



Regular City Council Meeting

Tuesday, October 1, 2024

5249 South 400 East

Washington Terrace, UT 84405

801.393.8681

www.washingtonterracecity.com

As a public service, Council Meetings are streamed on the City of Washington Terrace YouTube channel at :
www.youtube.com/@WashingtonTerraceCity

INTELLECTUAL PROPERTY PERMISSION NOTICE

By attending this meeting/event, you consent to the use of your photograph, voice, likeness, and image in broadcasts of this meeting/event, and in subsequent productions drawn from video or audio recordings of this meeting/event, in the sole and absolute discretion of the City of Washington Terrace. The city retains copyright for all video and audio recordings. Video and audio recordings may not be modified, manipulated, or distributed in any way without the express written consent of the City Manager.

1. WORK SESSION 5:00 P.M.

Topics to include, but are not limited to:

- Urban Chicken Ordinance

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA AND SEPTEMBER 17, 2024, COUNCIL MEETING MINUTES

Any point of order or issue regarding items on the agenda or the order of the agenda need to be addressed here prior to the approval of the agenda. Minutes approved in open meeting become the official record.

6. CITIZEN COMMENTS

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.

7. NEW BUSINESS

7.1 DISCUSSION/DIRECTION: DISCUSSION AND DIRECTION ON PROPOSED

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

ORDINANCE 24-07: URBAN CHICKENS

A continuation of the Work Session on the proposed ordinance to allow for Urban Chickens. The ordinance will be brought back at a later Council Meeting for final consideration for approval.

7.2 MOTION/ORDINANCE 24-08: MOTION TO APPROVE ORDINANCE ADOPTING RE-ZONING OF 5580 SOUTH ADAMS AVENUE FROM O-1 “OPEN SPACE” TO C-1 “COMMERCIAL PROPERTY”

A public hearing was held at the Planning Commission on 9/26/2024 to discuss the proposed ordinance. Re-zoning will align with the sale of the property.

8. COUNCIL COMMUNICATION WITH STAFF

This is a discussion item only. No final action will be taken.

9. ADMINISTRATION REPORTS

This is an opportunity for staff to address the Council pertaining to administrative items.

10. UPCOMING EVENTS

Oct. 14th: City Offices closed in Observance of Indigenous Peoples/Columbus Day Holiday

Oct. 15th: City Council Meeting (6:00) p.m.

Oct. 24th: Planning Commission meeting (Tentative)

11. ADJOURN THE MEETING- MAYOR ALLEN

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

City of Washington Terrace

Minutes of a Regular City Council meeting Held on September 17, 2024 City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen – absent
Council Member Zunayid Z. Zishan
Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
City Recorder Amy Rodriguez
City Manager Tom Hanson

Others Present

None

1. WORK SESSION

5:00 P.M.

Topics to include, but are not limited to:

- **Review and Update City-Wide Survey**

Hanson stated that he didn't think some of the questions from last year's survey were still relevant and wanted input from Council.

Council Member Parkinson stated that the survey is used to give a broader perspective from more residents as to what they would like to see happen within the City.

Mayor Allen stated that the survey hit heavy on Parks and Code Enforcement issues, and asked if this is a goal of Council. Council Member Parkinson stated that the survey can tell us if we are going in the direction that the residents asked for last year.

Hanson stated that we will be conducting a survey for at least five years and he wants to make sure that the survey is covering what the Council would like. Council Member Zishan stated that the goal of the survey is to see what is on people's mind and see where we can improve if necessary.

Mayor Allen stated that he would like direct questions such as "If you said parks are most important, would you support a tax increase to pay for parks?". Another example given by Council Member Thomas is "If you said code enforcement is important, are you willing to help your neighbors with clean up?"

Council Member Zishan stated that he feels that at this time the residents would like to have a safer city to live in as well as a cleaner city. He stated that that feels like a higher priority to him.

CC Minutes 09-17-24

46 Hanson stated that he would like the survey to go out soon so that the results can be addressed at the
47 November Council retreat. He stated that he would like to have some baseline questions that will always
48 be on the survey. Council Member Zishan would like to see other surveys completed that narrow down
49 specifics. He suggested a survey every 6 months if possible. He gave the example of a survey on safety
50 and security. He suggested having a question that depending on the answer, a drop box could come down
51 that would allow a specific written response.

