

NOTICE AND AGENDA – WORK SESSION

Notice is hereby given that the Mayor and City Council will hold a Work Session on June 20, 2012 in the Council Chambers, 45 West 100 South, beginning at 6:00 pm.

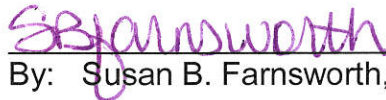
DISCUSSION ITEMS

1. Report by Sunrise Engineering on the Eastside Booster Pump
2. Review of Proposed Changes to the Santaquin City Animal Rights Code
3. City Council Meeting Agenda Items
4. General Discussion

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651.



By: Susan B. Farnsworth, City Recorder

Posted:

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**MINUTES OF A COUNCIL WORK SESSION
HELD IN THE COUNCIL CHAMBER
JUNE 20, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 6:03 p.m. Council Members attending: Keith Broadhead, James Linford, and Rick Steele.

Other attending: City Manager Ben Reeves, Public Safety Director Dennis Howard, Staff Planner Greg Flint, JUB Engineer Norman Beagley, Public Works Director Wade Eva, Shantel Eva, and Sunrise Engineering representatives Jesse Ralphs and Robert Worley.

DISCUSSION ITEMS

Report by Sunrise Engineering on the Eastside Booster Pump

Jesse Ralphs reported on the Eastside Booster Pump project, which is wrapping up now. The pump and pipe have been installed, and final invoices are coming in. The notice of final acceptance has been signed by the Mayor. Mr. Ralphs expressed his appreciation with the City and the City staff, especially for the opportunity to work with Jared Shepherd and Wade Eva. Ben Reeves commended Sunrise Engineering for a well-done job.

Council Member Steele asked if it would be feasible to use the cemetery well in the pressurized irrigation system. Mr. Eva said it was not feasible at the present time, as the well pumps only 300 gallons or so a minute and has other problems.

Review of Proposed Changes to the Santaquin City Animal Rights Code

Greg Flint reviewed the proposed changes to the Animal Rights ordinance. He said the Planning Commission has been working on the changes for a few months, and has forwarded the amendment to the Council. Grandfathering of current animal rights was clarified. Council Member Steele asked about animal nuisances. Mr. Reeves said nuisances are handled by the animal control officer.

Mr. Flint reviewed the proposed point system. Animals are given a number of points, based on size, and 100 points are allowed per acre. A minimum of 1/3 of an acre would be needed for farm animals. Chickens are a separate issue, and would be allowed on any size lot. Mr. Flint said there was a lot of discussion regarding chickens during the public hearing.

Problems with animals and pigeons were discussed. Staff was asked to review the number of pigeons allowed. Chief Howard agreed there were difficulties with animal control, especially with only one officer. Two dogs are allowed per household. It appears many homes in the City have more than two dogs. Mr. Flint said the Planning Commission plans to review kennel licenses in the future.

Council Member Steele asked about the 12 month, one time stipulation for temporary care of animals for a project. It was clarified the time frame was for a particular animal, not for the student or other family member. Staff was asked to clarify the language. Council consensus held that staff make the discussed changes to the ordinance and the amended language be brought back to a future work meeting.

City Council Meeting Agenda Items

No time was available to discuss agenda items.


General Discussion

No time was available for a general discussion.

The meeting adjourned at 6:55 p.m.

Approved on June 27, 2012.


James E. DeGraffenried, Mayor


Linda Midgley, Deputy Recorder



MEMORANDUM

June 8, 2012

To: Mayor and City Council via Planning Commission
From: Greg Flint, City Planner
RE: Animal Rights Code Amendment

CA#08-09

BACKGROUND

General Plan and Animal Rights:

One of the goals of the General Plan is, "to provide for residential areas in Santaquin that support and complement the unique rural quality and characteristics of the city" including "existing agricultural and animal rights" that "should be given higher priority and protections when adjacent to new development." Additionally the Santaquin City Code states that animal rights are for the, "enjoyment of city residents while protecting the rights of adjoining property owners and ensuring the peaceful enjoyment of their property ownership (S.C.C 10-18-1)." The intent of the animal rights ordinance is to allow for animals to be raised with the proper amount of space, while providing enough guidance to enforce nuisance issues and protect neighboring properties.

Existing Animal Rights Ordinance:

The current animal rights ordinance was adopted in 2002 with various amendments in 2007. The City Council looked at revisions in 2008 and the changes were tabled for a future discussion. At the beginning of 2012, the Planning Commission was asked to look at the animal rights ordinance again and make a recommendation to City Council. The proposed changes to the animal rights ordinance are included in the attached code amendment (See Exhibit A).

Planning Commission Discussion and Public Hearing:

The planning commission discussed the animal rights during their February 23rd, March 8th (Exhibit D) and April 12th (Exhibit E) meetings. A public hearing was noticed and held on May 3rd 2012, in which public comment was received (see Exhibit F for minutes and comments from the meeting). Further discussion was held at the May 24th meeting (Exhibit G), with a motion to forward the animal rights ordinance to the City Council with a positive recommendation.

ANALYSIS

The attached animal rights ordinance (Exhibit A) includes the city code pertaining to animal rights (S.C.C. 10-18) and pertinent definitions (S.C.C. 10-2-2). The parts that have been added are noted in green and the omitted or moved portions are stricken. The majority of the updates are on pages 4-8.

The changes include using a point system to determine the proper amount of animals permitted on any given parcel, with larger parcels allotted more animals. There is currently no restriction on the number of animals permitted as long as the lot size is large enough. Since each animal is grouped by size, there are points attached to allow up to a certain amount on any given parcel. Each parcel that meets the minimum lot size is allotted 100 points for farm animals and 100 points for fowl. Points for each animal type are noted in the ordinance (Exhibit A 10-18-8D). The attached spreadsheet gives the point totals for each animal (Exhibit B) and gives examples of the quantities permitted using the points for various lot sizes.

Additional research was done to investigate animal rights regarding quantities for horses and chickens allowed in other cities for comparison purposes (See Exhibit C).

