

MEMO



To: Planning Commission
From: Ryan Harris, Senior Planner
Date: September 8, 2023
Re: Conditional Use Permit – Hobby License

Brian and Deanna Fisher have submitted a Conditional Use Application for a Hobby License at their residence located at 116 East 525 North. The owners are requesting to have 5 indoor dogs at their home. Santaquin City Code (SCC) 5.08.170 requires a Conditional Use Permit to have more than 3 dogs.

5.08.170 FANCIER AND HOBBY PERMITS

1. Owners of dogs and cats may obtain a Conditional Use permit to keep more than three (3) dogs or cats in a residential area, provided:
 1. All household pets on the premises are individually licensed if required by this code;
 2. The property on which the animals will be kept complies with zoning requirements, the health department and the applicable regulations for kennels;
 3. All other provisions of this chapter are complied with, and no pet or premises is deemed to be a nuisance.
 4. The maximum number of household pets allowed on the premises shall be set through Conditional Use approval by the Planning Commission. The Planning Commission shall use the criteria set forth in 10.24.060 and 10.64.080.C when considering requests under this section.
2. The holder of a permit issued under this section may keep one litter intact until the animals reach six (6) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit.

The code above lists all the conditions that need to be met to obtain a Conditional Use Permit. The attached application has the registration documents for all 5 dogs and includes the types of dogs and their ages. The Police Department has reviewed and approved the Hobby License Application.

The maximum number of dogs allowed on the premises shall be set by the Planning Commission. The Planning Commission will need to determine if 5 dogs is appropriate for this property. The Planning Commission will use the criteria set forth in SCC 10.24.060 and 10.64.080.C when considering requests for a Hobby License Conditional Use. These codes are attached to the staff report.

A Hobby License will still need to be acquired and all required departments will need to review and approve the Hobby License.

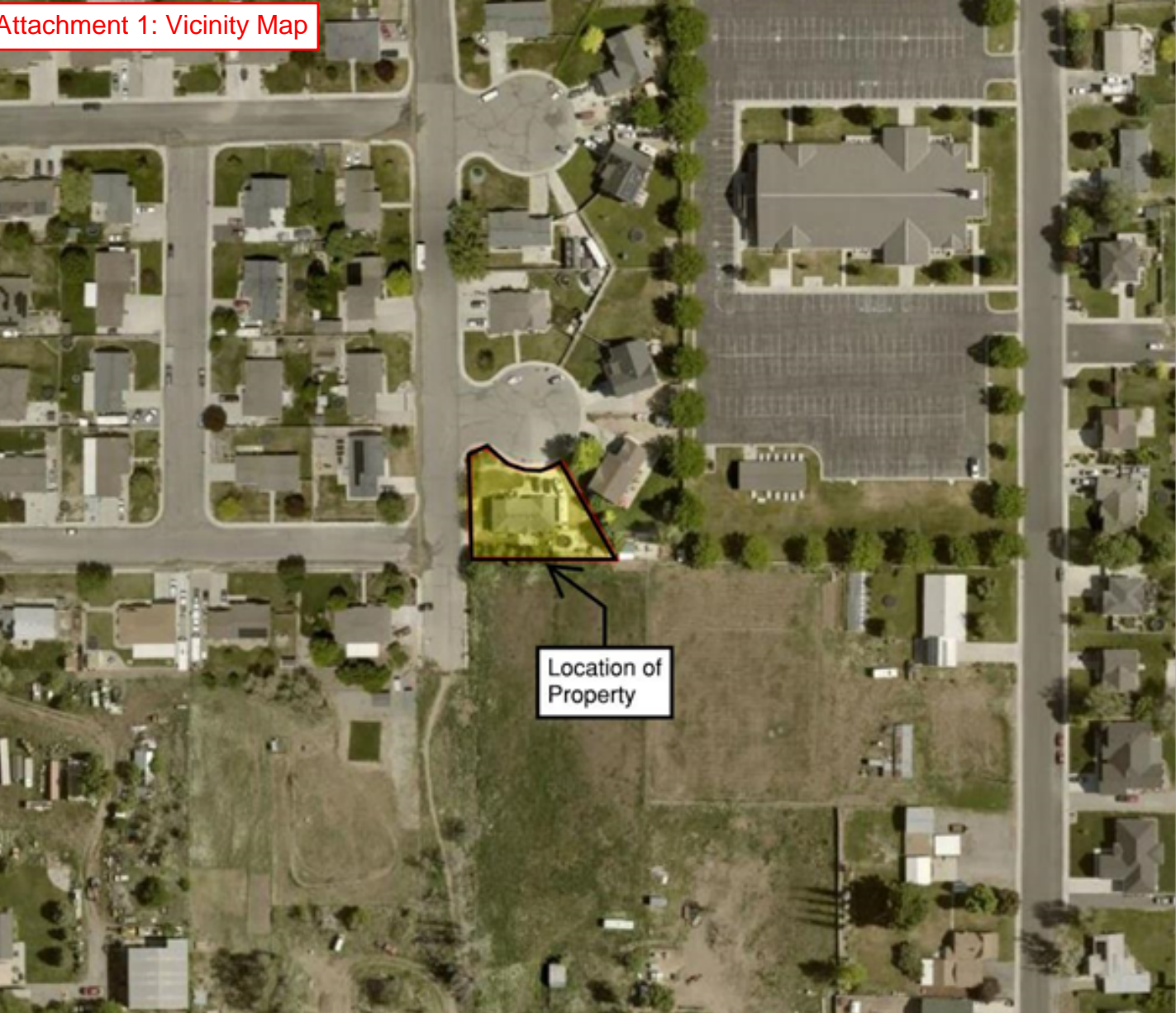
Motion “Motion to (approve or deny) a Conditional Use Permit for the proposed Hobby License to allow for 5 indoor dogs located at 116 East 525 North with the following conditions:

