

Town of Portage Planning and Zoning Meeting Minutes
From Wednesday February 3, 2021
Portage Town Hall
25880 N 9000 W Portage, Utah 84331

Attendance: Council Member/Chairman Martina John, Committee Members: Norma Lasz, Darrell Bell, Chelsie Nelson, Cathe Runyan, Ed Rogers. Clerk Kori Williams, Katherine Munns

Absent: Committee Members: Lisa Bingham

Visiting: Andrew Naugle (6:25)

Opening Ceremony

Prayer: Member Nelson

Pledge of Allegiance: Member Rogers

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

1. **Review** and approve the January 6, 2021 minutes of the Portage Planning and Zoning meeting:

Chairman John called for a motion to accept the minutes when ready.

Motion to approve the January 6, 2021 minutes **with the noted changes** by **Member Rogers** second **Member Runyan**

All ayes

(NOT IN MINUTES TAKE OUT BEFORE PRINTING.... Just for future reference motions must be written word for word as made. Take out anything with a ~~strike~~ through it.)

Motion passed

2. **Andrew Naugle** presented his plan to finish his shed and request building permit.

Chairman John How big is it?

Andrew Naugle It is 36 x 36

Member Nelson Horse Barn?

Andrew Naugle Yes, it is an open pole barn, pretty much it's basically just a cover.

Member Runyan 1,296 square feet.

Chairman John so you're not going to have any power or anything out there?

Andrew Naugle no

Chairman John Katherine will get you a building permit. Does it have stalls?

Andrew Naugle No just a fence down the middle to separate cows and horses.

Chairman John Let's have him fill out a building permit and with the size of that it will be \$100.

Member Rogers We need to check the setbacks.

Chairman John Just make sure that it is 30 feet from the property line and 63 feet from the center of the road. **Make a lot lay out just draw it on a paper like this (showing lot with buildings).**

Andrew Naugle Showed pictures of the shed to the committee.

Member Rogers **he will come here next month and then to Town Council.**

Chairman John Fill that out and bring it next month and then you will be Permit 2021-03.

No motion

(NOT IN MINUTES TAKE OUT BEFORE PRINTING good job weeding out all the talking and my forgetting that we are not doing any contingencies anymore discussion)

3. Discuss new Box Elder County building permit procedures.

Chairman John Moving forward, everyone who needs a building permit needs to go online fill it out online and the builders/engineers send in a pdf file. Then they will send it to us if they are good with it.

Also, can we add fire hydrants to the proof of water letter so it is all on one letter. Members agreed that would be a good letter.

Member Bell **They need to come to zoning so we can tell them what our setbacks are and etc.** Something that does not require electric or water, is **that still the route** you still have to take?

Chairman John As far as we are concerned if they ~~need~~ **are going to put** water or electricity **into something**, ~~they will have to go to them~~ **they need to get a permit.** ~~If not,~~ **It probably could** ~~maybe~~ be an Ag. Permit, and then it wouldn't cost them a building permit fee. ~~from them.~~ **It is a different form.**

Member Runyan What if they say they do not have water or electricity, but they do?

Chairman John Then we will get them because we have them on recording saying they would not have them and sic the county on them. We have to start doing something somewhere.

~~4. Discuss Entire section 107 Animal and Fowl Regulation and propose changes-~~

4. Discuss and Possible vote: Entire Section 107.0 Animal and Fowl Regulations (proposed changes) The proposed changes will not be official until a properly advertised public hearing is held, where the final votes will be cast.

All changes shown are proposed changes only no motions were made no votes were taken.

B. Remove underline from all section titles.

Proposed removing all underlining of titles.

~~C. Change Title of 107.0 to "Animal Regulations"~~

C. Section 107.0 Animal and Fowl Regulations: possible title change

107.0 ANIMAL AND FOWL REGULATIONS

Proposed change

107.0 –ANIMAL REGULATIONS

D. Possible change to Table of Content

The committee agree and the following proposed changes/addition were discussed throughout the meeting.

107.9 Kennel Regulations, exotic animals, section 107.8 Agricultural Production Exception (was omitted) apiary, and aviary.

~~E. Remove the word fowl from 107.1 purpose~~

E. Section 107.1: paragraph change and title change

Proposed changes

The purpose of animal and fowl unit regulations is to protect the health and general welfare of residents of Portage. To this end, the number of livestock and the location of structures housing livestock shall be governed in the residential zones by the following definitions and regulations.

Proposed change

The purpose of **animal** unit regulations is to protect the health and general welfare of residents of Portage. To this end, the number of livestock, **setbacks, lot size**, and the location of structures housing livestock shall be governed in **all zones within the Town of Portage** by the following definitions and regulations.

G. ~~107.2: Discussed paragraphs 1~~

G. Section 107.2: paragraphs 1 and 2 verbiage and amounts, **add** new species insects, apiary paragraph 3, **add** paragraph 4 aviary, and **new** titles

~~1. Animal Unit –The keeping of not more than the below stated number of adult animals. (An adult animal shall be considered to be an animal one year or older or of breeding age, whichever is less. Juvenile animals which are not the offspring of adult animals kept on the premises shall be considered as adult animals in counting animal units.)~~

Proposed change

1. An animal unit is the allowable number of adult animals of a given species. - The keeping of not more than the below stated number of adult animals. An adult animal shall be considered to be an animal **one year** or older or **of breeding age**, whichever is less, **whether it has been physically altered or not.**

With the **exceptions of apiaries, aviaries and Section 107.9 Kennel** which will be governed by their own rules and regulations.

