



Planning Commission Members in Attendance: Trevor Wood, LaDawn Moak, Michael Weight, Michael Romero, Drew Hoffman.

Commissioners BreAnna Nixon and Kylie Lance were excused from the meeting.

Others in Attendance: Senior Planner Ryan Harris, Recorder Amalie Ottley, City Councilor Jeff Siddoway.

Various members of the public attended the meeting.

Commission Chair Trevor Wood called the meeting to order at 7:05 p.m.

INVOCATION/INSPIRATIONAL THOUGHT

Commissioner Romero offered an inspirational thought.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Weight.

PUBLIC FORUM

Commission Chair Wood opened the Public Forum at 7:07 p.m.

No members of the public wished to address the commission in the Public Forum.

Commission Chair Wood closed the Public Forum at 7:07 p.m.

DISCUSSION & POSSIBLE ACTION ITEMS:

1. Public Hearing: Hobby License Conditional Use Permit

Senior Planner Ryan Harris presented Brian and Deanna Fisher's 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. The City Code reads:

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.

Commissioner Romero inquired about the City's process for applying for a Fancier & Hobby License. Planner Harris went over the City's application process.

Commissioner Chair Wood opened the Public Hearing at 7:15 p.m.

Jed and Angella Taylor attended the meeting and wished to address members of the Planning Commission regarding the request for the Hobby License Conditional Use Permit. They brought photos and items to present to the Planning Commission with regards to the living conditions of the dogs at the Fisher's home. They also brought a written statement (see attached). Mr. and Mrs. Taylor both expressed their concerns for the welfare of the animals in the Fisher's home and backyard. The Taylors explained that they reported the treatment of the dogs to the Santaquin Police Department.

The applicant, Brian Fisher, attended the meeting to address the Planning Commission. He addressed the complaints against him regarding the animals. He stated he has worked with the Police Department and with the veterinarian to address those complaints. He indicated that he currently works from home and keeps the dogs inside to take care of them. He added that the dogs do not bark in distress but rather because they are playing together. He indicated that during the time of the police report, he was out of town and trusted his son to take care of the dogs. He also stated that he will install a fence around his yard.

Senior Planner Ryan Harris read the following three comments that were received by the Planning Department via email.

1. *"I would like for my comment to remain anonymous please.*

My input is as follows:

Is this a matter of trying to fix a situation after the fact the code wasn't being followed to begin with? To have 5 animals in a single family home is a lot in my opinion. Specially in a property that it is not fenced. Dogs make a lot of noise and a lot of messes and there has been a big dog tied outside in this property that barks non stop. There are at least two cats from this home that run around getting in neighbors garages eating their pet food.

I have children, and each could benefit from having emotional support pets, including myself. But I couldn't make my neighbors put up with that much noise and smell of feces in an open yard.

If this property was located on the Summit Ridge neighborhood I can guarantee 5 dogs would be considered too many immediately. We want the same peaceful atmosphere so please do not allow this many animals in a property that doesn't even have a fence to ensure the animals get outside play time and exercise to keep themselves happy and be able to support a human emotionally.

Thank you."

2. *"The hearing about the Fishers and have a primit (sic) for their dogs.*

They have a lot of animals. Five or so dogs. Four cats, two birds, a snake, two ferrites and more. The dogs have small cages. Or they have them in one bathroom. It smells, the dogs are not well taking care of. I think the Fishers shouldn't be allowed to have a permit.

Those are my thoughts.

Please leave my name out of the hearing."

3. "Hi Ryan,

I'm writing this email in regards to the Planning Commission meeting tonight, Kylie told me you're the one to email. This is specially about the Proposal for a conditional hobby license by Brian and Deanna Fisher.

Currently, my property, directly to the south of them (it is a large vacant lot), is being used for their dog waste. At this time, it's not a huge concern because the lot is empty. However, it will not always be that way and I'm concerned that if they are allowed 5 dogs, rather than the allowed 3 (I thought it was 2) by the city then the dog waste will continue to be an issue. Their property is not fully fenced (except for our old barbed wire fencing, that is approx. 6 inches into our property, and was placed years before we purchased it). That is an issue with any amount of dogs, let alone 5.

I want these concerns voiced, but have come down with a cold. Please let me know if I need to be there in person to voice my concerns.

