

**TREMONTON CITY CORPORATION  
PLANNING COMMISSION  
March 11, 2014**

Members Present:

Richard Seamons, Chairman  
Robert Anderson, Commission Member  
Troy Forrest, Commission Member  
Micah Capener, Commission Member  
Bret Rohde, City Councilmember  
Steve Bench, Zoning Administrator  
Norene Rawlings, Deputy Recorder

Chairman Richard Seamons called the Planning Commission Meeting to order at 5:35 p.m. The meeting was held March 11, 2014, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Richard Seamons, Commission Member Robert Anderson, Commission Member Troy Forrest, Commission Member Micah Capener, City Councilmember Bret Rohde, Zoning Administrator Steve Bench, and Deputy Recorder Norene Rawlings were in attendance.

1. Approval of agenda:

**Motion by Commission Member Forrest to approve the March 11, 2014 agenda.**

Motion seconded by Commission Member Anderson. Vote: Chairman Seamons – aye, Commission Member Anderson – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

2. Approval of minutes: February 11, 2014

**Motion by Commission Member Anderson to approve the February 11, 2014 minutes.**

Motion seconded by Commission Member Forrest. Vote: Chairman Seamons – aye, Commission Member Anderson – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

3. New Business:

a. Discussion and consideration of allowing for the keeping of chickens in residential zones for the purpose of family food production.

Zoning Administrator Bench stated that an ordinance allowing for chickens in residential areas has been brought before the City Council in the past and was indefinitely tabled. This proposed ordinance is basically the same as the previous ordinance, but with a few minor changes. There are residents in the City who already have chickens, which isn't currently legal per the City Code, so the ordinance to make it legal is being brought back for consideration.

Zoning Administrator Bench stated that originally there were four chickens allowed, which was proposed for this ordinance also, but it was brought to the City's attention that four chickens for the purpose of family food production wasn't enough. It is now being proposed that twelve chickens be allowed. Chairman Seamons asked if the Commission Members thought the limit should stay at twelve chickens. Commission Member Forrest stated that twelve chickens is plenty.

City Councilmember Rohde stated that when the ordinance was proposed to the City Council last week, he was naïve to the subject and did some research and has found that allowing chickens has mostly been a positive experience for cities. One item he found in his research that was not included in the City's ordinance was making the chicken enclosure and coop predator proof. Commission Member Forrest stated that a six foot chicken wire fence would be considered predator proof. Commission Member Capener stated that Garland City also requires the chicken feed to be predator proof so rats and mice and other animals aren't getting in to it. Commission Member Forrest stated that would be a good idea to require the feed to be locked up or even just in an air tight container. Zoning Administrator Bench stated that could be added to the ordinance.

Commission Member Forrest stated that an issue the Department of Agriculture is running in to is people that are raising chickens to eat, which is fine for families, but there are a lot of people raising the chickens to kill and then sell commercially. There is no inspection capability in the State of Utah for that kind of activity. Zoning Administrator Bench stated that the City is trying to prevent the commercial selling of chickens or their eggs and read a statement from the ordinance that reads, "Hen chickens shall not be raised for commercial purposes or the commercial sale of eggs." City Councilmember Rohde asked if a person is selling eggs to their friend if that is considered commercial. Commission Member Forrest stated that technically it is.

City Councilmember Rohde asked if the City is going to enforce this ordinance, because it needs to be enforced if the City is going to implement it. Zoning Administrator Bench stated that the residents will be required to apply for a permit, but it is only required to apply one time and doesn't need to be renewed every year after that. A fee for the permit has not been established yet. Commission Member Capener stated that it will be enforced if it becomes an issue and also stated that Garland City does require them to renew the permit annually. City Councilmember Rohde asked if complaints will be handled by animal control. Zoning Administrator Bench stated that the Nuisance Officer would handle any complaints.

City Councilmember Rohde asked about subdivisions with specific restrictions against raising chickens in the subdivision. Zoning Administrator Bench stated that there are subdivisions that state in their CC&R's that the raising of poultry is not allowed. However, the City doesn't enforce CC&R's, the Home Owner's Association (HOA) does.

Commission Member Capener stated that Garland City also specifically disallows the keeping of chickens in multi-family zones, which may be something the City would want to do also. Zoning Administrator Bench stated that if a renter came in to get a permit, it would be required that they get a notarized agreement from the owner in order to be issued the permit.

**Motion by Commission Member Forrest to recommend the ordinance with the noted changes to the City Council.** Motion seconded by Commission Member Anderson. Vote: Chairman Seamons – aye, Commission Member Anderson – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

4. Adjournment

**Motion by Commission Member Capener to adjourn the meeting.** Motion seconded by consensus of the Board. The meeting adjourned at 6:16 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Planning Commission held on the above referenced date. Minutes were prepared by Linsey Nessen.

Dated this 29<sup>th</sup> day of April, 2014



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Darlene S. Hess, RECORDER

\*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.