Some of the recommended changes include the following:

1. All lots that currently have legal animal rights would retain those rights as they currently enjoy with regard to number of animals, animal habitation, setbacks, and fencing requirements. These lots would be "grandfathered" if they currently have legal animal rights, regardless of the changes to lot sizes and number of animals. The Santaquin City Code 10-8-3 states that, "existing nonconforming animal rights shall remain valid until such time as the rights are abandoned for twelve (12) consecutive months. If and when this occurs, the rights associated with such properties are removed and the property is again subject to the provisions of this chapter". Additionally, animal rights could be removed from a property due to violations, including a "loss of privilege" that includes, "any and all of the rights conferred on the owners of property by this chapter" that, "shall be forfeited upon the third conviction and/or violation of:
 1. any provision of this chapter; or
 2. any violation of title 5 (Animal Control) of this code; within any twelve (12) month period. A forfeiture of right pursuant to this section shall not run with the property.
2. The lot size was changed from 12,500 square feet (.28 acres) to 14,375 square feet (.33 acres) as the minimum lot size for animal rights.
3. The number of farm animals allowed would be changed to a point system if a parcel meets the minimum lot size mentioned above. The number of animals permitted would go up on a prorated basis as determined by the points allotted (see Exhibit B).
4. One major change would be to allow chickens and small fowl on any residential lot based on the point system and lot size. Chickens are currently allowed only as farm animals on lots large enough to have such animals.
5. Pigs, mink, cows and roosters would only be permitted in agricultural zones.
6. Allows for temporary animal care of farm animals on smaller lots for club projects (4H, FFA, etc.)
7. Clarifies language for animal habitation standards; setbacks from existing dwellings, public street and open waterways; fencing standards and animal waste runoff near drainage features.

Animal Control and nuisances:

One of the main components of animal rights is nuisance control. The City's animal control officer, Officer Monahan, handles animal complaints including farm animals. Officer Monahan answered questions for the Planning Commission in regard to addressing nuisances. In discussions with the police department and the animal control officer, it was indicated that the city receives more animal problem calls than any other type. Animal problems are not classified any further as to type of animal, occurrence, etc. The Planning Commission acknowledged the issues with feral cats and kennel licenses and decided that these issues were better addressed as a separate issue. Enforcement of the animal rights provision mostly lie with the Animal Control officer with the building official and community development addressing issues with building permits of animal structures and setbacks.

RECOMMENDATION:

Staff recommends the City Council review the attached language and be prepared to discuss these issues during its June 20, 2012 meeting.



Greg Flint
City Planner

Santaquin City Animal Rights

Title 10-2-2

Select Definitions for Animal Rights

10-2-2: TERMS DEFINED:

The following terms, as defined, shall apply as such throughout this title:

ACCESSORY BUILDING: An incidental, subordinate building customarily subordinate to and located upon the same lot occupied by the main use or building, including detached garages.

ACCESSORY USE: A use conducted on the same lot as the primary use to which it is related or a use which is clearly incidental to and customarily found in connection with such primary use.

AGRIBUSINESS: Agriculturally related businesses that supply farm inputs (such as fertilizer or equipment) or are involved in the marketing of farm products (such as warehouses, processors, wholesalers, transporters, and retailers). Agribusiness does not include a farm.

AGRICULTURE: The growing of soil crops in a customary manner in the open or within greenhouses. It shall also include livestock raising activities with the exception of feedlots. Agriculture shall not include retailing of products on the premises.

AGRICULTURE BUILDING: All buildings, other than dwellings, which are incidental to a farming operation including, but not limited to, buildings for the storage of materials, equipment, machinery with associated parts, or the keeping of livestock, other farm animals and necessary feed. This does not include buildings for the processing of crops for consumption as may be associated with an agribusiness.

AGRICULTURE PROTECTION AREA: A geographic area created and granted the specific legal protections under the authority of Utah Code Annotated (1953, as amended) title 17, chapter 41, agriculture protection area, and this title.

BOARDING FACILITY: A private or commercially operated series of stables, barns, paddocks, and/or other shelters and exercising facilities in which large or medium farm animals are fed, exercised and/or cared for on a short or long term basis for a fee. This definition does not include kennels.

BUILDING: Any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.

Accessory Building: A subordinate building, the use of which is incidental to that of the main building. See definition of Dwelling, Accessory Apartment.

Building Line: A line designating the minimum distance which buildings must be set back from a street or lot line.

Main Building: One or more principal buildings upon a lot.

EXHIBIT A

CONDITIONAL USE: A use which requires approval of the planning commission prior to the issuance of a permit for construction or commencement of use. A use which requires individual consideration of surrounding conditions and circumstances prior to approval. Approval by the planning commission may be given with conditions.

CORE AREA: The central area of Santaquin City located within the following boundaries starting at the intersection of Main Street and Interstate 15; West to 450 East, then North to 550 North, thence west to Center Street, thence south to 400 North, thence west to 500 West, thence south to Main Street, thence east to 400 West, thence south to 550 South, thence east to Center Street, thence south to Interstate 15, thence along Interstate 15 to the point of beginning. This boundary is more fully illustrated in the following graphic titled Santaquin Core Area.

FAMILY FARM: A farm that: a) is operated by a person who owns or leases and resides on the property (the operator); b) has a substantial amount of labor provided by the operator and the operator's family; and c) may use seasonal labor during peak periods and a reasonable amount of full time hired labor.

FARM ANIMALS: Animals other than household pets that may, where permitted, be kept and maintained for commercial production and sale and/or for family food production, education or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, llamas; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks and pigeons.

FARMS: Any place that has, or has the potential to produce, one thousand dollars (\$1,000.00) or more in annual gross sales of farm products via cultivating of soil, managing croplands, producing and harvesting crops, and/or raising or breeding of livestock.

FEEDLOT: A lot or building or combination of lots and buildings that are used for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this definition, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures or corrals and shelters on small farms shall not be considered animal feedlots under these rules. Manure storage areas off the site of the feedlot will be considered as a feedlot. This definition does not include slaughterhouses.

HOME OCCUPATION: An occupation or business activity conducted within a dwelling or on the premises of a residential property which is clearly secondary in importance to the dwelling as a home or place to live and carried on by persons residing in the dwelling. Home occupation shall not be construed to mean a family farm or an employee, working in his/her home in the service of an employer whose principal place of business is licensed at another location (e.g., telecommuters). For purposes of this title, home occupation does not include the agricultural operations of family farms.

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HOUSEHOLD PET: A domesticated animal that is traditionally kept in the home for pleasure, such as a dog, cat, bird, rodent (including a rabbit), fish, or turtle.

KENNEL: Any lot, building, structure, enclosure, or premises whereupon or wherein three (3) or more dogs, over four (4) months of age are kept or maintained for the purpose(s) of boarding, breeding, buying, grooming, selling, letting for hire, or training for a fee.

LIVESTOCK: The horses, cattle, sheep, and other useful animals kept or raised on a farm or ranch for use and/or profit. This definition does not include household pets which may also be present on a farm.

LIVESTOCK CORRAL: A place or pen where livestock are kept on a seasonal basis as part of an agricultural operation as distinguished from a feedlot.

NONCONFORMING USE: A use of premises which does not conform to the regulation of this title, but which was in existence on the effective date hereof.

PASTURE: An enclosure for animals in which minimal harvested feed is provided, except that which the animals obtain by grazing as a primary source.