*Thank you,
Shanna Stilson"*

Commission Chair Wood closed the Public Hearing at 7:27 p.m.

Commission Chair Wood reinforced that the Planning Commission's determination to deny or approve the permit must be based on findings supported by the City Code.

Commissioner Romero asked the applicant the purpose of having the 5 dogs. The applicant claimed that they are "Emotional Support" dogs. He stated all of the dogs, except for one, are indoor dogs. The applicant stated the "Emotional Support" dogs are for multiple family members. Commissioner Romero addressed the Utah State Law which requires dogs labeled as "Emotional Support" animals to have a letter from a licensed therapist supporting the designation. The applicant argued that the City of Santaquin did not require proof from a therapist for the "Emotional Support" label as stated by the applicant. Commissioner Weight clarified that the designation of "Emotional Support Dogs" was designated by the applicant himself and not licensed or certified by the State of Utah. Planner Harris clarified that the City's Fancier & Hobby Permit is based solely on the number of dogs the applicant wishes to have in the household, not on any designation of "Emotional Support" animals. Commissioner Weight inquired about the email from a resident stating dog waste has been disposed of on their property. The applicant indicated that he disposes of dog waste in the garbage and the complainant cannot confirm that his dogs are the culprit of waste on their property. Commissioner Romero asked if the dogs are restrained when they are outside. The applicant stated that since neighbors have reported the dogs to animal control they are restrained. He added that he plans to install a fence on his property.

Commissioner Moak inquired about what the Health Department Regulations require as stated by the City Code. Planner Harris indicated that the Health Department's main concern is the health and safety of the animals and neighbors. He also discussed the animal enforcement regulations in Santaquin City Code. Commissioner Chair Wood pointed out that City Code 10.64.50 stated that animals must not be a nuisance and evidence has been provided and confirmed by the Police Department of nuisance reports. He added that in City Code 10.60.80.C the applicant must demonstrate that they can meet all standards

set forth by the Conditional Use Permit for a Hobby License. He stated his opinion is that the applicant has not demonstrated that he can meet City Code requirements for the permit. He informed the applicant that if he can in future demonstrate that he can meet the City Code that the Planning Commission would be willing to look at another application and request. Commissioner Hoffman cited City Code 10.24.060.A Criteria and Factors to be Considered sections 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 and 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. Commissioner Weight agreed with Commissioner Hoffman with the stated sections in the City Code. Commissioner Romero stated that as the applicant has himself indicated the dogs are Emotional Support animals that the applicant follows State of Utah law and demonstrates to the City that his family needs the dogs for emotional support.

Commissioner Hoffman made a motion to deny the request for a Conditional Use Hobby Permit at 116 E 525 N based on the City Code 10.24.060 Sections 8,9,10 & 11. Commissioner Weight seconded the motion.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Moak	Yes
Commissioner Nixon	Absent
Commissioner Romero	Yes
Commissioner Weight	Yes
Commissioner Hoffman	Yes

The motion passed unanimously.

The applicant inquired what the process is moving forward for him and his family. Planner Harris asked that the applicant reach out to him during the week and also reach out to the Animal Control department.

2. Public Hearing: Discovery Bear Daycare Conditional Use Permit

Planner Harris presented resident Jane Ledesma's application to have a daycare in her home located at 607 East 130 South. The applicant proposes to have 1 class with 12 children. Any child-oriented home occupation that has more than 8 children is required to get a major home occupation permit and must follow Santaquin City Code (SCC) 10.40.060. Major home occupations are subject to Conditional Use Permit approval from the Planning Commission and require a public hearing.

Commission Chair Wood opened the Public Hearing at 7:49 p.m.

No members of the public wished to address the Planning Commission in the Public Hearing.

Commission Chair Wood closed the Public Hearing at 7:50 p.m.

The applicant, Jane Ledesma, attended the meeting and confirmed that all State certifications and licensing have been approved. Planner Harris and the applicant also confirmed that the location is fully fenced, and Police Chief Hurst has signed off on the traffic plan. Commissioner Hoffman and

Commissioner Wood both suggested that as the location of the daycare is on a busy corner that clients travel west on 130 South preventing U-turns and traffic at that intersection.

