilities
 - (a) Permit- will be fluffed up.
 - 4) D. Remove
 - 5) E. Power Generation – (4:35:30 recording)
 - (a) Permit
 - (i) solar
 - a. permit
 - (ii) wind
 - a. permit
 - (iii) auxiliary
 - a. not permitted
 - (iv) Steam
 - a. not permitted
 - (v) Public quasi- public
 - a. not applicable
 - (vi) Substations
 - a. not applicable
 - (vii) Transmission
 - a. not applicable

viii) Commission reviewed Rural Residential Districts **Exhibit B**. (4:40:00 recording)

- 1) Rural Residential District
 - (a) Permit except Remove the "limited numbers" in section (1)
- 2) RR1 Development Restriction
 - (a) Take out the 6% reduction in (1)
 - (b) Take out the 15 year with "road needs to be finished before the your plat that is served is finished and bonded. Mike will fix. Before the plat that its servicing. By the time development begins'
 - (c) (4) B. ii change to 7 feet
 - (d) (4) C. ii 1. change length to 10 ft on (1) and (2)
 - (e) (6) building height- change to 40 ft from natural grade of the lot
 - (f) (7) building coverage- change to 50%
 - (g) (8) Required Improvements-subdivisions
 - (i) A. include
 - (ii) B. include
 - (iii) C. include
 - (iv) D. include
 - (v) E. include
 - (vi) F. include

D. RR-5 development restrictions Open discussion with City Planner about ADU's

8. Commission Updates

- A. James Simko
 - i) Other
- B. Hannah Caldwell
 - i) Other
- C. Lori Chigbrow
 - i) Other
- D. Rickey Lloyd
 - i) Other
- E. Kirk Pearson
 - i) Other
- F. Bryan Coulter
 - i) Other
- G. Marylin Sharp
 - i) Other

9. Public Comment

- A. Motion to open Public Comment
- B. Vote was unanimous approved
- C. Motion to close Public Comment
- D. Vote was unanimous approved

10. Closed Session- if needed

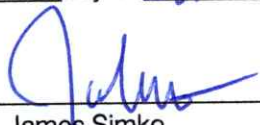
11. Adjournment

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.

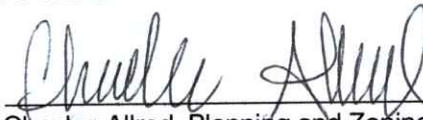
Note- Additional information concerning meetings including agendas, minutes, recordings, written/typed public comment, other distributed materials, ordinances, resolutions, public notices and how to sign up for notifications on the Public Notification Website, can be found at <https://lakepoint.gov>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

but the Commission this 5 day of June, 2023



Chair, James Simko

ATTEST:



Chaelea Allred, Planning and Zoning Commission Secretary

Exhibit A
05.15.2023

#	Uses for RR-1 Agriculture, forestry and keeping animals
a	Accessory buildings and uses customarily incidental to conditional uses
b	Accessory buildings and uses customarily incidental to permitted uses
c	Agricultural industry or business
d	Apiary (beehives)
e	Aviary
f	Educational Farm Animals (intended for FFA, 4H and/or similar) and/or Rehabilitation of Farm Animals – The planning commission may authorize up to a 50% increase in allowable animal units, specifically allocated for the keeping of educational farm animals and/or rehabilitation of farm animals as a conditional use in Rural Residential zones, subject to the following information being provided: 1. Documented proof that the increased animal counts are strictly being authorized for educational and/or rehabilitation purposes. 2. A detailed list of all animal types and counts located on the property. 3. Documented proof that sufficient water rights exist and will be allocated towards the increased animal units. 4. Acknowledgement by the property owner that the zoning administrator and/or city may revoke or reduce the increased animal units, if the increased animal units are determined to be a nuisance.
g	Farms devoted to raising and marketing of chickens, turkeys or other fowl or poultry, fish or frogs, hogs or swine including wholesale and retail sales
h	Feedlot (lot or parcel must have the minimum area required in the zone)
i	Forest industry, such as a saw mill, wood products plant, etc.
j	Forestry, except forest industry
k	Fruit or vegetable stand
l	Household pets
	Maximum number of dogs as household pets:
m	Kennel (Minimum lot size: 4.7 acres; Minimum distance to all property lines 100 feet; Minimum distance to all neighboring dwellings to be 150 feet)
	Kennel, boarding