- The applicant shall comply with Santaquin City Code 5.08.170. “Fancier and Hobby Permits” regulations.
- The applicant shall obtain a Hobby License Permit.

Attachments:

1. Vicinity Map
2. Application
3. Santaquin City Code 10.24.060
4. Santaquin City Code 10.64.080.C

Attachment 1: Vicinity Map



Location of
Property

Santaquin City Corporation Conditional Use Permit Application

45 West 100 South, Santaquin, Utah
(801) 754-1011
www.santaquin.org



Notice: All submitted proposals shall be reviewed in accordance with the Santaquin City Code. Submission of a Conditional Use Permit Application in no way guarantees placement of the application on any agenda of any City reviewing body. It is *strongly* advised that all plans be submitted well in advance of all agenda deadlines.

Meetings: Planning Commission meetings are held the 2nd and 4th Tuesdays of each month. The meeting is held in the City building, located at 275 W Main in Santaquin. All meeting dates are subject to City-observed holidays, scheduling necessities and each reviewing body's approved yearly meeting schedule.

Project Information (if applicable)			
Project Name:		Utah County Parcel Number:	
Project Address, City, State, Zip:			Zone:
Applicant Information			
Applicant/ Company: Brian and Deanna Fisher		Application Date: 08/09/23	Date of Meeting Request:
Address, City, State, Zip: 116 E 525 N Santaquin, UT, 84655			
Telephone:	Alternate Phone:	Fax:	Email:
Property Owner Information (if different)			
Property Owner Name/ Representative:			
Property Owner/ Representative Address, City, State, Zip:			
Telephone:	Alternate Phone:	Fax:	Email:
Nature of Conditional Use Permit Request			
<input type="checkbox"/> "Major" Class Home Occupation <input type="checkbox"/> Premises Occupation <input type="checkbox"/> Child Day Care Facility <input type="checkbox"/> Multiple-Unit Dwelling <input type="checkbox"/> Commercial-Industrial Conditional Uses <input checked="" type="checkbox"/> Other Hobby dog license		Explanation of Request: <u>Requesting to keep our five emotional support dogs on our property. They are indoor dogs and do not cause a nuisance to our neighbors. They have adequate sleeping arrangements, food, and water. They are also taken on regular walks.</u>	
Certification			
I/We, the undersigned, swear and say that I am/we are the owner(s) of record on the Tax Rolls of the property involved in this application, or am/are otherwise qualified to initiate this application under Santaquin City Code; that the information on the attached legal description(s); all plans, drawings, and sketches attached hereto and all of the statements and answers contained herein are in all respects true and correct to the best of my/our knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.		SUBSCRIBED AND SWORN TO before me this <u>23</u> day of <u>August</u> , 20 <u>23</u> My Commission Expires: _____ (Seal)	
 _____ Property Owner		 _____ Notary Public	