52
53 Council Member West stated that the questions from last year that have a clear response do not need to be
54 on the survey this year, and suggested that questions that were answered could have a follow up question
55 asking “how are we doing?”. Council Member Zishan stated that there should be less questions. He stated
56 that when we receive actionable responses, the Council should try to take action.

57
58 Hanson stated that he feels that we can improve on that topic and use it as a “What’s right in Washington
59 Terrace?”, by letting residents know what was found in the survey and what the City has done to take
60 action. Council Member Thomas suggested monthly surveys with ten-twenty questions asking how we
61 have done since the last survey. Council Member Zishan suggested keeping surveys topic based so that we
62 can focus on a different topic. He suggested that the next quarter can have the question “ have you notice
63 any improvement since last quarter and what is your feedback”.

64
65 Council Member Thomas stated that Council Member Christiansen asked him to rely her comment that the
66 questions should reflect how citizens feel about City Planning and the Council and how they are doing.
67 She also asked to have questions that bring in citizen buy-in with what is happening within the city.

68
69 Hanson stated that we could keep the questions from last year and re-tweak some of the questions to
70 reflect what we have done since last year and find out how we have been doing.

71
72 Council Member West read through some of the questions, and noted that there are not any questions
73 concerning feedback from last year. He suggested having a question “ have you seen any improvement?”
74 and let them explain. He stated that the survey is to receive feedback as to how the Council is doing.

75
76 Council Member Parkison stated that the Council hears that safety has improved in the city through sheriff
77 reports and wondered if this is reflected in resident perception. She did note that safety is a personal
78 experience, and these answers may be biased. Mayor Allen stated that some see crime and reports on
79 social media and perceive that it is happening by them. Council Member West stated that we asked pointed
80 questions about communications. He suggested “ Do you know who to call in case of power outage?” “Do
81 you know who to call for water leak?” He stated that this is an opportunity for educating residents. Council
82 Member Zishan stated that this may be served best by having it on Facebook bi-weekly , or monthly in the
83 newsletter. Council Member Parkinson expanded on this thought and suggested a link to our website on
84 facebook so that people could click on the link and visit the website.

85
86 Council Member Thomas stated that we have so many different type of people in the city that use different
87 measures of communication. He stated that some would text, some would go on the website, some use
88 paper only. He suggested a question asking how people would like information disseminated. Council
89 Member Zishan stated that it may be additional costs for mass text. Hanson stated that Utility Billing does
90 a good job of data farming for Utility issues and notices.

Council Key Points for the 2024 survey

- Comparative to last year
- Short to the point, 20-25 questions max
- Yes or No concise questions
- Par down the Parks questions to two : Click on master plan, and what parks have you been to in the last 12 months, how would you rate our parks overall. Council Member Zishan stated that he feels that there are no actions to take on that question. Council Member Parkinson stated that we could get data as to where we could improve. Council Member Zishan stated that if there is nothing to do at a park, people will not go there.
- Only use question 14 for Code Enforcement because it gives options.
- Change verification information, as there were issues with the utility billing number. A suggestion could be a ten digit phone number. Hanson stated that we use utility billing for verification.
- The city spends X amount of money to send monthly bills, and ask if residents are willing to receive it digitally only to help on reducing costs. Council Member West stated that we should be upfront as to what we are thinking of doing.

136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen
Council Member Zunayid Z. Zishan
Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
City Recorder Amy Rodriguez
City Manager Tom Hanson
Lt. Garth Cowley, Weber Sheriff Office

Others Present

Amy Miller

2. ROLL CALL

6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA

5.2 APPROVAL OF SEPTEMBER 3, 2024, COUNCIL MEETING MINUTES

Items 5.1 and 5.2 were approved by general consent.

6. CITIZEN COMMENTS

Amy Miller, representing the Methodist Church, stated that the community rummage sale will be held on the 26th and 27th of this month, noting that all proceeds go to next year's school supplies.