SETBACK: The minimum distance allowed between the property line and the foundation, wall, or main frame of the building.

SLAUGHTERHOUSE: A building or place where animals are butchered for food and may or may not be processed and/or packaged for sale and consumption off premises. This does not include those buildings or places in which a farm owner or household may butcher animals for self-consumption.

STABLE, PRIVATE: A detached accessory building for the keeping of animals belonging to or used by the property owner or lessee and not for rent or for the stabling of the same for profit.

STABLE, COMMERCIAL: A rentable building for the keeping or stabling of livestock by persons not owning or leasing the property on which the building is located.

VETERINARY HOSPITAL, LARGE ANIMAL: A facility where veterinary medicine, including the medical or surgical treatment of large animals (i.e., livestock) by licensed professionals occurs. These facilities may also provide veterinary medicine on small animals.

VETERINARY HOSPITAL, SMALL ANIMAL: A facility where veterinary medicine, including the medical or surgical treatment of small animals (e.g., household pets) by licensed professionals occurs.

Title 10 Chapter 18

Animal Rights

10-18-1: OBJECTIVES AND CHARACTERISTICS:

The purpose of this chapter is to provide animal rights for the enjoyment of city residents while protecting the rights of adjoining property owners and ensuring the peaceful enjoyment of their property ownership. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10-18-2: SCOPE:

This overlay regulates animal rights in all zones in Santaquin. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10-18-3: EXISTING RIGHTS:

Existing nonconforming animal rights shall remain valid until such time as the rights are abandoned for twelve (12) consecutive months. If and when this occurs, the rights associated with such properties are removed and the property is again subject to the provisions of this chapter. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10-18-4: LEASH LAW:

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10-18-5: NUISANCE:

Any animal which does any of the following shall be deemed a nuisance:

- A. Causes damage to property.
- B. Causes unreasonable fouling of the air by odors.
- C. Is vicious or wild.
- D. Makes disturbing noises excessively.
- E. Molests, bites, or attacks other animals or people.
- F. Is sick due to neglect, abuse, or similar condition. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10-18-6: MITIGATION OF NUISANCE:

In addition to any of the remedies and/or penalties provided in this code, a duly authorized agent of the city may take any of the following actions as deemed appropriate under existing conditions:

- A. Summarily abate such nuisance.
- B. Impound.
- C. Reduce or eliminate the nuisance as necessary. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10-18-7: CARE, CLEANLINESS, AND IMMUNIZATIONS:

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10-18-8: RIGHTS GRANTED BY THIS CHAPTER:

- A. Legal Nonconforming Animal Rights. Lots containing animal rights which are legally nonconforming, or which hereby become legally nonconforming, with regards to property size or the presence of animal rights shall maintain those rights herefrom in the

EXHIBIT A

nature of which they were permitted, unless abandoned or discontinued as provided in section 10-18-3 of this chapter.

- B. General Rights Granted. The rights granted according to this overlay are the pasturing, care, and keeping of domesticated animals (excepting hogs, or other closely related animals) for exclusive use and enjoyment of the residing family. These rights are not subject to forfeiture, abandonment or discontinuance except as outlined in section 10-18-15 of this chapter, the City's Animal Control provisions, or as determined by a court of competent jurisdiction.
- C. Household Pets. Small animals and fowl may be kept as household pets in all zones subject to the following conditions:
1. Animals or fowl must be kept in pens, or otherwise secured, unless housed within the dwelling unit.
 2. No more than three cats and two dogs per Animal Control Provisions of the same species shall be kept, excluding dependent young under 6 months of age.
 3. In no case shall there be more than four small animals or fowl kept as household pets.
 4. All pens, coops, and structures shall be kept clean and free from objectionable odor.
 5. Animals or fowl allowed shall be those species normally stocked and available at a State licensed pet store.
- D. Farm Animals.
1. Lots of less than Fourteen Thousand Three Hundred Seventy Five square feet (14,375) or one-third (1/3) acre shall not contain animal rights as outlined in this chapter.
 2. Lots with Fourteen Thousand Three Hundred Seventy Five square feet (14,375) or one-third (1/3) acre or more shall maintain animal rights in all zones in accordance with the number of animals allowed per paragraph D3 below.
 3. Number of Farm Animals Allowed. The number of farm animals or fowl permitted shall be governed by the following schedule except that dependent young may be kept in addition to the following numbers.

Farm Animals		Points
Large: Pastured	Horse	100
Large: Stabled	Horse	30
Medium:	Sheep Goat	10

Fowl		Points
Large:	Ostrich Emu Turkey	10
Medium:	Ducks Geese	5
Household Fowl Permitted in all zones		

EXHIBIT A

	Llama	
Small:	Chinchilla Rabbits	2.5
Agricultural Zones Only		Points
Pigs		200
Mink		2.5
Cows		100

Chickens:		2
Small:	Pigeons Pheasants Finches Doves	.5
Agricultural Zones Only		Points
Rooster		200

- a. Each property is allowed 100 points for farm animals and another 100 points for fowl per acre. Points for farm animals and fowl are given on a prorated basis starting at 1/3 acre. (e.g. 1/2 acre (50 points), 2/3 acre (66 points), 1 Acre (100 points) 1 1/3 acre (133 points, etc.))
- b. Any combination of large, medium and small animals shall be permitted on any lot 1/3 acre or larger as long as the point total is not greater than that allotted for that lot size.
- c. Animals shall be considered “pastured” if no humanly constructed animal shelter is provided or supplementary feed provided during the growing season.
- d. One large farm animal may be kept per pastured acre with no more than 1 large farm animal per 1/3 acre if stabled.
- e. Three medium farm animals may be kept per 1/3 acre.
- f. Small farm animals shall be considered household pets, unless their numbers exceed more than 4 of any one type of animal on any lot, of which a larger amount be allowed based on the prorated size of the lot and the points allotted for small farm animals over 1/3 acre.
- g. Large and medium fowl are only permitted in lots 1/3 acre or larger and on a prorated amount based on lot size and points allotted for each fowl type.
- h. Chickens will not be considered as household pets or farm animals. Chickens will be allowed on any residential lot based on the prorated size of the lot and the points allotted for chickens. 1 acre is allotted 100 points.
- i. Small fowl or birds will not be considered as household pets or farm animals. Small birds will be allowed on any residential lot based on the prorated size of the lot and the points allotted for small fowl.
- j. A minimum of 2 acres is required for each pig and any associated pens or enclosures must be located at least an additional 20 feet further than required setbacks from neighboring dwellings and properties. Pigs, roosters, cows and mink are only allowed in agriculture zones of the City and based on the allotted points for each animal.