#	Uses for RR-1 Agriculture, forestry and keeping animals
	Kennel, breeding
	Kennel, private
n	Personal agriculture, including grazing and pasturing of animals
o	Plant materials nursery or green-house, not exceeding 20,000 square feet in area
p	Riding academy or riding ring, horse show barns or facilities
q	Rooftop mounted solar arrays
r	Stable
	Stable (horses), commercial
	Stable (horses), private. The planning commission may authorize up to a 50% increase in allowable animal units, specifically allocated for the keeping of horses as a conditional use in Rural Residential zones, subject to the following information being provided: 1. A detailed list of all animal types and counts located on the property. 2. A detailed site plan, indicating where the proposed stable will be constructed in relation to all existing buildings and surrounding neighbors. 3. The floorplan for the proposed stable, showing adequate accommodations for the anticipated number of animal units for horses. 4. Documented proof that sufficient water rights exist and will be allocated towards the increased animal units. 5. Acknowledgement by the property owner that the zoning administrator and/or city may revoke or reduce the increased animal units, if the increased animal units are determined to be a nuisance.
s	Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment
t	Temporary Animal Housing The Planning Commission may authorize a temporary 50% increase in allowable animal units (not to exceed 6 months within any 12-month period) for farm animals that may need to be temporarily relocated to a property located in the Rural Residential zones as a conditional use permit, subject to the following information being provided: 1. An explanation for the temporary increase in animal units. 2. A detailed list of all animal types and counts located on the property. 3. Detailed information regarding how the property owner intends to prevent the temporary increase from becoming a nuisance. 4. Acknowledgement by the property owner that the zoning administrator and/or city may revoke or reduce the increased animal units, if the increased animal units are determined to be a nuisance.
u	Urban Farming Assessment Act (per Title 2, Chapter 8 of the Tooele County Code)

#	Uses for RR-1 Agriculture, forestry and keeping animals
#	Uses for RR-1 Commercial and Industrial Use
a	Accessory buildings and uses customarily incidental to conditional uses
b	Accessory buildings and uses customarily incidental to permitted uses
c	Adult day care
d	Beer sales at public recreational facilities where it has been approved by the Board of city Council.
e	Canals, evaporation ponds, settlement ponds, and mining operations, all in connection with the concentration and purification of naturally occurring brines and the extraction of salts from the brines
f	Cannabis production establishment (not allowed within 1,000 feet of a community location or 600 feet of a primarily residential zone).
g	Childcare, commercial
h	Childcare, residential, that complies with the following conditions: 1. No more than sixteen (16) children with up to eight (8) children per one (1) adult working at the day care, shall be permitted. This includes no more than two children under the age of two. The number of children in care includes the providers' own children under the age of four. Further guidelines for supervision and ratio are found in the State of Utah's residential certificate rules: Supervision and Ratios. 2. There shall be no more than one (1) adult employed by the day care facility who resides outside of the home. 3. The day care shall be licensed with the State of Utah, and will cease operation upon revocation, suspension or failure to renew license. 4. The inside and outside areas that are used for the day care shall be made to conform to the standards of the current and any future updates of the Uniform Building Code. 5. All childcare activities shall take place at the home unless written consent by parent or guardian. All indoor and outdoor activities shall be in accordance with the State of Utah's Residential Certificate Rules: Indoor Environment, Outdoor Environment and Activities. 6. The hours of operation shall be no more than 6:00 a.m. to 9:00 p.m., Monday through Saturday with outside activities restricted to the hours of 9:00 a.m. to 4:00 p.m. 7. The childcare facility shall comply with the requirements of the Tooele County Health Department, the Utah Department of Health and any other local health departments for child day care facilities.
	8. Meals and treats shall be provided in accordance with the Tooele County Health Department Regulations and State of Utah's Residential Certificate Rules: Child Nutrition. 9. The employees of the Department of Engineering, Tooele County Health Department, Tooele County Sheriff's Department and the Utah Department of Health shall be permitted to inspect the day care facility during its hours of operation.
i	Construction equipment and supply trailer, temporary

#	Uses for RR-1 Agriculture, forestry and keeping animals
j	Construction field office, temporary
k	Cottage industry that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property
l	Electromagnetic Interference Testing (As described by FCC Docket No. 20780, Amendment 79-555 Governing Restricted Radiation Devices) (Rev. Or. 81-4)
m	Home based businesses that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property.
n	Home occupations
o	Medical cannabis pharmacy (not allowed within 1,000 feet of a community location or 600 feet of a primarily residential zone).
p	Preschool with the following conditions: 1. All pre-school activities shall take place inside the residence. The students shall remain in the home except when an outdoor activity is related to the child's education or arriving to school and leaving school. 2. No food shall be prepared and served in the home for consumption by the students. 3. There shall be no more than one (1) adult employed by the preschool who resides outside of the home. 4. The inside area that is used as the preschool be made to conform to those standards of the current and any future updates of the building code for such a use. 5. The preschool shall comply with the requirements of the Tooele County Health Department, and any other local health departments for preschool facilities. 6. The preschool may operate Monday through Friday, with two (2) separate two and one half (2 1/2) hour sessions. The hours of operation shall be between 8:30 a.m. and 4:00 p.m. 7. No more than sixteen (16) children, with up to eight (8) children per one (1) adult working at the preschool, shall be permitted.
q	Processing and composting of State regulated Class A, B, and C bio-solids and other acceptable organic waste such as chicken manure
r	Radio and television transmitting stations or towers
s	Storage, placement, keeping, locating, parking, maintaining, keeping of commercial, construction, military surplus, or specialized equipment
#	Uses for RR-1 Dwellings, living quarters and long or short-term residences
a	Accessory buildings and uses customarily incidental to conditional uses
b	Accessory buildings and uses customarily incidental to permitted uses

