



4:45 p.m.

Workshop in the County Council Chambers.

5:30 p.m.

Call to order

Opening remarks/Pledge – Leslie Larson

Review and approval of agenda.

Review and approval of the minutes of the September 4, 2014 meeting.

5:35 p.m.

PUBLIC HEARINGS

- (1) **PUBLIC HEARING** - 5:40 p.m. – Fox Hollow Rezone – Duane Williams is requesting a rezone from the Agricultural (A10) Zone to the Rural (RU5) Zone on 49.6 acres of property located at approximately 300 North Highway 23, north of Mendon.
- (2) **PUBLIC HEARING** - 6:00 p.m. – Title 17.06 – Uses.
- (3) **PUBLIC HEARING** – 6:15 p.m. - Title 17.07.030 – Kennels.

Regular Action Items

- (4) **Discussion** - Title 17.13 – Mineral Extraction and Excavation.

Board Member Reports

Staff reports

Adjourn



PLANNING COMMISSION MINUTES

04 SEPTEMBER 2014

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1 **Present:** Chris Harrild, Josh Runhaar, Jason Watterson, Phillip Olsen, Chris Sands, Lane Parker, Brady
2 Christensen, Jon White, Tony Baird, Megan Izatt

3
4 **Start Time:** 05:31:00

5
6 **Sands** welcomed and gave opening remarks

7
8 **05:36:00**

9
10 **Agenda**

11
12 Adopted with no changes.

13
14 **Minutes**

15
16 Adopted with no changes.

17
18 **05:36:000**

19
20 **Regular Action Items**

21 **#1 LCPD Firearms Facility (Chief Gary Jensen)**

22
23 **Harrild** reviewed Chief Gary Jensen's request for a conditional use permit to allow a facility for law
24 enforcement firearms training on 242.64 acres of property in the Agricultural (A10) Zone at
25 approximately 2111 North 2400 West, Logan.

26
27 **Sands** I need to disclose that my company has been hired to help with the wetland permitting for this
28 project.

29
30 **Harrild** the site will be gated and only law enforcement personal will be allowed to use the range. There
31 are no set training schedules in place. The use will be dependent on their needs but there will be day and
32 night time trainings and qualifications to meet law enforcement standards. When in use the hours of
33 operation will be 8 am to 10 pm and there will be firearms instructors onsite to help operate the facility.
34 There are wetlands present on the site but the applicant has hired BioWest to help with the permitting for
35 the wetlands. The U.S. Army Corps has indicated that the project may proceed. Access to the site is from
36 3200 West and the private road 1800 South. Both roadways are adequate. Impact berms and sidewall
37 safety barriers will be in place to help with safety and noise. The berms and safety barriers meet and/or
38 exceed the NRA standards of safety for stopping projectiles. Staff has received public comment from one
39 person. They own a home about 1 mile north and west of this site.

40
41 **Chief Gary Jensen** the NRA has suggested 8 foot high berms but we have decided to go 10 feet. The
42 height of the impact berm for the north end of the range will be 20 feet high and the soil will be consistent
43 with soil that is made to stop the forward momentum of the bullet. The thing to note is that most of our
44 targets are human height, around 6 feet, so we would have to go much higher to go over the 20 feet. The
45 majority of the shooting is small arms but we did suggest a longer section for rifle shooting. We don't do
46 a lot of shotgun shooting except for less lethal which are beanbags and the functional distance of those is
47 less than 100 feet.

48
49 **Watterson** at the current hunter safety facility they have some barriers in the long range shooting is up
50 above, is that part of this plan?

1 **Chief Jensen** it is not part of this plan. The hunter safety range is only 100 feet deep and this is 200 feet
2 deep. We didn't feel the need for those based on the nature of the shooters that will be at the range.

3
4 **Staff and Commission** discussed the recreational facility designation. All shooting ranges are defined as
5 recreational facilities.

6
7 **White** why can't you use the hunter education facility?
8

9 **Chief Jensen** the hunter education facility has been built for public use and the Sheriff currently uses it.
10 For that use the entire range has to be shut down and range time is difficult and it actually interferes with
11 the public nature of the range. When we approached them they felt like it would be difficult especially
12 with the Sheriff using it. It also doesn't meet our needs. We also queried the new indoor range at the
13 AI's but unfortunately that is also limited in its use. I might add, in talking with a fellow property owner
14 here, we intend to continue to gate this road. It would not be accessible to anyone other than the
15 agricultural users and police. We currently use our range about 30 days out of the year. This isn't a year
16 round use range but we qualify all of our officers twice a year and we have other departments from the
17 county that utilize our range as well. We are proposing this new facility as we are essentially being
18 evicted from our current location because the city is going to use that property to build the new water
19 treatment plant.
20