7. NEW BUSINESS

7.1 PRESENTATION: UTAH LEAGUE OF CITIES AND TOWNS ANNUAL CONVENTION RECAP

Mayor Allen stated that the annual Utah League of Cities and Towns convention was held the first week in September.

Council Member Parkinson stated that it was a worthwhile conference. She stated that Jim Craig was the keynote speaker. She quoted him as saying "Either you are creating the future, or you are living in the past". Council Member Parkinson stated that she attended an emergency communications system break-out training. She stated that we need to build our emergency preparedness plan in "blue skies time". She stated that using social media for communication would be to our best advantage. She stated that we should have a good evacuation process. Council Member Parkinson stated that we should have only one

Communications contact so that everyone has the same information in case of an event. She feels that we need to look at our plan again and be ready to update it and add to it.

Council Member Parkinson shared the four C's of Emergency Preparedness: Communication, Coordination, Cooperation and Collaboration.

Council Member West stated that there is a League of Cities and Towns at our local level, as well as a national League. He stated that there are people to support us while we manage opportunities and challenges within the city. He stated that it is a wonderful networking community. Council Member West stated that he spoke with other legislators from around the state, noting that it is good to know that we are not the only one's dealing with issues and challenges. Council Member West stated that he spoke with a woman from South Jordan concerning event planning. He stated that she said when planning events, we need to find our idea and use what is best. We need to lead with vision, and plan for prosperity.

Council Member Thomas stated that he attended events from Get Healthy Utah which has a lot of grants tied to them and we can utilize trails that we already have and can start to receive grant money by doing a few simple things. The grant money can help our parks and get our city healthier. He suggested everyone read "Anatomy of Peace". He stated that the class he took offered ways to work better with staff and citizens as well.

He suggested that Council should attend some of the staff meetings and be involved in what is going on within the city. He stated that it was recommended that we establish a Youth Council within the city to help with events.

Council Member Thomas stated that there was a lot of talk at the conference concerning housing issues.

Mayor Allen stated that there were a lot of good classes at this session. He stated that he attended a "How to run an effective meeting" and learned a few new ideas.

Mayor Allen stated that networking is a helpful resource at the conference. He stated that he attended a state legislative class and is very thankful that we have the League of Cities of Towns to help up through the legislative process. He stated that each legislator is required to sponsor at least three bills. He stated that there are 400 bills already and the ULCT has already started to review them to see what will affect us. He stated that he is grateful that we have the League to support towns and cities' interests.

7.2 MOTION/RESOLUTION 24-14: A RESOLUTION AMENDING THE POLICY AND PROCEDURES MANUAL

Rodriguez stated that from time to time, as laws change or policies are reviewed, changes to the City Employee Policy and Procedures manual will be brought before Council for consideration. She stated that most of the changes tonight are technical changes or clarifications on existing Policies.

Rodriguez stated that the Leaves of Absence section added clarification to the Leave Without Pay Parameters making it clear that the leave will only be considered once all other leave has been used. Another clarification concerned that holiday benefits will be prorated and administered the same that other benefits are prorated in proportion to the number of hours worked.

Rodriguez stated that it was suggested by the city's insurance to include a backing policy to our driving policy.

Rodriguez stated that we were required by state law to include a sex-based privacy compliance Plan. The plan has been included in our Policy Manual because we are required to inform all employees of the plan and their responsibilities. Employees are required to report any complaint that they receive concerning criminal conduct in public facilities “sex-designated privacy areas”. The legislation also outlines requirements for any new public facility construction, specifically building single stall restrooms, and possibly remodeling existing facilities to accommodate privacy Protections.

**Motion by Council Member Parkinson
Seconded by Council Member Christiansen
To approve Resolution 24-14
Amending the Policy and Procedures Manual
Approved unanimously (5-0)
Roll Call vote**

8. COUNCIL COMMUNICATION WITH STAFF

Council Member Zishan stated that he received calls that residents are upset that the portable restrooms have been taken away because of one incident. He stated that people were appreciative of the portable restrooms.