Santaquin City Corporation
New Business License Application

275 West Main, Santaquin, Utah 84655
 (801) 754-3211 Fax (801) 754-3526
www.santaquin.org



Hobby/Kennel License

All business licenses must be reviewed and approved by the appropriate City Departments prior to operation of the business. State law requires all business names be registered with the Utah Department of Commerce. Business licenses expire on December 31st of each year.

Applicant's Information			
Name: <u>Brian Fisher</u>	Home Phone Number: <u>801-874-6993</u>	Date of Birth:	
Home Address: <u>116 E 525 N</u>	City: <u>Santaquin</u>	State: <u>UT</u>	Zip Code: <u>84655</u>
Email Address:	Cell Phone Number:	Fax Number:	
Title or Agent (as applicable):	Driver License Number:	Social Security Number:	
Animal Information			
Dog's Name: <u>Thor</u>	Sex: <u>M</u>	Age: <u>8</u>	Breed: <u>lab/Hound</u>
Dog's Name: <u>Maggie</u>	Sex: <u>F</u>	Age: <u>11</u>	Breed: <u>Schnauzer</u>
Dog's Name: <u>Dexter</u>	Sex: <u>M</u>	Age: <u>6</u>	Breed: <u>Golden Poodle</u>
Dog's Name: <u>Daisy</u>	Sex: <u>F</u>	Age: <u>1</u>	Breed: <u>Poodle</u>
Dog's Name: <u>Jax</u>	Sex: <u>M</u>	Age: <u>1</u>	Breed: <u>Schnauzer</u>
License Requested:	<input type="checkbox"/> Hobby Permit <input type="checkbox"/> Kennel License (Residential Commercial Zone Only) <input type="checkbox"/> Other (explain)		
Description of Request			
Detailed Description of Request: <u>Emotional Support Animals</u>			

[Handwritten Signature]

Impact Information

<p>All animals must be registered with the City. Please provide the licensing paperwork with this application.</p> <p align="center"><i>(Attached)</i></p>	<p>Will you be breeding the animals? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please provide additional information in the description area.</p>
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Application Review & Certification (for City use only)

<p align="right">DATE: _____</p> <p><input type="checkbox"/> Planning: _____</p> <p><input type="checkbox"/> Police: <i>Rodney S. Hunt</i> _____</p> <p><input type="checkbox"/> City Manager: _____</p> <p><input type="checkbox"/> Business License Admin: _____</p>	<p>License Fee: _____</p> <p>Payment Date: _____</p> <p>HL-Number: _____</p>
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***Applicant's Signature** - By signing this application, you testify the information provided is complete, accurate and, is in compliance with Title 10 Chapter 12 of the Santaquin City Code.

<p>Signature: <i>[Handwritten Signature]</i></p>	<p>Date of Application: <i>8-7-23</i></p>
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License Information

License Number: S18324 **License Expiration:** 2024-08-07 **Issue Date:** 2023-08-07

Rabies Number: 29989 **Rabies Expiration:** 2027-05-31

Issuer Name: Santaquin **Issuer Org:** Payson Family Pet Hospital **Amount:** 30.00