21 **Sands** the hours of operation are typically between 8 and 10 pm does that work for you?
22

23 **Chie Jensen** we rarely go beyond 10 pm. We had training yesterday that started at 8 am but we started in
24 our building with some nomenclature training. We shoot once a year with the rifle training and night time
25 qualifications and it is very rare for us to even go to 10 pm. This is a very light use facility.
26

27 **Steven Spires** we own the property right where the sewer treatment is, directly to the east of 2400 West.
28 My concern is property value. I own the property as an investment and have for years. We rent it, we
29 don't farm it. We already have a sewer treatment facility across the street from this and it seems like
30 Logan City is using this are for undesirable uses. I also think you are wrong in regards to your
31 residences. There are homes right down on 2400 and there are four homes up where you come up to the
32 airport road on 2400 west. I don't know why those residences aren't shown. I don't want to see this here
33 due to property values. I don't intend to have it agricultural forever but I don't know when that will
34 change but I don't like this use here.
35

36 **The Commission** discussed long range shooting distances and the concern to some where the baffling is
37 not going to be at the top of the range. There are homes within rifle range of this facility and the baffling
38 would help with errant shots and noise.
39

40 **Watterson** this area was proposed for the treatment facility but it was also proposed as wildlife area, how
41 would this affect the wildlife with the noise?
42

43 **Chief Jensen** if the Commission chose to make that a requirement we would look at that. Once again we
44 felt like the nature of the shooter was different from the public range but if that is what is going to kill the
45 project we would do that.
46

47 **Watterson** anything on the wildlife?
48

49 **Chief Jensen** there are ducks and geese in the area but the 30 days we use this facility, I can't speak
50 professionally on it, but I do think they would settle right back in and enjoy what they do in that area.
51

1 Most of the ground surrounding this location is private and all property owners within 300 feet were
2 notified.

3
4 **Olsen** what are the odds of a rifle being fired that would send a bullet over that berm?
5

6 **Chief Jensen** none that I know of, but to promise that it would never happen is a stretch. I a round were
7 to go off course, the baffling would pick that up. Once again I would like to tell you that we are a little bit
8 more in control and careful than that but to say it would never happen isn't practical.
9

10 **White** was the reason for the site location because Logan City has the property?
11

12 **Chief Jensen** we did look at city owned property but there were 2 or 3 pieces that we looked at and this
13 seemed to be the best location. There are not many people out there and we didn't feel like the noise and
14 other things would affect that many.
15

16 *Parker motioned to approve the LCPD Shooting Range Conditional Use Permit with the stated findings*
17 *of fact and conditions of approval;*
18

19 **The Commission** discussed baffling and possibly requiring baffling as a condition.
20

21 **Watterson** has the city researched the baffling?
22

23 **Chief Jensen** Not necessarily baffling. There are ranges built with it and ranges built without it. There
24 are two ranges I can think of with it ours here, and one in the center of Ogden. Once again I would hate
25 that to stifle the project if you feel like the baffling is something that has to be done then we'll do it. We
26 do want to be good neighbors and have this facility be something that is not a burden. I believe if that is
27 your direction we wouldn't have any problem with that.
28

29 **Christensen** I'm not familiar with the baffles at the Hunter's Ed facility but you said that you are going to
30 put your sidewalls 10 feet and the berm 20 feet, how much additional height would the baffles add?
31

32 **Parker** they aren't a height they are dimensional.
33

34 **Chief Jensen** looking down the range all you would see would be the baffles, not the sky.
35

36 **Parker** the baffles wouldn't need to be the whole length of the range.
37

38 **Chief Jensen** we would have somebody look at it. Action Target is out of the southern end of Utah
39 County and they are a professional range building group and we would have them deal with that.
40

41 **Sands** these baffles would be contained in the range?
42

43 **Chief Jensen** yes. Clearly the rifle bullet is what we would be concerned with escaping. Your small
44 arms bullets have a very short functional range; even if you intended to go over the berm they will only
45 go about 100 yards. That would still fall within the property lines.
46

47 **Sands** I just wanted to confirm that you wouldn't need to expand into the other wetlands areas?
48

49 **Chief Jensen** no, but it is an interesting thought that there are no shooting restrictions out there. There is
50 shooting capabilities out there right now.
51

1 **Parker** amended his original motion to approve the LCPD Shooting Range with the stated findings of fact
2 and the addition of a 5th condition to require baffles on the rifle range; **Olsen** seconded; **Passed 5, 0.**