EXHIBIT A

E. Temporary Animal Care

1. Parcels for single family dwelling uses, where persons are engaged in projects involving temporary animal care through state recognized schools or clubs (e.g. 4H, FFA) are temporarily exempt from the minimum parcel size requirement during such pursuits. All other standards pertaining to maximum number of animals allowed, enclosure locations and nuisance regulations shall still apply.
2. If an education sponsored project includes a large farm animal (e.g. hogs, horses, cows, llamas, etc. being kept on a parcel intended for or occupied by a single family dwelling, the person raising such animals must notify all occupied households within 200 feet of the project property prior to commencing project. Such notice must include:
 - a. a description of the project duration and animals involved,
 - b. the club or education group for which the project is being conducted,
 - c. contact information for the education club or program advisor, and,
 - d. contact information for the project participant and their responsible parent or guardian where applicable
 - e. contact information for the Santaquin City Community Development
3. Applicant must first contact Community Development prior to commencing project with applicable information. Temporary animal care will be considered 12 months at one parcel and is not renewable or eligible for extension regardless of animal type or number.

~~A. Lots of Less Than Twelve Thousand Five Hundred Square Feet: Lots of less than twelve thousand five hundred (12,500) square feet shall not contain animal rights as outlined in this chapter. Lots containing animal rights which are legally nonconforming, or which hereby become legally nonconforming, with regards to property size or the presence of animal rights shall maintain those rights here from in the nature of which they were permitted, unless abandoned or discontinued as provided in section 10-18-3 of this chapter.~~

~~B. Lots of Twelve Thousand Five Hundred Square Feet or More: Lots containing twelve thousand five hundred (12,500) square feet or more shall maintain animal rights in all zones. These rights are not subject to forfeiture, abandonment or discontinuance except as outlined in section 10-18-15 of this chapter, or as determined by a court of competent jurisdiction. The rights granted according to this overlay are the pasturing, care, and keeping of domesticated animals (excepting hogs, or other closely related animals) for exclusive use and enjoyment of the residing family. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)~~

10-18-9: STRUCTURES:

- A. Animal stables shall have a minimum of 150 square feet of floor area per large farm animal. Other structures including barns, pens, stables, coops, feeding areas, and corrals shall be constructed adequately and of sufficient nature to accommodate the total number of animals to be located on the property. All such construction shall be properly inspected and approved by the city building official in accordance to this code. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

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- B. No barns, pens, stables, or corrals shall be constructed closer than forty feet (40') from any existing dwelling.
- C. No barns, pens, stables or corrals shall be constructed closer than thirty (30') feet from any public street.
- D. Structures shall not be constructed closer than thirty feet (30') to any open waterway that drains into a natural stream.
- E. All coops or hutches must be in the rear yard of the primary residence and five feet (5') from any property line.

~~10-18-10: LOCATION OF BARN:~~

~~No barns, pens, stables, coops, or corrals shall be constructed closer than forty feet (40') from any existing dwelling or public street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)~~

10-18-10: FENCING STANDARDS:

Any fencing utilized for the corralling, penning, or holding of animals, including household pets, shall be of sufficient durability, strength, and design so as to prevent any encroachment or damage by such contained animals upon adjacent properties. Animal fencing which consists of electrical barriers or barbed strands may not be used except where customary for agricultural animal retention.

10-18-11: DRAINAGE:

Animal waste runoff from paddocks, stables, pasture, or other enclosures must be contained by the animal owner so not to contaminate residential water resources, public right of ways, adjacent property, nor drain into a waterway, including irrigation ditches, that drain into a natural stream, onto roads, or to adjoining property.

~~Structures shall not be constructed closer than thirty feet (30') to any open waterway that drains into a natural stream. Surface drainage from corrals or coops shall not be permitted to drain into a waterway that drains into a natural stream, onto roads, or adjoining property. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)~~

10-18-12: KENNELS:

A. Objectives of Kennels: The purpose of this section is to provide guidelines and regulations to govern the occurrence of kennels within the city. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

B. Inspections, Fees, Permits, and Revocations:

1. Duly authorized agents of the city may inspect animal habitats and restraints to ensure compliance with this overlay.
2. Kennels may not operate without first obtaining a city business license, and all necessary permits, approved by the city council.
3. License fees shall be established by resolution of the city council.
4. Violation of any provision of this overlay shall result in immediate suspension of license and permits, as applicable, and the city council shall consider action to revoke such license and permits. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

EXHIBIT A

10-18-13: FORBIDDEN USES:

A. The following animals are not permitted in any applicable zone: (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

1. No "vicious animal", as such is defined in this code, shall be kept or possessed in any nonagricultural zone, however, this subsection shall not apply to any animal kept or possessed in the city as part of any rodeo, circus, etc., for less than ten (10) days. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

B. Processing and rendering, unless specifically permitted within the applicable zoning classification, are not permitted. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10-18-14: RESTRAINTS:

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10-18-15: PENALTY:

A. Misdemeanor: Any person violating any provision of this overlay may be charged with a class B misdemeanor and upon conviction thereof shall be punished by a fine as stipulated in the Utah state code, by imprisonment as stipulated in the Utah state code, or by both such fine and imprisonment. Each day that said violation is not mitigated will be considered a separate violation.

B. Impounding: Duly authorized agents of the city may indefinitely impound animals which are nuisances or which have been treated cruelly. Owners shall be liable for any impounding and/or capture fees. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

C. Loss Of Privilege: Any and all of the rights conferred on the owners of property by this chapter shall be forfeited upon the third conviction and/or violation of: 1) any provision of this chapter; or 2) any violation of title 5 of this code; within any twelve (12) month period. A forfeiture of right pursuant to this section shall not run with the property. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

EXHIBIT B

Lot Size	Pts	Farm Animals (Maximum allowed based on points)										Fowl					Household Animals		
		Large Animals Horses (pastured) 100 points	Large Animals Horses or (stabled) 30 points	Medium Animals Goats, Sheep, Llamas 10 points	Small Animals chickens, rabbits 2.5 points	Ag Zone Only Cows (pastured or stabled) 100 points	Ag Zone Only Mink 2.5 points	Ag Zone Only Pigs 200 points	Large Fowl (Ostrich, Emu, Turkey) 10 points	Medium Fowl Ducks, Geese 5 points	Chickens (Hens) 2 points	Ag Zone Only Rooster 200 points	Small Fowl (Pigeons, Finches, Doves) 5 points	Dogs pts	Cats	Rabbits, Mice, guinea pigs, snakes etc.			
1/4 Acre	25 pts	None	None	0	4	None	0	None	None	4	20	None	50	25	2	3	4		
Lots less than 1/3 acre		None	None	0	4	None	0	None	None	4	20	None	50	25	2	3	4		
1/3 Acre	33 pts	None	None	3	13	32	13	32	None	3	30	6	32	16	32	2	3	4	
2/3 Acre	66 pts	None	2	60	26	65	26	65	None	6	60	13	65	33	66	2	3	4	
1 acre	100 pts	None	3	90	40	100	40	100	None	10	100	20	100	100	200	2	3	4	
2 acres	200 pts	2	6	180	80	200	80	200	1	200	200	40	200	100	200	2	3	4	
3 acres	300 pts	3	9	240	120	300	120	300	1	300	300	60	300	150	300	2	3	4	
4 acres	400 pts	4	12	300	160	400	160	400	2	400	400	80	400	200	400	2	3	4	
5 acres	500 pts	5	15	360	200	500	200	500	2	500	500	100	500	250	500	2	3	4	
6 acres	600 pts	6	18	420	240	600	240	600	3	600	600	120	600	300	600	2	3	4	
10 acres	1000 pts	10	33	960	480	1000	480	1000	5	1000	1000	200	1000	500	1000	2	3	4	