#	Uses for RR-1 Agriculture, forestry and keeping animals
c	Accessory dwelling units (internal) Subject to the following conditions, one internal accessory dwelling unit ("internal ADU") may be located within each primary dwelling: 1. No more than one ADU may be located on any parcel 2. The primary dwelling must be occupied as the primary residence of an owner of record 3. The internal ADU must be subordinate to the primary dwelling 4. The internal ADU must use the same house number as the primary dwelling 5. Each internal ADU must have at least one on-parcel parking space, which must be in addition to the parking space(s) required for the primary dwelling 6. The internal ADU must not exceed 1,500 square feet of gross floor area 7. No internal ADU may be rented for a period of less than 30 consecutive days 8. Internal ADUs must comply with all applicable building, health, and fire codes 9. The city will record a notice stating that the primary dwelling contains an internal ADU and that the internal ADU may only be used in accordance with the city's regulations

#	Uses for RR-1 Agriculture, forestry and keeping animals
d	Accessory dwelling units (detached) Subject to the following conditions, one detached accessory dwelling unit ("detached ADU") may be located on each parcel that contains a primary dwelling: 1. No more than one ADU may be located on any parcel 2. The primary dwelling must be occupied as the primary residence of an owner of record 3. The detached ADU must be, or must be located in, a structure that is subordinate to the primary dwelling 4. The detached ADU cannot be converted to an autonomous dwelling and cannot be partitioned or conveyed separately from the primary dwelling 5. The detached ADU must use the same house number as the primary dwelling 6. Each studio or one bedroom detached ADU must have at least one on-parcel parking space, which must be in addition to the parking space(s) required for the primary dwelling 7. Each two or more bedroom detached ADU must have at least two on-parcel parking spaces, which must be in addition to the parking space(s) required for the primary dwelling 8. The detached ADU must not exceed 1,500 square feet of gross floor area 9. The exterior design (architectural style, construction, materials, colors, landscaping, etc.) of the detached ADU must be compatible with the exterior design of the primary dwelling 10. The location of the detached ADU must not significantly impair the privacy, light, air, solar access, access or parking of adjacent properties 11. The total of all structures on the parcel must not exceed the maximum building coverage allowed in the zoning district
	12. The detached ADU must meet the setback requirements of the (TBD). The height of the detached ADU must not exceed the height of the primary dwelling 14. No detached ADU may be rented for a period of less than 30 consecutive days 15. Detached ADUs must comply with all applicable building, health, and fire codes 16. The city will record a notice stating that the parcel includes a detached ADU and that the detached ADU may only be used in accordance with the city's regulations

#	Uses for RR-1 Agriculture, forestry and keeping animals
e	Bed and breakfast, providing 1. The owner must reside in the residence. 2. The site must be maintained and landscaped so as to minimize the impact on neighboring properties and in order to retain the character of the neighborhood. 3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests. 4. Meals are served only to residents and overnight guests. 5. The establishment shall conform to all applicable fire, building and health codes. 6. The establishment shall be open to inspection by the Tooele City Engineer, Sheriff, Health Department Director and their authorized personnel. 7. The establishment shall obtain and maintain a Tooele City business license.
f	Conservation subdivisions
	i. percent of open space required for 100% density
	ii. minimum size of lots in acres
	iii. for every 15% in contiguous open space, awarded 10% in density
	iv. acres to be divided by conservation subdivisions
g	Dwellings or residential facilities for elderly or disabled persons
h	Farm or ranch housing
i	Single family dwellings
j	Pools Require permit and construction to comply with state standards
	i. pool cover
	ii. Fencing
	iii. Self-closing gate
k	Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work
l	Two-family dwellings (duplex)
#	Uses for RR-1 Public and quasi-public uses
a	Accessory buildings and uses customarily incidental to conditional uses

#	Uses for RR-1 Agriculture, forestry and keeping animals
b	Accessory buildings and uses customarily incidental to permitted uses.
c	Cemetery
d	Church
e	Dams and reservoirs
f	Private road
g	Public owned parks and recreational facilities
h	Public use, quasi-public use, essential services, including private school, with a curriculum corresponding to a public school
#	Uses for RR-1 Recreational, camping and amusement uses
a	Accessory buildings and uses customarily incidental to conditional uses
b	Accessory buildings and uses customarily incidental to permitted uses
c	Commercial paintball course and paintball target range.
d	Dude ranch, family vacation ranch
e	Private park, recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory
#	Uses for RR-1 Utilities and utility services
a	Accessory buildings and uses customarily incidental to conditional uses
b	Accessory buildings and uses customarily incidental to permitted uses
c	Essential service facilities
d	Large wind energy systems (i.e., wind turbine farms)
e	Power generation for on-site use, unless intended for emergency situations as depicted below the table*
	i. solar
	ii. wind driven under 5.9 KVA
	iii. auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 10 KVA output
	iv. Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 KVA output
f	Public, quasi-public, and public service utility lines, pipelines, water lines, and etc. which extend more than 300 feet; that are used to transport their material, service or supply
g	Substations

#	Uses for RR-1 Agriculture, forestry and keeping animals
h	Transmission lines of 50 KV or greater capacity