

Town of Portage Planning and Zoning Meeting Minutes
From Wednesday October 5, 2022
Portage Town Hall
25880 N 9000 W Portage, Utah 84331

Attendance: Norma Lasa, Ed Rogers, Richard Poppe, Chelsie Nelson, Lisa Bingham
Absent: Darrell Bell, Wynter Simonson

Visiting: Martina John, Misty Beck, Richard Beck, Val Gibbs, Max Huggins, Laura Nelson

Opening Ceremony

Prayer: Member Lasa **Pledge of Allegiance:** Member Bingham

Call to Order: Chairman Poppe @ 6:00 P.M.

- Approve September 7, 2022 Planning & Zoning minutes
I motion that we approve the minutes for September 7, 2022 made by Member Rogers. Seconded by Member Lasa. All aye. Motion approves.
- Public Comments limited to (3) three minutes per person
 - Max Huggins: Ordinance 110 format will be altered by Wynter. Then you can make changes that you need.
 - Martina John: You haven't put Ordinance 110 in your books yet. Knudsen building permit should never have been voted on in P&Z.
 - Val Gibbs: Whatever the P&Z wants to do has to go through city council, and then it goes to the Town Board. Had someone come to me saying Moratorium won't hold up in court; the city can't stop them if they want to remodel. Do you need a building permit to remodel? Chairman Poppe: yes.
- Discussion of Planning and Zoning Commission Chairman role/procedures

Roles and procedures of the Chairman (whether or not he is a voting member) will be voted on in next month's meeting.
- Discussion of town water information from Scott Archibald

Member Rogers: Tyson (town water master) would like to be over water and does not want P&Z discussing it. We should let the Town Council take responsibility for it. What do they expect us to do in this process? I would like to go on record that the town council has accepted responsibility for our water planning. Member Nelson: when they

have the information, they will let us know what they need us to do. Member Bingham: Tyson is trying to figure out what the cost is so then we can figure out what people need to be paying for water.

- Discussion of Town of Portage Building Permit Moratorium

Member Bingham: moratorium needs to be followed word for word; all means all. Town Council cannot extend the moratorium unless it's by State Transportation Committee. Chairman Poppe: we should recommend that the moratorium be changed so it's not every single building permit (decks, barn repairs etc).

I motion to advise the town council to consider an amendment for the letter dated July 20, 2022 to allow for non-water/electricity, minor remodeling and adjust it as possible by Member Rogers. No second. Motion fails.

- Discussion and possible vote on short term rentals

Chairman Poppe: let's table this and put Laura on the agenda for next month's meeting.

- Discussion and possible vote on Ordinance 107.0 Animal Regulations (aviary, apiary, kennel)

AVIARY

Member Lasa: Correct the spelling of chukars. In aviary, adding to 107.2.C "the Utah agricultural code titled for section 29 requires that hatcheries and dealers offering chicks, pullets, or eggs for sale in Utah be licensed with the department of Agriculture and Food. This in addition to the certificate of registration, COR, required by the division of wildlife resources. Office of the state veterinarian Utah Department of Agriculture and Food. Member Bingham: those contact numbers can change, just direct them to the Utah Department of Agriculture.

I motion to add to 107.2.C Aviary the following information the Utah Agricultural Code titled for section 29 requires that hatcheries and dealers offering chicks, pullets, or eggs for sale in Utah be licensed with the Department of Agriculture and Food. This in addition to the certificate of registration, COR, required by the division of wildlife resources. Office of the state veterinarian Utah Department of Agriculture and Food by Member Lasa. Seconded by Member Rogers. All aye. Motion approves.

APIARY

Chairman Poppe: for apiary, most surrounding towns and areas have no restrictions or rules on honey bees, unless it's high density housing. We should go with what Salt Lake City does, boxes no closer than 6ft to a property line, and must have available and accessible water for bees. Member Lasa: all those interested in keeping bees must apply for a license through the Utah Department of Agriculture. Member Bingham: let's leave apiary in 107.2, just have it as item 3.

I motion that we change the apiary by adding after the keeping of bees in hives or other structures all those interested must apply for a license through the Utah Department of Agriculture plus they need accessibility to designated water specifically for bees and be six feet away from property lines by Member Nelson. Seconded by Member Lasa. All aye. Motion approves.

KENNELS

Chairman Poppe: 2 dogs per household are allowed in Portage. Member Lasa: Minimum acreage is 2, not 2.5 for rural residential. That needs changed in 115.3 Land use charts, Kennel terms 102.2 #10 and #26, 115.2 class of new and unlisted, 111.2 conditional use permits. 6 adult dogs is what is allowed for kennels in the State of Utah. Chairman Poppe: Morgan allows unlimited, and Box Elder county allows 12. I feel it should be 12. It can actually be handled case by case, we have that ability, it's not discrimination. Member Rogers: We can call the sheriff for out of control dogs. Member Bingham: I am ok with 12, we just need to address issues of the nuisance dogs in town. We need to look at the definition of breeding kennel vs boarding kennel. Rabies shots are more important than licensing every dog. Member Rogers: I would like to table this until next month adding we're gonna consider licensing for Portage and definition of breeding kennel vs boarding kennels.

I make a motion that we table the kennel issue, both the boarding and the breeding kennels and licensing until next month by Member Rogers. Seconded by Member Bingham. All aye. Motion approves.

- Standing agenda items: Discuss and vote on Codes/Ordinances-Table of Contents, Terms, Index, and Section :101-116. Removal of outdated or inapplicable Ordinances. **Motion to adjourn @ 7:40pm by Member Nelson. Seconded by Member Lasa. All aye. Meeting adjourned.**

Minutes by Clerk/Recorder: Wynter Simonson

Clerk/Recorder Wynter Simonson

Mayor Max Huggins