EXHIBIT C

[illegible]

EXHIBIT C

Horses		Cities																					
		Santaquin (Pastured)	Santaquin (Stabled)	Payson	Elk Ridge	Honeyville	Smithfield (Pastured)	South Jordan (Residential)	South Jordan (Ag Zone)	St. George Scale	Taylorsville (Ag Zone)	West Jordan	West Jordan	North Ogden	LaVerkin	LaVerkin Scale	Beaver	Beaver Scale	Cedar Hills	Cedar Hills Scale	Saratoga Spring	Lindon	
Lot Size	Lot Size	None	None	None	None	None	None	None	None	None	None	None	None	None	None	2	1	1	1	2	2	None	None
1/4 Acre	1/4 Acre	None	None	None	None	None	None	None	None	1	1	None	None	None	2	2	2	2	2	3	3	None	None
1/3 Acre	1/3 Acre	None	None	None	None	None	None	None	None	1	1	None	None	None	2	2	2	2	2	4	4	None	None
2/3 Acre	2/3 Acre	None	None	None	None	None	None	None	None	1	1	None	None	None	2	2	2	2	2	6	6	2	2
3/4 Acre	3/4 Acre	None	None	None	None	None	None	None	None	1	1	None	None	None	2	2	2	2	2	10	10	2	2
1 acre	1 acre	1	1	3	4	4	2	2	3	3	4	3	3	None	6	6	2	2	2	19,000 sq. ft.	19,000 sq. ft.	2	2
2 acres	2 acres	3	3	6	8	8	3	4	6	6	8	6	6	8	16	16	4	4	39,000 sq. ft.	39,000 sq. ft.	4	4	
3 acres	3 acres	3	3	10	12	12	5	6	9	13	13	10	10	12	26	26	5	5	78,000 sq. ft.	78,000 sq. ft.	8	8	
4 acres	4 acres	4	4	13	16	16	7	8	12	17	17	13	13	16	34	34	6	6	104,000 sq. ft.	104,000 sq. ft.	12	12	
5 acres	5 acres	5	5	16	20	20	9	10	15	21	21	16	16	20	42	42	6	6	136,000 sq. ft.	136,000 sq. ft.	16	16	
10 acres	10 acres	10	10	33	40	40	18	20	30	43	43	30	30	40	86	86	6	6	272,000 sq. ft.	272,000 sq. ft.	40	40	

EXHIBIT D



PLANNING COMMISSION MINUTES

**Santaquin City Council Chambers
March 8, 2012**

Present: Commission Members Brian Alexander, Jane Grill, Jamon Taylor, Scott Parkin, City Planner Greg Flint, Deputy Recorder Linda Midgley.

Commissioner Taylor called the meeting to order at 7:00 p.m.

INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Parkin offered a word of prayer.

PLEDGE OF ALLEGIANCE

Commissioner Taylor led those present in the Pledge of Allegiance.

AGENDA

No changes were made to the order of the Planning Commission agenda.

RATIFICATION OF MEETING CANCELLATION

Commissioner Grill made a motion to ratify the cancellation of the February 23, 2012 meeting. Commissioner Alexander seconded the motion. The vote to ratify the cancellation of the February 23, 2012 meeting was unanimous.

PUBLIC FORUM

Commissioner Taylor opened the Public Forum. No items were brought to the attention of the Commission. Commissioner Taylor closed the Public Forum.

DISCUSSION AND POSSIBLE ACTION ITEMS

Code Amendment regarding Animal Rights

Staff Planner Greg Flint reviewed the proposed changes to the code amendment regarding animal rights. Two definitions, for private and commercial stables, were added. Present animal rights will be grandfathered.

Minimum lot size is proposed to increase from 12,500 square feet to 14,375 square feet, (1/3 of an acre). On a city map, Mr. Flint reviewed eligible parcels. The 1/3 acre figure is used by several other cities. University studies show a lot of approximately 15,000 square feet is needed for a large animal.

Commissioner Taylor said the appeal of Santaquin for many people was animal rights. Builders are more likely to use smaller lots, as that generates more revenue, which would mean most people moving into new developments would not have animal rights. Commissioner Parkin said being a rural area seems to be one of the city's values, which argues for a third of an acre. He said he did not think a large animal could be maintained in comfort on a quarter acre lot. Commissioner Alexander asked if the City was trying to fix something that was not broken. He said the nuisance ordinance should take care of

PLANNING COMMISSION MINUTES

March 08, 2012 – Page 2

problems with animals. He suggested a penalty be applied to owners who do not properly care for their animals.

Mr. Flint said there had been some residents who are concerned either about too many animals on a piece of property or cleanliness issues with the animals, and the ordinance was attempting to allow a balance of animal rights and respect for neighbors. Commissioner Alexander said people move here for the rural atmosphere. Commissioner Parkin noted that animals on smaller lots could be a nuisance and inhumane to the animals.

The Commission discussed the point system for farm animals. It was suggested expanding the categories for fowl to four, putting ducks and geese in the same category as turkeys, and chickens in a different category. Commission consensus held that roosters, mink, and chinchillas be allowed in agricultural zones only.

The proposed section of the ordinance for short-term educational animal care was discussed. It was suggested a time limit be placed on the projects. Renewal could be on a case-by-case basis. The City has already received complaints about the two pigs allowed by the Council as a school project.

Commission consensus held that City staff prepare a chart of the limits placed on chickens and other animals in surrounding cities; and invite Officer Monahan, the City's animal control officer, to address the commission at a future meeting.

Minutes

Commissioner Grill made a motion to approve the minutes of February 9, 2012 as written. Commissioner Parkin seconded the motion. The vote to approve the minutes of February 9, 2012 as written was unanimous.