Owner Information

Name: Deanna Fisher

Phone: 8018748993

Address: 116 E 525 N , Santaquin, Utah 84655

Animal Information

Name: Jax

Breed: Schnauzer

Color: Black and White

Age: 1 Year

Sex: Male

Fixed: No

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License Information

License Number: S18321

License Expiration: 2024-08-07

Issue Date: 2023-08-07

Rabies Number: 26919

Rabies Expiration: 2023-10-01

Issuer Name: Santaquin

Issuer Org: Payson Family Pet

Amount: 10

Owner Information

Name: Deanna Fisher

Phone: 8018748993

Address: 116 E 525 N, Santaquin, UT 84655



Animal Information

Name: Daisy

Breed: Poodle

Color: black

Age: 1 yr

Sex: Female

Fixed: Yes

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License Information

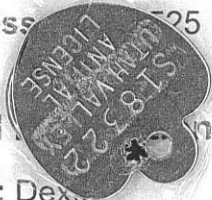
License Number: S18322 **License Expiration:** 2024-08-07 **Issue Date:** 2023-08-07
Rabies Number: 30762 **Rabies Expiration:** 2026-07-25
Issuer Name: Santaquin **Issuer Org:** Payson Family Pet Hospital **Amount:** 30.00

Owner information

Name: Deanna Fisher **Phone:** 8018748993
Address: 25 N , Santaquin, Utah 84655

Animal Information

Name: Dex **Breed:** Golden Retriever/Golden Doodle **Color:** Tan
Age: 6 Years **Sex:** Male **Fixed:** No



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License Information

License Number: S18320 **License Expiration:** 2024-08-07 **Issue Date:** 2023-08-07
Rabies Number: 30799 **Rabies Expiration:** 2026-07-26
Issuer Name: Santaquin **Issuer Org:** Payson Family Pet Hospital **Amount:** 30.00



Owner Information

Name: Deanna Fisher

Phone: 8018748993

Address: 116 E 525 N , Santaquin, Utah 84655

Animal Information

Name: Thor **Breed:** Labrador Retriever/Hound **Color:** Black
Age: 8 Years **Sex:** Male **Fixed:** No

10.24.060 CRITERIA AND FACTORS TO BE CONSIDERED

- A. The following general factors shall be weighed and considered when determining whether a conditional use permit application should be approved, approved with conditions, or denied:
1. Harmony of the request with the general objectives of the general plan, development code, subdivision ordinance, any other city ordinances, and the particular zone in which the request is located.
 2. Harmony of the request with existing uses in the neighborhood.
 3. Development, or lack thereof, adjacent to the site.
 4. Whether or not the request may be injurious to present or potential development in the vicinity.
 5. Present and future requirements for transportation, traffic, water, sewer, and other utilities.
 6. Suitability of the specific property for the proposed use.
 7. Economic impact on the neighborhood.
 8. Aesthetic impact on the neighborhood.
 9. Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants, and odor.
 10. Attempts by the applicant to minimize other adverse effects on people and property in the area.
 11. Impact of the proposed use on the health, safety, and welfare of the city, the area, and persons owning or leasing property in the area.

- B. The following are standards applicable to the specified uses:

1. Adult Daycare Facilities In Residential Zones:

- a. Number of individuals being cared for within the facility shall not exceed four (4) at one time.
- b. Proof of compliance with state regulations for such facilities shall be provided with each renewal of the facility's business license.

2. Assisted Living Facilities In Agriculture And Residential Zones: The following regulations pertain to large assisted living facilities and small type I assisted living facilities. Small type I or type II facilities are permitted in those zones where listed.

- a. Only if the additional standards below are met and the general review criteria for conditional uses are complied with, may a facility be approved with more than sixteen (16) beds. Additional beds may only be permitted to the extent of compliance with the city's development standards, building codes, fire codes, and public utilities can handle the additional demands placed upon them by a proposed facility.
- b. Location criteria:
 - (1) Proposed facilities must be situated along or have direct access to a collector or arterial street, or

- (2) The proposed facility site must abut a nonresidential or mixed use zone so that it may act as a buffer between single-family neighborhoods and the impacts associated with greater intensity of uses.
 - c. Facilities proposed under this section must be located at least three-fourths (3/4) of a mile away from any similar facilities.
 - d. Proof of compliance with state regulations for such facilities shall be provided with each renewal of the facility's business license.
3. Major Home Occupation: Specific standards shall be as provided in the home occupation regulations of this title.
4. Outdoor Youth Programs:
- a. Stationary camps shall have at least twenty (20) acres.
 - b. Facilities must annually demonstrate compliance with state licensing laws, rules, and regulations.
 - c. A security plan must be provided and approved by the city's public safety department.
 - d. A list of all clients and employees must be provided to the city public safety department within seven (7) days of their arriving at the site.
5. Sheltered Workshops:
- a. The maximum number of patrons or clients allowed at one time at a sheltered workshop within a residential zone is four (4).
 - b. A traffic and circulation plan must be reviewed and approved by the planning commission as part of any conditional use review.
 - c. Parking must be available on site for any patrons or clients of the workshop.
 - d. Any building or accessory building in which the workshop is operating must be inspected by the chief building official for compliance with the applicable building, life, accessibility and safety codes. (Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