- ~~a. one head of any of the following: horse, cow,~~
- ~~b. or three head of any of the following: sheep, goats,~~
- ~~c. Or two non-breeding pigs, or~~
- ~~d. Five head of the following non-carnivorous animals: rabbits or other similar small animals.~~

G. 107.2: Discussed **creating and adding 1**

A: Large Species:

Member Nelson Does this mean you can only have one cow or one horse or one of each?

Chairman John I took that as you can only have one of either a cow or a horse.

Member Bell Oh, I took that differently. I thought that you can have one of each or one of both cow and horse.

Member Nelson Yes, we need to change it to 2 head. Either two of each or one of both animals. Totaling two head.

Member Runyan So it needs to say "A maximum of two head of large livestock (horse or cattle).

Chairman John Or three head of sheep, goats,

Committee discuss whether llama and alpacas are exotic and agree they are **not exotic** and should be classified **with sheep and goats.**

Member Runyan or two non-breeding pigs.

A. Large Species:

1. A maximum of two (2) head of large livestock equine or bovine,
2. or three (3) head of any of the following: sheep, goats, llama, or alpaca,
3. or two (2) head non-breeding pigs.

G. 107.2: Discussed ~~1~~ B: Small Species

Member Runyan Five head of the following non-carnivorous animals: rabbits, hares, or other similar small animals.

Committee agrees that **five** is a good number for **small species**.

B. Small Species:

1. five (5) head of the following non-carnivorous animals: rabbits, hares, or other similar small animals.

Minks are not allowed in the Town of Portage.

G. 107.2: Discussed ~~1~~ C: Exotic Animals

Committee agrees **no exotic animals**, outside of your home.

C. Exotic Species:

1. Regardless of the number of animal units permitted.
No more than two exotic animals shall be kept on any lot.

Minks are not allowed in the Town of Portage.

G. 107.2 Discussed **2. Fowl Unit**

Member Runyan I think we should divide the animals in sections by size. Then put a header telling others how many of which animals they can have.

Committee **agrees** that **dividing the animals by size** would make sense and agreed on **A** and **B** ~~on~~ in **Fowl unit**.

Fowl Unit - The keeping of not more than the below stated number of adult fowl. An adult fowl shall be considered to be a fowl of breeding age.

- A. Twenty-five (25)** each of the following classes of fowl: chickens and pigeons.

Any combination of the above listed fowl may not exceed twenty-five (25).

- B. Five (5)** each of the following classes of fowl: ducks, geese, and turkeys.

Any combination of the above listed class of fowl may not exceed five (5).

- C. Aviary:** Large cages or netted enclosures for the keeping of game type birds such as quail, pheasants, Hungarian partridges, chucker's. May not exceed **fifty (50)** each or in combination. The Town of Portage setbacks shall apply, may require building permit.

G. 107.2 : Discussed 3: Apiary and Aviary

Committee goes back and forth on topic ~~trying to keep~~ **weighing** factors such as; the **community's safety, proper beekeeping, and perks of beekeeping** in perspective. Then decides that they need to **get more information** on the topic before they can ~~come to a conclusion~~ **making a proposal. It was proposed that aviary will be included in the fowl unit.**

Committee then discusses **Aviary** and decides they also **need more information to come to a conclusion and vote** ~~before a proposal can be made.~~

K.107.4: Discuss ~~ed~~ Corral Regulations

Committee agrees on **and proposes removing** ~~deleting~~ **the corral regulations section.**

L. 107.5: ~~Discuss setbacks~~ Discussed Section 107.5: Remove text **add** new chart, setback changes, title change, add all zones to chart.

Committee **proposes** ~~decides~~ to **add a new updated chart with changes to setbacks so that they better match other existing setbacks, some verbiage and to separate the content better.** ~~change setbacks to match other previous setbacks and remove "Corrals" section on the chart and add it to "Fenced Pasture".~~

M. Discussed **Section 107.6:** Strike paragraph, add 08/13/2008 Resolution 2008-5.

RESOLUTION 2008-5

In all zones, livestock and pets shall be so restrained that they shall not damage, destroy, or intrude upon adjacent property.

Furthermore, grazing of livestock **is permitted**, dawn to dusk, in rights-of-ways parallel to established streets provided they are so restrained that any part of the animal is at least five feet away from the edge of the road, any building/structure or parked vehicle.

However, grazing is **not permitted** at any time in any right-of-way that also contains an irrigation ditch.

Furthermore, owners of livestock will be responsible for cleaning up after their animals when said animals are grazing in above mentioned right-of-ways.

N. Section 107.7: Change sentence

107.7 ~~Prohibited Animals~~

~~Mink are prohibited in the residential zones.~~

Proposed change

107.7 Prohibited Animals

Mink are prohibited in ALL zones located within the Town of Portage limits.

P. Discussed Section 107.8: Agricultural Production Exception (add to table of content as it was omitted.)

1. Discussed Section 107.9: Add entire new section titled: 107.9 KENNEL REGULATIONS

~~107.9: Discuss Kennel Regulations~~

~~Committee decided to **research the numbers** on the **chart and re-discuss topic.**~~

The committee read over the proposed verbiage made some adjustments and proposed more thought should go into 3. Required Setbacks.

- 1. Kennel is defined in: section 102.2 terms as the land or building(s) used in the keeping of 3 or more dogs at least 4 months old.**
- 2. A kennel is only allowed in Rural Residential on a minimum of 2.5 acres or more parcels. See section 115.3 Land Use Charts**

The proposed changes will not be official until a properly advertised public hearing is held, where the final votes will be cast.

Adjourned @ 8:05pm

Minutes by Clerk/Recorder: Kori Williams

Clerk/Recorder Kori Williams

Chairman/Council Member Martina John