Reports of Officials and Staff

Greg Flint said the Planning Commission will be invited to do a City tour in April. They will review projects in various areas of the city, including the areas proposed for inclusion in the Hillside Zone.

Park improvements planned for this year include a new tennis court at the North Park; a walkway at Squash Head Park from the sidewalk to the bowery; lighting, a walkway and ADA ramps at Orchard Lane Park; ADA ramps at East Side Park; and restrooms at the Summit Ridge Park. The Council is discussing a recreation center and baseball complex as future recreation projects. A Neighborhood Meeting regarding the changes for the North Park will be held next Wednesday at the senior center at 7 p.m., as part of a City Council work session.

Planning Commission Business

Commissioner Parkin accepted the assignment to attend the March 21, 2012 City Council Meeting.



PLANNING COMMISSION MINUTES

Santaquin City Council Chambers
April 12, 2012

Present: Commission Members Brian Alexander, Jane Grill, Nick Miller, Jamon Taylor, Scott Parkin, City Planner Greg Flint, Officer Derek Monahan, Deputy Recorder Linda Midgley.

Commissioner Taylor called the meeting to order at 7:00 p.m.

INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Miller offered a word of prayer.

PLEDGE OF ALLEGIANCE

Commissioner Grill led those present in the Pledge of Allegiance.

RATIFICATION OF MARCH 22, 2012 MEETING CANCELLATION

Commissioner Grill made a motion to ratify the cancellation of the March 22, 2012 Planning Commission Meeting. Commissioner Parkin seconded the motion. The vote to ratify the cancellation of the March 22, 2012 meeting was unanimous.

AGENDA

As Officer Monahan was present to answer questions regarding the animal rights code amendment, this item was moved to the top of the agenda.

PUBLIC FORUM

Commissioner Taylor opened the Public Forum. No items were brought to the attention of the Commission. Commissioner Taylor closed the Public Forum.

DISCUSSION AND POSSIBLE ACTION ITEMS

Code Amendment regarding Animal Rights

Staff Planner Greg Flint reviewed the proposed changes to the code amendment regarding animal rights. In response to a question from Commissioner Taylor, Officer Monahan said dogs and feral cats were the biggest source of nuisance calls, with feral cats around the east trailer court being a particular problem. At one time a trailer court resident had more than 100 cats in her trailer, and they were all let go, which had helped to create the problem. Officer Monahan said he is seeing a visible increase in calls, with ten to fifteen calls per week for cats. There is also a big raccoon problem out at the landfill.

Commissioner Parkin asked about complaints regarding farm animals. Officer Monahan said he has received several complaints about pigeons roosting under eaves, which leave a mess and carry disease; and now a lot of people were keeping chickens and roosters. Lately there have also been more pigs being kept. He said about 20 percent of his calls

PLANNING COMMISSION MINUTES

April 12, 2012 – Page 2

Code Amendment regarding Animal Rights, continued:

are for farm animals. Generally if someone has turkeys or ducks the neighbors call immediately.

Commissioner Taylor asked if Officer Monahan felt rewriting the ordinance would fix the problems. Officer Monahan said he thought it would be a good start, as he would have legal guidelines. He said the problem is mainly in the newer subdivisions.

Issues with feral cats were discussed. Officer Monahan said he would like to see a cat ordinance that said feral cats would be picked up but not domestic ones. He said most of the cats were picked up on Main Street and by the overpass. He would like to see a fix-and-release program, which he believes will help make a dent in the feral cat population.

Mr. Flint reviewed the point system and the number of animals allowed per acre. Roosters, pigs and mink will only be permitted in agricultural areas. Officer Monahan recommended cows only be permitted in agricultural areas as well, citing the damage caused by loose cattle. After some discussion, the Commission agreed that cows also be allowed only in agricultural areas.

Commissioner Alexander asked about issues with pigeon racing clubs, which he said are a big thing in Utah County. Officer Monahan said there were usually only problems with people new to racing, who didn't understand how to care for the birds.

Officer Monahan said he would like to see a kennel license permitted. He said some people have five or six dogs and would like to register them all but are afraid the dogs will be taken away. He cited the case of one owner with several dogs who uses the animals for hunting. A conditional use permit could be a requirement of a kennel license. After further discussion, it was agreed more information was needed for a code amendment regarding kennels, which should be part of a separate ordinance.

Mr. Flint reviewed the ordinance sections regarding structures, fencing standards and waterway protection. Commission consensus held that a public hearing on the code amendment regarding animal rights be set for the next Planning Commission meeting.

Code Amendment regarding Plat Extensions

Staff Planner Greg Flint reviewed the proposed changes to the code amendment regarding Plat Extensions. The changes will extend the time period that preliminary and final plats are valid, and correlate the time period for all sections of plats. In response to a question from Commissioner Grill, it was noted that the City Council sets the fees for plat extensions.

Commission consensus held that a public hearing on the code amendment regarding plat extensions be set for the next Planning Commission meeting.

Code Amendment regarding Noticing Requirements



PLANNING COMMISSION MINUTES

Santaquin City Council Chambers
May 3, 2012

Present: City Council Member Matt Carr, Commission Members Brian Alexander, Nick Miller, Jamon Taylor, Scott Parkin, Lance Wollebaek, Staff Planner Greg Flint, Deputy Recorder Linda Midgley.

Others: Scott Alexander, Jessame Carter, Ben Glazner, Alicia Mason, John Mason, James Walker, Jared West, Cory Zeeman, and other unidentified individuals.

Commissioner Taylor called the meeting to order at 7:03 p.m.

INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Alexander offered a word of prayer.

PLEDGE OF ALLEGIANCE

Commissioner Taylor led those present in the Pledge of Allegiance.

AGENDA

No changes were made to the order of the Agenda.

PUBLIC FORUM

Commissioner Taylor opened the Public Forum. No items were brought to the attention of the Commission. Commissioner Taylor closed the Public Forum.

PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ITEMS

Shepherd Subdivision – a 1 lot subdivision located at approximately 159 North 300 West.

Staff Planner Greg Flint said the Edge Homes Company had approached the City regarding this property in order to build on it. The property had been quit claimed to multiple parties, but not legally subdivided. The developer has submitted subdivision plans; the plans have been reviewed by the City's Development Review Committee; notifications have been mailed to all property owners within 500 feet of the proposed subdivision; and all zoning and engineering requirements have been met. The developer has been asked to submit a waiver of protest on street improvements and to obtain boundary line agreements with the owners of the two properties to the north and Rocky Mountain Power, the owner of the property to the west.