HISTORY

Amended by Ord. [07-01-2011](#) on 7/27/2011

10.64.080 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 nature of which they were permitted, unless abandoned or discontinued as provided in SCC 10.28.010.
- 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 SCC 10.64.150, the city's animal control provisions, or as determined by a court of competent jurisdiction. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

- 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 (3) cats and no more than three (3) dogs, excluding dependent young under six (6) months of age, shall be kept subject to animal provisions of SCC Title 5. The Planning Commission may grant a conditional use permit to allow more than the above cats and dogs upon an applicant's demonstration that all Title 5 standards applicable to the number and type of animals will be met and there will be compliance with all nuisance regulations. Conditional Use Permits under this part may not be approved for multi-family or attached single family residences.
 - 3. All pens, coops, and structures shall be kept clean and free from objectionable odor. (Ord. 5-06-2015, 6-3-2015, eff. 6-4-2015)

D. Farm Animals:

- 1. Lots Of Less Than Fourteen Thousand Three Hundred Seventy Five Square Feet: Lots of less than fourteen thousand three hundred seventy five (14,375) square feet or one-third (1/3) acre shall not contain animal rights as outlined in this chapter.
- 2. Lots Of Fourteen Thousand Three Hundred Seventy Five Square Feet Or More: Lots with fourteen thousand three hundred seventy five (14,375) square feet 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 D.3. However, multi-family dwellings shall be prohibited from having farm animals or fowl on property.
- 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, corralled or penned Horse	30
Medium: Goat	10

Llama Sheep	
Small: Chinchilla Rabbits	2.5

Agricultural Zones Only	Points
Cows	50
Mink	5
Pigs	200

Fowl	Points
Large: Emu Ostrich Turkey	10
Medium: Ducks Geese	5

Household Fowl Permitted In All Zones	Points
Chickens	5
Small: Doves Finches Pheasants Pigeons	2

Agricultural Zones Only	Points
Rooster	20

- a. Each property is allowed one hundred (100) points for farm animals and another one hundred (100) points for fowl per acre. Points for farm animals and fowl are given on a prorated basis starting at one-third (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 one-third (1/3) acre or larger as long as the point total is not greater than allotted for that lot size.
- c. Animals shall be considered "pastured" if no humanely 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 one large farm animal per one-third (1/3) acre if stabled.
- e. Three (3) medium farm animals may be kept per one-third (1/3) acre.
- f. Small farm animals shall be considered household pets, unless their numbers exceed more than four (4) of any one type of animal on any lot, of which a larger amount may be allowed based on the prorated size of the lot and the points allotted for small farm animals over one-third (1/3) acre.
- g. Large and medium fowl are only permitted on lots one-third (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. One acre is allotted one hundred (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. There is a maximum limit of fifty (50) small fowl per lot.
- j. A minimum of two (2) acres is required for each pig and any associated pens or enclosures must be located at least an additional twenty feet (20') 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.

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., 4-H, FFA) are temporarily exempt from the minimum parcel size requirement during such pursuits. Size and number of animals allowed shall be in accordance with paragraph D.3.a. All other standards pertaining to 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 two hundred feet (200') 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 for education sponsored projects may not exceed ten (10) months. The animal must be removed at the end of the school year. The permit may be renewed annually. A maximum of two (2) animals from paragraph D.3 per permit. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

HISTORY

Amended by Ord. [09-01-2012](#) on 9/5/2012

Amended by Ord. [05-06-2015](#) on 6/3/2015

Amended by Ord. [10-03-2021](#) on 10/5/2021