Commissioner Romero made a motion to approve the Discovery Bear Daycare Conditional Use Permit be approved on the following conditions:

- All code requirements in Santaquin City Code 10.40.060 be met.
- A business license be obtained.

Commissioner Weight added that a State daycare license be provided to the City.

Commissioner Moak seconded the motion.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Moak	Yes
Commissioner Nixon	Absent
Commissioner Romero	Yes
Commissioner Weight	Yes
Commissioner Hoffman	Yes

The motion passed unanimously.

3. Public Hearing: Deer Haven (Vincent Ridge) Subdivision Concept Plan

Planner Ryan Harris presented the Deer Haven Estates Subdivision Concept Review. He clarified that the subdivision name was originally submitted under the "Vincent Ridge" name and the applicant is now requesting that the name be changed to "Deer Haven Estates". Layne Vincent is proposing to subdivide a 3.65-acre lot (Parcel No. 32:018:0177) into seven (7) residential lots ranging from 0.22 acres to 0.95 acres. The subdivision also includes the creation of a city cul-de-sac extending from 450 South which will provide the required primary access for the majority of the lots. There will also be road dedication for 900 East. The subdivision is located within and subject to the regulations of the R-10 Residential Zone. The R-10 zone requires each interior lot to have a minimum of 80 feet of frontage and 95 feet of frontage for corner lots. The minimum lot size in the R-10 zone is 10,000 square feet.

The applicant Layne Vincent and Engineer Kyle Spencer attended the meeting.

Commission Chair Wood opened the Public Hearing at 8:00 p.m.

James (Jim) Linford addressed his concerns about the subdivision to the Planning Commission stating that this parcel is a part of the Oak Mount subdivision and therefore should not be amended. He also questioned the future of 900 East and where that road will travel. He added that he thought the lots should be divided into four larger lots rather than seven lots. He stated his belief that the proposed subdivision should not be approved based on a previous subdivision in that location.

Commission Chair Wood closed the Public Hearing at 8:06 p.m.

Planner Harris reviewed with the Planning Commission and members of the public in attendance the Utah County property information maintained online and could clearly indicate, per county records, that the current lot is not located in a subdivision and is a metes-and-bounds lot. Planner Harris also

indicated that the future of 900 East is envisioned in the Santaquin City Transportation Master Plan. Commission Chair Wood inquired what the process for the applicant would be if the lot was part of a current subdivision. Planner Harris discussed the State's requirements for a vacation within a plat in an existing subdivision.

Engineer for the applicant, Kyle Spencer, addressed the Planning Commission and spoke to Mr. Linford's concerns about the lot being in his subdivision. He indicated that through their research they also found it to be a metes-and-bounds lot. He added that all concerns addressed in the discussions that took place during the Development Review Committee meeting prior will be addressed. Engineer Spencer addressed the size of the lots, which will all meet the City's 10,000 square foot requirement. He also spoke to the significant grading in the area and the applicant's plans to take grading into careful consideration.

Mr. Linford readdressed the Planning Commission admitting that through his research he could see that the lot was owned by Lane Vincent. He reiterated his belief that when he bought his property that the aforementioned lot was part of the Oak Mount Subdivision. He added concerns about an old creek bed on the property that could have potential flooding issues. Commission Chair Wood encouraged Mr. Linford to provide any documentation or evidence that he has showing that the lot is part of the Oak Mount Subdivision. Planner Harris indicated that he would confirm with the County whether the lot is part of a subdivision or is indeed a metes-and-bounds lot.

Larry Steele attended the meeting and expressed his concern about runoff in the subdivision.

As the plans are in a concept phase, no action was taken.

OTHER BUSINESS

4. Meeting Minutes Approval

Commissioner Romero made a motion to approve the Planning Commission Minutes from August 22, 2023. Commissioner Weight seconded the motion.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Moak	Yes
Commissioner Nixon	Absent
Commissioner Romero	Yes
Commissioner Weight	Yes
Commissioner Hoffman	Yes

The motion passed unanimously.

Planner Harris reminded the commission members about the upcoming Planning Commission training at the new Santaquin City Hall Building.

ADJOURNMENT

Commissioner Hoffman made a motion to adjourn the meeting. Commissioner Romero seconded the motion.