Commissioner Taylor opened the public hearing regarding the Shepherd Subdivision. Jared West addressed the Commission. Mr. West said he was there to answer any questions. A citizen asked how many houses would be built and how soon construction would be started. Mr. West said just one home would be built, and construction would start soon. A request for a building permit has already been submitted. He said it would take only one day to hook up the utilities and connect them. No further public comments were received. Commissioner Taylor closed the public hearing.

PLANNING COMMISSION MINUTES

May 3, 2012 – Page 2

Shepherd Subdivision, continued:

Commissioner Parkin made a motion to approve the one lot Shepherd Subdivision, located at approximately 159 North 300 West. Commissioner Miller seconded the motion. The vote to approve the Shepherd Subdivision was unanimous.

Code Amendment regarding Animal Rights

Staff Planner Greg Flint reviewed the proposed changes to the code amendment regarding animal rights. He said an amendment to the ordinance had been proposed three years ago and then tabled by the City Council. The Council had recently asked that the ordinance be reviewed again. Mr. Flint said the amendment attempted to find a balance between allowing city residents the enjoyment of having pets and protecting the rights of adjoining property owners.

The current ordinance places no limit on the amount of farm animals in any zone on lots over 12,500 square feet. Animal rights can be lost in two ways; by being abandoned for 12 consecutive months, or by conviction of three animal-related misdemeanors. Those properties which currently contain animals will be grandfathered until and unless animal rights are lost.

Mr. Flint reviewed the point system for farm animals. Each acre of property is allotted 100 points for animals and 100 points for fowl. Animals are given points based on size. Chickens are in their own category, and allowed on all residential properties. A quarter acre lot would be allowed to have 12 chickens. Pigs, roosters, cows and mink are permitted only in agricultural areas. Mr. Flint reviewed the proposed changes regarding fencing, drainage and runoff. Coops for chickens and rabbit hutches are not required to meet the 40 foot setback required for other animal shelters.

Commissioner Taylor opened the public hearing on the Code Amendment regarding Animal Rights. Mr. Flint read a letter from a citizen who prefers to remain anonymous. (See attachment A). The letter stated the writer's approval of the sliding scale, and the desire for owners of small properties to be able to have chickens.

Scott Alexander addressed the Commission. Mr. Alexander said he was concerned about a previous owner losing animal rights for the next owner. The definition of 'Grandfathering' was clarified.

John Mason addressed the Commission. Mr. Mason said he and his neighbor have a conflict over chickens, as Mr. Mason's wife wants to have three chickens and his neighbor believes chickens on the Mason's lot will be too close to the neighbor's house. Mr. Mason said he did not believe three chickens would make much of a difference.

Ben Glazner addressed the Commission. Mr. Glazner said he thinks the ordinance is very fair, but would like to see roosters allowed. He said roosters are very beautiful, and certain bantam breeds are not very loud. Roosters only crow during the hours it is light. He said roosters gave his children the opportunity to see chickens hatched, and improved their work ethic. Mr. Flint said the animal control officer had reported most of the complaints from neighbors were for roosters.

PLANNING COMMISSION MINUTES

May 3, 2012 – Page 3

Code Amendment regarding Animal Rights, continued:

Cory Zeeman addressed the Commission. Mr. Zeeman asked why cows were treated differently from horses. Mr. Flint said the animal control officer has reported cows cause a great deal of damage when they get loose, much more than a horse.

Marsha Crenshaw addressed the Commission. Ms. Crenshaw read a letter she had written. (See attachment B). The letter expressed her feelings that chickens should not be allowed on smaller lots. She said having chickens 20 feet from her bedroom window would not be peaceful, and she felt the City would be overwhelmed with issues if they allowed chickens everywhere.

Don Crenshaw addressed the Commission. Mr. Crenshaw said some people are very sensitive to noises. He said if this ordinance goes through they may have to move.

Jessame Carter addressed the Commission. Ms. Carter said she lived on a small lot and had considered combining the property with a neighbor so they could have chickens. She said she grew up on a ranch and knew that every animal made noise. In order not to have noise, you would have to get rid of all animals and children as well. Ms. Carter said she thought the amendment was a great change.

Commissioner Taylor closed the public hearing.

Commissioner Alexander made a motion to table the code amendment regarding animal rights pending further discussion. Commissioner Parkin seconded the motion. The vote to table the code amendment regarding animal rights was unanimous.

Code Amendment regarding Plat Extensions

Commissioner Taylor opened the public hearing on the Code Amendment regarding Plat Extensions. No public comments were addressed to the Commission. Commissioner Taylor closed the public hearing.

Commissioner Parkin made a motion to forward the code amendment regarding Plat Extensions to the City Council with a positive recommendation. Commissioner Miller seconded the motion. The voting was as follows:

Commissioner Alexander	Aye
Commissioner Miller	Aye
Commissioner Parkin	Aye
Commissioner Taylor	Aye
Commissioner Wollebaek	Abstain

The motion to forward the code amendment regarding Plat Extensions to the City Council with a positive recommendation passed by a majority vote.

May 3, 2012

To: Santaquin City Planning Council Members,

Thank you for your time and service on the Planning Committee for Santaquin. I've read through the current Santaquin City Animal rights code and the changes that have been proposed.

Santaquin is a rural community and most of us chose to live here because of the atmosphere and slower way of life that it provides. Life just isn't as hurried here like it is even in Payson and the surrounding cities, and that is the main reason we are here. Living in a rural community you'd also expect to see farms and pastures and animals all around. The quiet evenings, beautiful sunsets, and bright visible stars make this a wonderful place to live

There is no doubt that Santaquin is growing, much of that can be attributed to the fact that people want to slow down, simplify and get back to a time when people chatted for hours over a fence line, raised gardens for food and had hens to supply eggs.

Not everyone who comes here can find or afford or even desires to have a lot that is over 1/3 acre in size. But purchasing a smaller property doesn't quell the desire to connect with the neighbors, to plant a garden or raise a few hens.

Of course it would be inadvisable for the city to allow, for example, a feedlot on an 1/8 or even a 1/4 acre lot so there must be some enforceable regulations and codes to protect neighborhoods from nuisances. I believe, for the most part, the proposed changes have addressed enforceable nuisance issues .

The planning commission is to be commended for the 'sliding scale' solution to the changes that are proposed. That will allow all who desire to raise and care for livestock the chance to do so according to the size of their lot. This removes the arbitrary nature of the cut-off of 12,500 sq feet.

Santaquin City has approved the building of homes on smaller lots and even twin homes on the same lot but it should not deny those homeowners who purchase those homes the right to live the lifestyle that drew them here in the first place if they so desire.

The two changes I would add/make to the proposals are:

1. Separate *chicken coops* from the same category as stables, pens , paddocks, enclosures etc. A small 4x4 coop certainly does not have the odor problems as a stable or pig pen, and should not be lumped in the same category.
2. Remove the *40 ft from a dwelling, and 30 feet from a road setback* requirement from chicken coops, and perhaps rabbit hutches.