Council Member Parkinson stated that she believes there was value in taking the restrooms out, but loves that people have been using them and appreciating them. Hanson stated that they were taken away so that the city would not have to buy other restrooms if the same happened to them. Council Member Parkinson appreciated the follow-up to the situation. She expressed her thanks to the Fire Department for their quick response and investigation into the event.

Council Member Parkinson asked if there are any updates on the 5700 South issue concerning park cars and trailers. Hanson stated that he is working with the prosecutor and code enforcement officer on an ordinance so that we would be able to enforce and prosecute violators.

Hanson stated that the code would encompass the entire city, not just 5700 South. He stated that there are many situations throughout the city that deal with the same situation. He stated that box trailer environments are narrowing some streets down to one lane, which causes safety issues.

Council Member Parkinson stated that there are concerns regarding visibility as well, not just optics.

Council Member Thomas stated that he too heard from upset residents concerning the removal of the temporary restrooms and they hope that this doesn’t mean we won’t use them again next year. Mayor Allen stated that they were taken out because we were afraid it would become a serial occurrence or inspire copycats.

9. ADMINISTRATION REPORTS

Hanson stated that the last level of asphalt on 300 West should be laid this week and should be completed by the end of next week.

Hanson stated that a very short clip of the suspects who started the restroom fire was posted on facebook.

Hanson stated that the community helped identify who they are and they were identified and located within two hours. The City/County prosecutor will determine as to where the charges will land. They will be prosecuted as adults. Hanson stated that the clip did not include the fire itself, as this is for the court to review and see. Hanson stated that the flames were not noticed until they were in full force. Hanson stated that we will be working on restitution for the cost of the porta-john that was lost. Council Member West stated that the cameras in place gave us the opportunity to identify and find the suspects. Hanson stated that people should assume no privacy in a public space.

10. UPCOMING EVENTS

Sept. 26th : Planning Commission Meeting (tentative)
Oct. 1st : City Council Work Session (5:00 p.m.) and Council Meeting (6:00 p.m.)
Oct. 14th: City Offices closed in Observance of Indigenous Peoples/Columbus Day Holiday
Oct. 15th: City Council Meeting (6:00) p.m.
Oct. 24th: Planning Commission meeting (Tentative)

11. MOTION: ADJOURN INTO CLOSED SESSION

**Motion by Council Member Thomas
Seconded by Council Member West
To adjourn into a closed session
Approved unanimously (5-0)
Roll Call Vote
Time: 6:52 p.m.**

The Council adjourned into closed session to discuss:
○ Discussion regarding deployment of security personnel, devices, or systems

12. ADJOURN THE MEETING- MAYOR ALLEN

**Motion by Council Member West
Seconded by Council Member Zishan
To adjourn the closed session and meeting
Approved unanimously (5-0)
Time: 7:33 p.m.**

Date Approved

City Recorder

**CITY OF WASHINGTON TERRACE
ORDINANCE NO 24-07**

URBAN CHICKENS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE CITY, UTAH,
ADOPTING CHAPTER 17.86 REGULATING URBAN CHICKENS; SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, there is renewed interest in raising chickens in the urban environments and the City desires to allow for such while mitigating adverse impacts;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on August 29, 2024, to take public comment on this proposed Ordinance, and subsequently gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1. Repealer. Any Ordinance that conflict with this Ordinance is repealed.

Section 2. Amendment. Chapter 17.86 is hereby adopted to read as follows:

**Chapter 17.86
URBAN CHICKENS**

Sections:

17.86.010	Purpose.
17.86.020	Land Use Permit.
17.86.030	Application.
17.86.040	Regulations.
17.86.050	Inspection.
17.86.060	Enforcement and Appeal.

17.86.010 Purpose.

The purpose of this Chapter is to permit the keeping and/or raising of chickens in certain single-family zones as provided in this Chapter for the sole purpose of family food production. Any chicken kept as provided in this Chapter is not considered or otherwise deemed a household pet.

17.86.020. Land Use Permit.

Any person keeping and/or raising one or more chickens in the City shall first obtain a Land Use Permit under this Chapter. Any Land Use Permit issued under this Chapter shall be made by application of the property owner and continue under this Chapter for the duration of ownership upon which time any Land Use Permit shall cease. No Land Use Permit under this Chapter shall run with the land.