Commissioner Wood	Yes
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Santaquin City Planning Commission
September 12, 2023

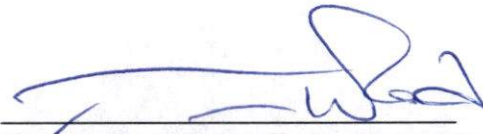
Commissioner Lance	Absent
Commissioner Moak	Yes
Commissioner Nixon	Absent
Commissioner Romero	Yes
Commissioner Weight	Yes
Commissioner Hoffman	Yes

The motion passed unanimously.

The meeting was adjourned at 8:34 p.m.



City Recorder – Amalie R. Ottley



Planning Commission Chair – Trevor Wood

Hi, we are Jed and Angella Taylor, long time Santaquin residents and we are here today to voice some concerns we have about Brian and Deanna Fisher's request to have a Hobby License.

I'm not a public speaker by any means so please forgive me.

We're here to speak of the things we've witnessed being next door neighbors of the Fishers and my goal is to get justice and help for the animals in their home. Soon after the Fisher's moved in, this was around 2019 we noticed that Thor was outside in the extreme winter weather with only a small plastic doghouse, and he was quickly becoming emaciated. We had even heard Brian tell Thor "I f*cking hate you". Instead of asking the Fisher's about it because we didn't want any problems, we started feeding him and making sure he had water.

I had also given him a blanket. It was soon noticed though and as I went to feed him one morning someone had put a metal wire hanger through his dog kennel latch to prevent me from getting into feed Thor. I took pictures of Thor's emaciated body and should have called the police at that time. I messed up. I regret not calling, but I'm not a confrontational person and I liked the Fisher's and didn't want issues.

Our approach was to befriend the Fisher's and hope that the animals would start being treated better while keeping an eye on the situation as best as we could. We started noticing that the dogs were being left in the summer heat without water often. I would see the kids bring out a Pyrex measuring cup at a time for them once in a while. Animals need way more water than that in our summer heat. Most of the kennels didn't provide shade from the sun either. If the animals weren't out in their kennels, we could hear them in the salon room in those kennels barking like crazy, to the point of you could tell they needed help.

Last summer we noticed Thor wasn't coming out of his doghouse at all and we could smell something. He was out on his chain on Father's Day and I could see a large abscess wound on his throat and tremendous amount of swelling. I texted Deanna and they came home acting as if they didn't know what could possibly be wrong, full of concern. That wound took a while to become that bad. Why wasn't it treated earlier? Again I didn't call the police.

At the end of May this year Thor escaped his dog kennel and

came over to our yard whimpering and the smell was horrible.

His shock collar was so tight it had grown into his throat and neck. It took a bit of effort to pull it out of him and the smell was something like I've never smelled before. I called dispatch at that time. Enough was enough. Officer Lowahn responded and the Fisher's were given a notice of some sort where they had to take the dog to the vet and then provide proof that it had been done. I'm sure there is a police report on record.

There have been other instances and we can go over them if needed. Giving them a Hobby License would enable them to keep those animals and do whatever they want with them where no one can see the damage. The abuse and neglect I've spoken about happened outside where neighbors can see so it's concerning to me what could happen behind closed doors. I'm no longer going to be silent. I'm here to speak for Thor. I've asked the Santaquin police for several follow ups and I'm still waiting. I'm standing before you today asking for your help. What I have witnessed is abuse and I will speak up.

1. Chain Thor up in the sticker weeds with no shade and very little if any water.
2. Max put in kennel in the summer heat, winter cold, rain, blizzard with no doghouse or protection from the elements.
3. We've seen the kids tell Dexter to "sit" which he does and then go up and kick him the ribs as hard as they can.
Where are they learning this from? It also was on the front lawn in clear sight of everyone so what goes on behind closed doors?
4. Bently was left out in the hot sun with no protection several days in a row and then mysteriously died.
5. On many occasions it seemed like Thor was in his kennel not barking or anything when all of a sudden, he lets out a horrible scream because he's getting shocked by his collar.
We've seen Brian stand there and shock him. That is animal abuse.
6. The room where the animals are mostly located used to be a hair salon. It's small, probably 8ft-12ft ish. We can hear dogs barking for help often. I hardly ever see them being taken out for exercise or potty breaks. They are in those crates for hours each day

Jed and Angella Taylor