On some of these smaller lots, the setback requirement would be physically impossible to achieve, unless the home owner wanted to position the coop somehow hovering 40 feet above the roof of the home.

For those on small lots, they would, by default of the sliding scale, have fewer chickens and smaller coops. These small coops are suitable for placement near structures. Certainly nearer than 40 feet. City ordinances and building codes already provide setbacks of at least 10 feet from the property line. For a few chickens, I believe that (10 feet from a dwelling) to be a setback number that would allow those on small lots to have the hens desired and still be able to comply with the codes.

Thank You for your time in considering these matters. They DO matter.

May 2, 2012

To whom it may concern:

We appreciate government and due process and thank you tonight for the opportunity to voice our concerns in this meeting. We live in changing times. There is an ever-growing concern with economic stresses and a growing desire to be self-sufficient.

We moved to Santaquin over 30 years ago with those same concerns. We were excited to have the opportunity to have animals, grow a large garden and have a mini orchard. We bought our home on a 1/2-acre and we made sure it came with animal rights. Throughout those years we've had several different animals and we've ALWAYS asked our neighbors BEFORE if they objected. We didn't have to involve the government to be good neighbors. We've never had any neighbor oppose or object. Much of our goat milk, chicken eggs and garden produce have been freely given to our neighbors.

We're very much in favor of being self-sufficient. With animals come added responsibility and the possibility of health and disease issues. Rats, mice, snakes, flies, mites and parasites accompany chicken habitation. Proper care can minimize these issues. Smell is another great concern as well as the noise and nuisance.

As seen in the past "good neighbors" care for one another and don't need to take up unnecessary time and expenses involving city government.

The present ordinance states:

10-18-1: OBJECTIVES AND CHARACTERISTICS:

The purpose of this chapter is to provide animal rights for the enjoyment of city residents while protecting the rights of adjoining property owners and ensuring the peaceful enjoyment of their property ownership. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10-18-8: RIGHTS GRANTED BY THIS CHAPTER:

- A. Lots Of Less Than Twelve Thousand Five Hundred Square Feet: Lots of less than twelve thousand five hundred (12,500) square feet shall not contain animal rights as outlined in this chapter. Lots containing animal rights which are legally nonconforming, or which hereby become legally nonconforming, with regards to property size or the presence of animal rights shall maintain those rights herefrom in the nature of which they were permitted, unless abandoned or discontinued as provided in section 10-18-3 of this chapter.
- B. Lots Of Twelve Thousand Five Hundred Square Feet Or More: Lots containing twelve thousand five hundred (12,500) square feet or more shall maintain animal rights in all zones. These rights are not subject to forfeiture, abandonment or discontinuance except as outlined in section 10-18-15 of this chapter, or as determined by a court of competent jurisdiction. The rights granted according to this overlay are the pasturing, care, and keeping of domesticated animals (excepting hogs, or other closely related animals) for exclusive use and enjoyment of the residing family. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10-18-10: LOCATION OF BARNs:

No barns, pens, stables, coops, or corrals shall be constructed closer than forty feet (40') from any existing dwelling or public street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

The present ordinance protects the citizens of the community as well as the rights and well-being of animals and the government.

We have gone to great lengths to insure that our coop is 40 feet away to preserve the enjoyment of the residing neighbors and their property.

The property adjacent to ours is less than 12,500 sq ft. and does not qualify for animals. There are two families and properties whose rights to peace and enjoyment will suffer if this code is changed. At the present it's minimal, but what about the future?

Having a chicken coop, 20 feet from our bedroom window and a mere 10 feet from the adjoining twin-home resident's bedroom window, regardless of "how cute" it looks or is cared for does not ensure the peaceful enjoyment of our property ownership.

Our concern with the proposal of changing the present city code for animals and buildings is for the welfare of all - citizens, animals and government.

Citizens – increased issues of rodents, disease, noise.

Animals – improper and unhealthy habitation

Government – increased time and expense of regulations.

We repeat, we are not against property owners having animals or chickens. We have them. Our argument is in support "to ensure the animal rights for the enjoyment of city residents while ensuring the peaceful enjoyment of their property ownership."

We feel that those who want animals should purchase land and homes that accommodate their wants and needs and don't infringe on others rights. I also feel that changing this ordinance or code will adversely affect the quality of life in Santaquin. City is city and country is country. Our fence line happens to join the two. Property owners who want a bit of country on their property without regard to size is a threat to the welfare of all. They made their choice of where to live. Is it city or country they want? Santaquin has a little bit of both, but do we want to put county animals within small city property? What's the real price we will pay? Do you want chickens outside your bedroom window?

We feel revision of this ordinance is in violation of the objectives and characteristics of code 10-8-1 and plead that it remains as stated to protect our wonderful city, Santaquin.

Donald Crenshaw



Marsha Crenshaw





PLANNING COMMISSION MINUTES

Santaquin City Council Chambers
May 24, 2012

Present: Commission Members Brian Alexander, Jane Grill, Nick Miller, Scott Parkin, Kaye Westwood, Staff Planner Greg Flint, Deputy Recorder Linda Midgley.

Others: None

Commissioner Miller called the meeting to order at 7:06 p.m.

INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Westwood offered a word of prayer.

PLEDGE OF ALLEGIANCE

Commissioner Grill led those present in the Pledge of Allegiance.

AGENDA

The code amendment regarding animal rights was moved to the top of the agenda.

PUBLIC FORUM

Commissioner Miller opened the Public Forum. No items were brought to the attention of the Commission. Commissioner Miller closed the Public Forum.

DISCUSSION AND POSSIBLE ACTION ITEMS

Code Amendment regarding Animal Rights:

Staff Planner Greg Flint reviewed the standards for chicken coops and hutches. After some discussion regarding visual aesthetics, lot sizes and number of chickens, Commission consensus held that all coops and hutches should be placed in the back yard of the primary dwelling and five feet from any property line. The proposed ordinance was amended to include this provision.

Commissioner Grill made a motion to forward the code amendment regarding Animal Rights, including changes made in this meeting, to the City Council with a positive recommendation. Commissioner Parkin seconded the motion. The vote to forward the amendment regarding Animal Rights to the City Council was unanimous.

The Commission held a brief discussion concerning agricultural areas, lot sizes and the number of pigs allowed per two acre parcel. No changes were made to the amendment.

Hillside Overlay Zone Map Areas

Mr. Flint said staff recommended the Thompson property be excluded from the list of areas recommended for inclusion in the Hillside Overlay Zone, as a new debris channel removes the debris flow hazard. The Commission left the Council Chambers and toured