17.86.030 Application.

A complete application for a Land Use Permit filed with the City under this Chapter shall include:

1. A one-time license fee of one hundred dollars (\$100.00).
2. Property Owner Authorization and Affidavit that states: The undersigned, being duly sworn, depose that I am (we are) the applicants of the property involved and that we agree to abide by the provisions contained herein and acknowledges that he or she is responsible to know and understand all local, state, or federal regulations related to the keeping of one or more chickens at the location of the property listed in the application.
3. Applicant's contact information, including:
 - a. Legal name.
 - b. Phone number.
 - c. Email.
 - d. Other contact information as needed.
4. Address of the property where chickens are proposed to be located and proof of ownership.
5. Site Plan showing the:
 - a. North arrow.
 - b. Building lot size.
 - c. All property boundaries.
 - d. All existing and proposed public streets, private streets, drives, right-of-ways, and easements shown including widths.
 - e. Location of existing curb, gutter, and sidewalk.
 - f. Location of all existing structures and accessory buildings on the property with accurate square footage.
 - g. Location of proposed structures and/or proposed additions to existing structures with proposed square footage.
 - h. Location and size of any existing or proposed septic tanks and leach fields, if applicable.

17.86.040 Regulations.

The keeping and/or raising of one or more chickens is subject to the following regulations:

1. Compliance. Any chicken shall be kept in a manner consistent with this Chapter.
2. Family Only. Any chicken shall be kept strictly for family food production, and not for commercial sale or personal income. No egg sales whatsoever.
3. Prohibited. No roosters shall be kept, and no breeding is permitted on the property.

4. Keeping. Only chicken hens may be kept on a residential lot in accordance with the following standards:
 - a. Lot size requirements:
 - i. 6,000 square foot lot: keeping up to three (3) hens.
 - ii. 8,000 square foot lot: keeping up to four (4) hens.
 - iii. 10,000+ square foot lot: keeping up to six (6) hens.
 - b. Any chicken shall be kept in one coop or one properly enclosed area at all times in the rear yard as depicted on an approved Site Plan.
 - c. No chicken shall be permitted to roam outside a coop or enclosed area.
 - d. A coop shall be covered, ventilated, and rodent and predator resistant.
 - e. A coop shall not be constructed of scrap or dilapidated materials.
 - f. The coop shall be built with a finished, all weather exterior material.
 - g. Any crowing hen shall be culled.
5. Setbacks. The coop or enclosure shall be located:
 - a. At least twenty-five (25) feet from any primary residential dwelling.
 - b. At least twenty-five (25) feet from any primary residential dwelling on an adjoining property.
 - c. At least five (5) feet from any property line.
 - d. Maximum coop height is seven (7) feet, at its highest point.
 - e. Any time a heating device used in a pen or coop, such pen or coop must be separated at least ten (10) feet from any residential dwelling.
6. Maintenance.
 - a. Any coop and/or enclosure shall be maintained:
 - i. In an orderly and sanitary condition, and in a manner that prevents a detectable odor at the property line.
 - ii. Bedding used shall be pine shavings because it dries out the manure and can be sifted through with a litter scoop. Hay and straw is not acceptable as it is non-absorbent and becomes wet and matted to the floor.
 - iii. Chicken manure is high in nitrogen and can release ammonia and cause noxious odors. It is also a potential carrier of disease, parasites, and is a medium that breeds unpleasant insects, such as flies and as such manure shall be sifted and removed from the property and disposed of in a lawful dump. Pine shavings shall also be removed and changed regularly.
 - b. Dead animals shall be immediately removed from the lot and disposed of in a lawful dump.
 - c. Chicken feed shall be stored in a covered container and in a manner that prevents access from rodents or other animals.
 - d. No growth or vegetation other than sod grass is permitted within five (5) feet of any coop.
 - e. The area within five (5) feet of the perimeter of any coop shall be unobstructed, except the side where a coop may be attached to an accessory building.
 - f. No coop, pen, cage, or similar structure shall exceed one hundred fifty (150) square feet (including the coop, run, and/or enclosure).
 - g. Any chicken found at-large of the rear yard of owner's lot is subject to being culled or confiscated.

