

**TOWN OF PORTAGE
PLANNING & ZONING MEETING MINUTES
Wednesday, September 6, 2023 @ 6:00 PM
25880 N 9000 W Portage, UT 84331**

Attendance: Richard Beck, Norma Lasa, Terra Bell, Chelsie Nelson

Visiting: Max Huggins, Martina John, Amber & Paizle Fannesbeck, Michael Hedgecock, Laura Nelson

Call to Order: Chairperson Bell at 6:00 PM

Opening Ceremony

Prayer: Member Nelson

Pledge of Allegiance: Member Lasa

1. Approve July 5, 2023 Planning & Zoning minutes.

Motion by Member Nelson: “I motion that we accept the minutes from Wednesday, July 5, 2023.” Seconded by Member Beck. All aye. Motion carries.

2. Public Comments limited to (3) three minutes per person.

2.1 Clarification by Laura Nelson about when comments are appropriate. Chairperson Bell clarified that comments should occur at the beginning of the meeting, not throughout, whether they are related to agenda items or not.

2.2 Laura Nelson pointed out that we may need to include new definitions as we work on ordinances (such as for pet, animal, fowl, livestock, etc.). She also suggested that something be added to Ordinance 107 to clarify that cats are not required to be contained to a single property.

2.3 Max Huggins provided copies of Elwood’s fence permit as an example (relating to agenda item for Fannesbeck’s fence).

3. Discuss and possible vote on new Commission Members.

Motion by Member Nelson: “I’ll make a motion that we accept Jennifer Richard, Michael Hedgecock, and Laura Nelson to be placed by the Town Council on the Planning Commission.” Seconded by Member Lasa. All aye. Motion carries.

4. Planning Commission assignments.

4.1 Member Nelson accepted the assignment to take the lead in beginning work on a new Master Plan by contacting BRAG and gathering preliminary information.

4.2 Discussion about the survey that was conducted in 2014 to gather information for the last Master Plan iteration. Members agreed it could be helpful to perform a survey again, but it was eventually decided that work on the survey did not need to begin this month.

4.3 Member Beck accepted the assignment to review and create a draft revision of Ordinances 103 and 109 to account for previously discussed procedural changes – Planning Commission no longer reviews and approves individual building permits, just subdivisions.

5. Amber Foncesbeck fence.

5.1 Amber Foncesbeck explained the intent behind the fence she installed on her front property line. It is a solid wood 6-foot fence that extends the length of half her property to provide a more private place for children to play and restrain animals. She stated that the gaps between boards allow some visibility as you pass by.

5.2 Discussion about whether or not the fence is a violation of Ordinance 104.11, which requires front yard fences to be 4-foot or less if solid, and 7-foot or less if see-through. Members discussed whether this fence could be considered “see-through” or not. Planning Commission members had not seen the fence and decided to postpone a vote until next month to allow members a chance to examine the fence in person.

Motion by Member Nelson: “I motion that we move the Amber Foncesbeck fence situation to next month.” Seconded by Member Beck. All aye. Motion carries.

6. Discuss and possible vote on section 107 Animal Ordinance.

6.1 Member Beck presented several changes and clarifications he would like made to the draft of Ordinance 107 revision that was discussed in the July meeting which would make that draft acceptable to him. They were:

- Residents are allowed one “large species” animal unit and one “small species” animal unit per ¾ acre (and additional ½ acre), rather than just one or the other.
- Change the definition of animal unit to allow 5 sheep, goats, llama, or alpaca, rather than 3.
- Change the definition of animal unit to allow 8 rabbits, hares, or other similar small animals, rather than 5.
- Change the limit on the number of dogs in residential zones to allow 3 dogs rather than 2.

Motion by Member Nelson: “I vote that we pass 107, changing 107.7 dogs to 3 per house and 107.3 to change 3 head of sheep, goats, or llama to 5, and the rabbits up to 8.” Seconded by Beck. Member Lasa nay, all others aye. Motion carries.

7. Standing agenda items: Discuss and vote on Codes/Ordinances-Table of Contents, Terms, Index, and Section :101-119. Removal of outdated or inapplicable Ordinances.

7.1 Member Lasa presented a section of Utah code regarding the definition of a Quorum majority and suggested potentially changing applicable Ordinances to comply.

ADJOURN:

Motion by Member Nelson: “I motion to adjourn the meeting.” Seconded by Member Lasa. All aye. Motion carries.

Minutes by Richard Beck