17.86.050 Inspection.

The property will be inspected upon application and periodically to verify compliance with this Chapter. Upon an initial application, reinspection is required if property does not meet requirements of this Chapter. For each reinspection the applicant is subject to a fifty (\$50.00) reinspection fee.

17.86.060 Enforcement and Appeal.

A Land Use Permit may be denied, suspended, or revoked for a violation of this Chapter. A violation of this Chapter is subject to an infraction and a fine not to exceed \$750 per violation. Appeals are subject to this Title.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 20__.

Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ day of _____, 20__.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted at: 1) _____, 2) _____, and 3) _____ on the above referenced dates.

City Recorder

DATE: _____



RESIDENTIAL CHICKEN LICENSE APPLICATION

Applicant Name: _____ Date: _____

Applicant Address: _____

Applicant Phone #: _____ Applicant E-mail: _____

17.86 REGULATING CHICKENS IN SINGLE-FAMILY RESIDENTIAL ZONES OWNERSHIP AND MAINTENANCE

- A. The keeping and maintenance of residential chickens is allowed within the City only as provided in this Title.
- B. Any chicken kept as provided by this Title shall not be deemed a household pet.
- C. A City license is required for the keeping of chickens allowed by this Title.
 - 1. A license shall be a one-time application and shall be signed by the property owner.
 - 2. A license does not run with the land.
 - 3. There shall be a one-time license fee of one hundred dollars (\$100.00).
 - 4. Property will be inspected to verify compliance with ordinance following approval.
 - 5. Reinspection will be required if property does not meet guidelines on the initial property inspection and will result in an additional fifty (\$50.00) fee for each reinspection.
 - 6. Application for, and acceptance of a license is prima facie evidence that a person agrees to abide by all the conditions and regulations of this Title.
 - 7. A license may be revoked for any violation of this Title.
 - 8. Applicant shall submit a site plan to the Community Development office.
- D. It shall be unlawful for any person to keep any chicken in a manner contrary to the provisions of this Title. Any such violation shall be a class B misdemeanor.
- E. A chicken shall be kept strictly for familial gain from the production and consumption of eggs, and there shall be no sale or income resulting from the keeping of a chicken.
- F. Up to six (6) hens may be kept on a residential lot in accordance with the following:
 - 1. A chicken shall only be kept on a property containing a single-family detached dwelling unit.
 - 2. A chicken shall be kept in a coop or enclosed area at all times.
 - 3. No chicken shall be permitted to roam outside a coop or enclosed area.
 - 4. A coop shall be covered, ventilated, and rodent and predator resistant.
 - 5. A coop shall not be constructed of scrap or dilapidated materials.
 - 6. The coop shall be built with a finished, all weather exterior material.
 - 7. It is unlawful to keep a rooster or crowing hen.
 - 8. **Lot size Requirements:**
 - 6,000 Sq Foot Lot: keeping of up to three (3) hens
 - 8,000 Sq Foot Lot: keeping of up to four (4) hens
 - 10,000+ Sq Foot Lot: keeping of up to six (6) hens
 - 9. Any coop or enclosure shall be located in the rear yard of the main dwelling.
 - 10. Any coop or enclosure shall be located at least twenty (25) feet from any primary residential dwelling on an adjoining property, and at least five (5) feet from any property line.
 - 11. No coop shall be taller than seven (7') feet, at its highest point.
 - 12. Any time a heating device is employed in a pen or coop, such pen or coop must be separated at least ten (10) feet from any dwelling structure.
 - 13. Any coop and any roaming area shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent a detectable odor at the property line.
 - 14. Chicken feed shall be stored and dispensed in a rodent-proof and predator proof container.
 - 15. No growth or vegetation other than sod grass is permitted within five (5) feet of any coop.
 - 16. The area within five (5) feet of the perimeter of any coop shall be unobstructed, except that the rear of a coop may be attached to another structure.
 - 17. A chicken may not be kept, and a coop may not be constructed, on any property that is in violation of a City Ordinance or where the owner or resident is being prosecuted for a violation.
 - 18. No coop, pen, cage, or similar structure shall exceed one hundred fifty (150) square feet (includes coop space and chicken run)
- G. Any chicken that is outside of an approved coop or enclosed area may be confiscated by any agent of the City.

Property Owner Authorization and Affidavit: The undersigned, being duly sworn, depose that I am (we are) the applicants of the property involved and that we agree to abide by the provisions contained herein and acknowledges that he or she is responsible to know and understand all local, state, or federal regulations related to the keeping of chickens at the property listed above as the "Applicant Address."

- Name, address, phone number of the applicant and the person who prepared the plan
- North arrow, Building lot size, All property boundaries
- All existing and proposed public streets, private streets, drives, and right-of-ways and easements
- Label the width of any easements, streets, or drives
- Existing curb, gutter, sidewalk,
- All existing structures of the property (sheds, decks, buildings, etc.)
- All proposed structures and/or proposed additions to existing structures
- Label the square footage of all structures (existing and proposed)
- Show any existing or proposed septic tanks and leach fields (if not on public sewer)
- Adjacent properties within 200' of the property, including main and accessory structures

THIS AREA RESERVED FOR GRID LINES AND SITE PLAN – ATTACH SEPARATE SHEETS AS NEEDED

A large rectangular area filled with a light gray grid pattern, intended for site plan drawings.

The undersigned owner/agent acknowledges that any violation of the above outlined requirements of Section 11-13-37 of the Washington Terrace City Municipal Code, or any other section of the Washington Terrace City Municipal Code may result in both civil and criminal penalties, including but not limited to the confiscation of chickens, the inability to legally keep chickens within the City, revocation of licenses, fines, fees, and jail.

Applicant

Property Owner/Agent (if different)

Washington Terrace City Approval

Date _____

City Council Staff Report

Author: Tyler D. Seaman

Subject: Re-zone

Date: 10/1/24

Type of Item: Motion/Ordinance



Subject: Motion/Ordinance: To rezone the city owned Property located at 5600 South and Adams Avenue for O-1 to C-1. Parcel 07-037-0031

Summary Recommendation: Staff would recommend making this change as Washington Terrace City is preparing to sell the property and develop into a commercial property.

Description:

- A. **Background:** The Elected Officials of Washington Terrace expressed interest in selling this property. They do not feel the open space located on this corner is a viable asset to the city. Maintaining it has become a burden to the maintenance budget. The Elected Officials directed us to partner with a developer to transform the property into an appreciating asset and potential tax increase on sales and property taxes.

A Public Hearing will be held at the Planning Commission meeting on September 26, 2024. Recommendations from the Planning Commission will be forwarded to the City Council for final approval.

- B. **Analysis:** Staff agrees with this decision and is supportive of rezoning this parcel on the corner of 5600 South and Adams Ave. for commercial development.

- C. **Department Review:** Planning, Legal

**CITY OF WASHINGTON TERRACE
ORDINANCE 24-08**

ZONING MAP AMENDMENT

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING THE ZONING MAP FOR A CERTAIN PARCEL WHERE AN
ZONING AMENDMENT APPLICATION WAS FILED; ADOPTING THE
CONCEPT PLAN; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City received an Application to amend the Zoning Map from Brad Hansen, and the proposed amendment is consistent with the General Plan;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on September 26, 2024, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on October 1, 2024;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1: **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Zoning Map Amendment.** The Official Zoning Map of the City of Washington Terrace is hereby amended for Parcel 07-037-0031 from __O-1__ to __C-1__ located at: 5580 South Adams Avenue as shown in Exhibit “A” attached hereto and incorporated herein by this reference.

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2024.

MARK C. ALLEN,
Mayor

ATTEST:

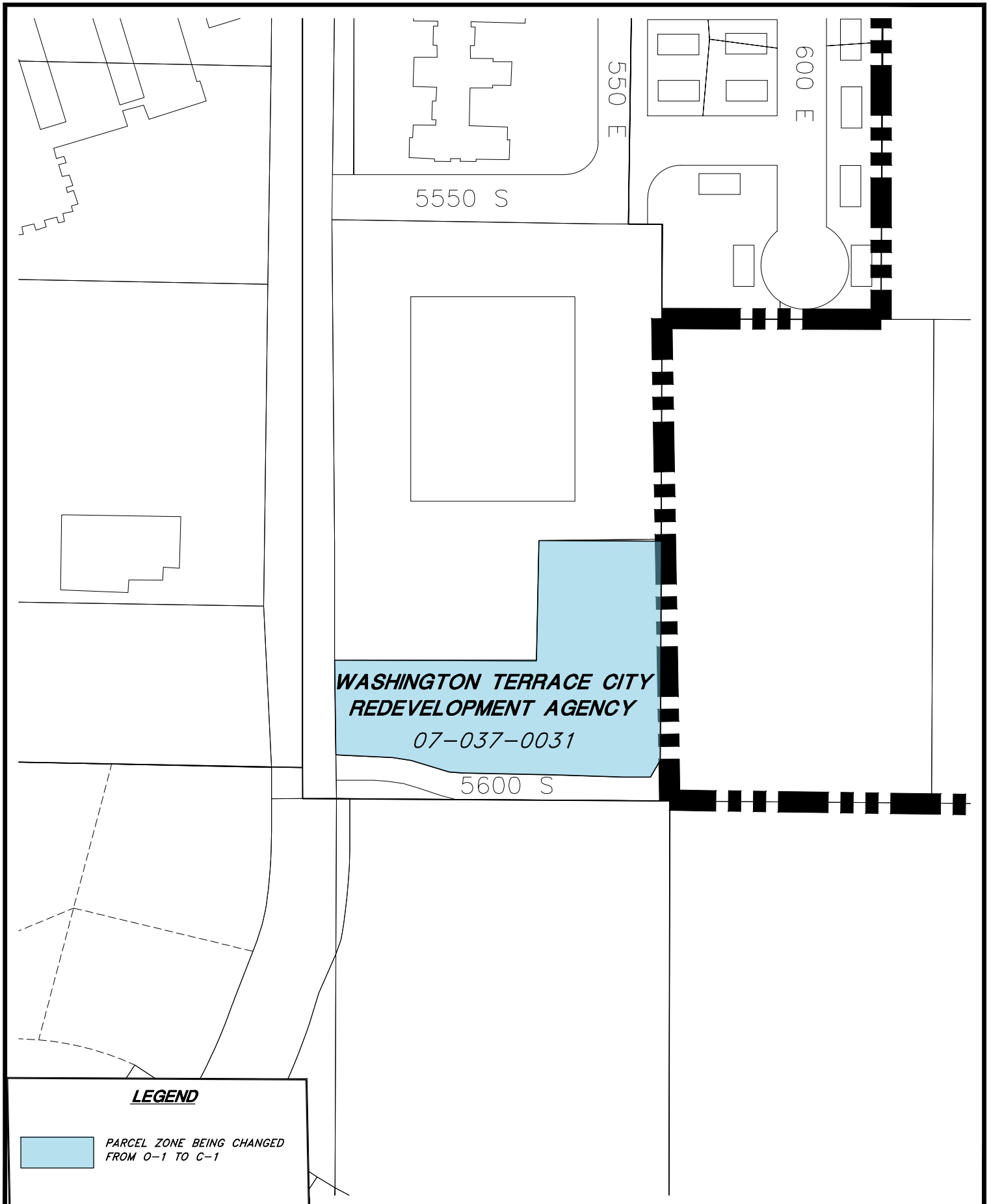
City Recorder

RECORDED this ____ day of _____, 2024.
PUBLISHED OR POSTED this ____ day of _____, 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace, City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted as required by State Law.

City Recorder DATE: _____



LEGEND



PARCEL ZONE BEING CHANGED
FROM O-1 TO C-1



CONSULTING ENGINEERS

6080 FASHION POINT DRIVE
South Ogden, Utah 84403 (801) 476-9767

WASHINGTON TERRACE CITY CORPORATION

5580 SOUTH ADAMS AVE PARKWAY

PARCEL I.D. 07-037-0031

EXHIBIT #1

SHEET:

1

OF 1 SHEETS

0