3
4 **6:09:00**

5
6 **#2 Discussion – Autonomous Solutions, Inc.**

7
8 **Runhaar** updated the Commission on Autonomous Solutions, Inc. They have received their storm water
9 permit from the state and have submitted everything to us for that. There are two issues that are ongoing,
10 one the issue of employee loading in relation to their original permit and the second issue is the
11 disturbance of land in relation to their original permit. The original permit says no more than 20% of the
12 land can be developed. All the areas on the map marked in hatched they are building these areas out to
13 re-stabilize and reseed them. Everything in yellow, purple and red is developed and that falls within their
14 20% of the original permit. They are going to continue working through the employee issue in relation to
15 their permit. Staff discussed with Autonomous the paving of all their tracks. Autonomous indicated that
16 all the marked tracks are needed to continue running their business. Autonomous will seek to get a
17 zoning clearance for the paving of those tracks. It will take a couple of months to work out the issues
18 with the employees, and staff and Autonomous are working together to resolve the rest of the issues.
19 There is potential for a possible rezone but a request has not been submitted. One of the concerns is with
20 storm water and erosion, and erosion controls will need to be put in place if they continue to run tracks
21 and equipment. We need to make sure if something moves it will all be contained on site. The road is
22 one of the bigger issues and that will also bring in the number of employees which will be brought back
23 before the commission hopefully in the next month. The original permit did not deal with the possibility
24 of expansion and simply dealt with what was going on when the permit was issued. The original permit
25 did not have any conditions regarding the road but the county did originally agree to run a grader down
26 there once a year and the Autonomous agreed to handle all other road needs. The road will have to be
27 addressed for this to continue to work.

28
29 **James Jenkins** we have had discussion with the planning department on several things and we realize the
30 road is an issue. Autonomous Solutions, Inc. (ASI) has probably spent \$40,000 on the road and it
31 obviously isn't up to what it needs to be. The immediate concern, prior to this coming to everyone's
32 attention, there had been commitments of the completion of the pavement and we've got a seasonal
33 crunch. We've committed a substantial amount of money to finish that to complete a contract with the
34 customer. The paving issue seems to be independent of the other road and employee issues and we felt
35 that we could go ahead with that. We wanted to advise the commission of where we are and what we are
36 doing and that we are trying to cooperate with the department. We have lots of possible solutions and it is
37 now a matter of choosing one and figuring out how to make it work. I just wanted to point out that my
38 client has been working with your staff to try and fix all the problems. My clients are not sophisticated in
39 land use and naively they understood that if they got a building permit that would satisfy everything and
40 didn't realize all that was going on. They were told by their contractor everything would be okay. I met
41 with my clients and we've been out to the site and worked on the storm water permit and plan, my
42 understanding that that is subject to review every three years and I assure that my clients are concerned
43 about erosion of their property. Most of what you see on this graphic here in the disturbed area it relates
44 to the construction that they undertook before we realized that we had a compliance problem. We
45 anticipate that as soon as the construction is completed we will be reseeding all that area; the yellow
46 hatched area has always been treated as agricultural area. We run robotic agricultural equipment on those
47 areas. We are trying to work cooperatively and are hoping to finish the paving so we can comply with a
48 contract for a client and at the same time meeting with staff to finish working out the problems with your
49 staff.

50 The permitting for the paving will be handled administratively with staff. Many of the commissioners
51 were concerned with the road.

1 **6:28:00**

2
3 **#3 Discussion – Title 17.07.030 – Kennels**

4
5 **Harrild** reviewed the information for a kennel ordinance that staff has been working on. The proposed
6 language identifies the following:

- 7
8 **4820 KENNEL:** Any establishment at which four (4) or more adult dogs are bred or raised for sale,
9 boarded, or cared for. Additional definitions regarding kennels are as follows:
10 **a.** A dog is considered an adult when it is six (6) months of age or older.
11 **b.** Up to four (4) adult dogs may be allowed per acre, but a kennel shall consist of no more than
12 12 adult dogs.
13 **c.** Kennels consisting of 13 or more adult dogs shall be considered equivalent to the use type
14 “6150 Animal Shelter” as indicated by this title, and must seek approval under those
15 requirements.

16
17 **Runhaar** commented that the animal shelter definition would need to be re-written to work with the
18 kennel section. Most of the current facilities in the valley would be fine with the 12 adult dog cap. The
19 county has never received complaints regarding grooming facilities; the complaints are always regarding
20 boarding. The county has never received a complaint regarding the Humane Society because they are
21 located in the appropriate area; they are in a commercial zone right off the highway. In the recent past the
22 commission has approved up to 15 dogs for one facility, but that was a grooming facility not a boarding
23 facility. In the Ag Zone a business that makes more than \$600 is required to have a business license and
24 would have to have a home connected to it.

25
26
27 **#4 Discussion – Title 17.06 – Uses**

28
29 This discussion was moved to October’s meeting.

30
31 **#5 Discussion – Title 17.13 – Mineral Extraction and Excavation**

32
33 This section will come back to the Planning Commission at some point in the future after it has been
34 cleaned up.

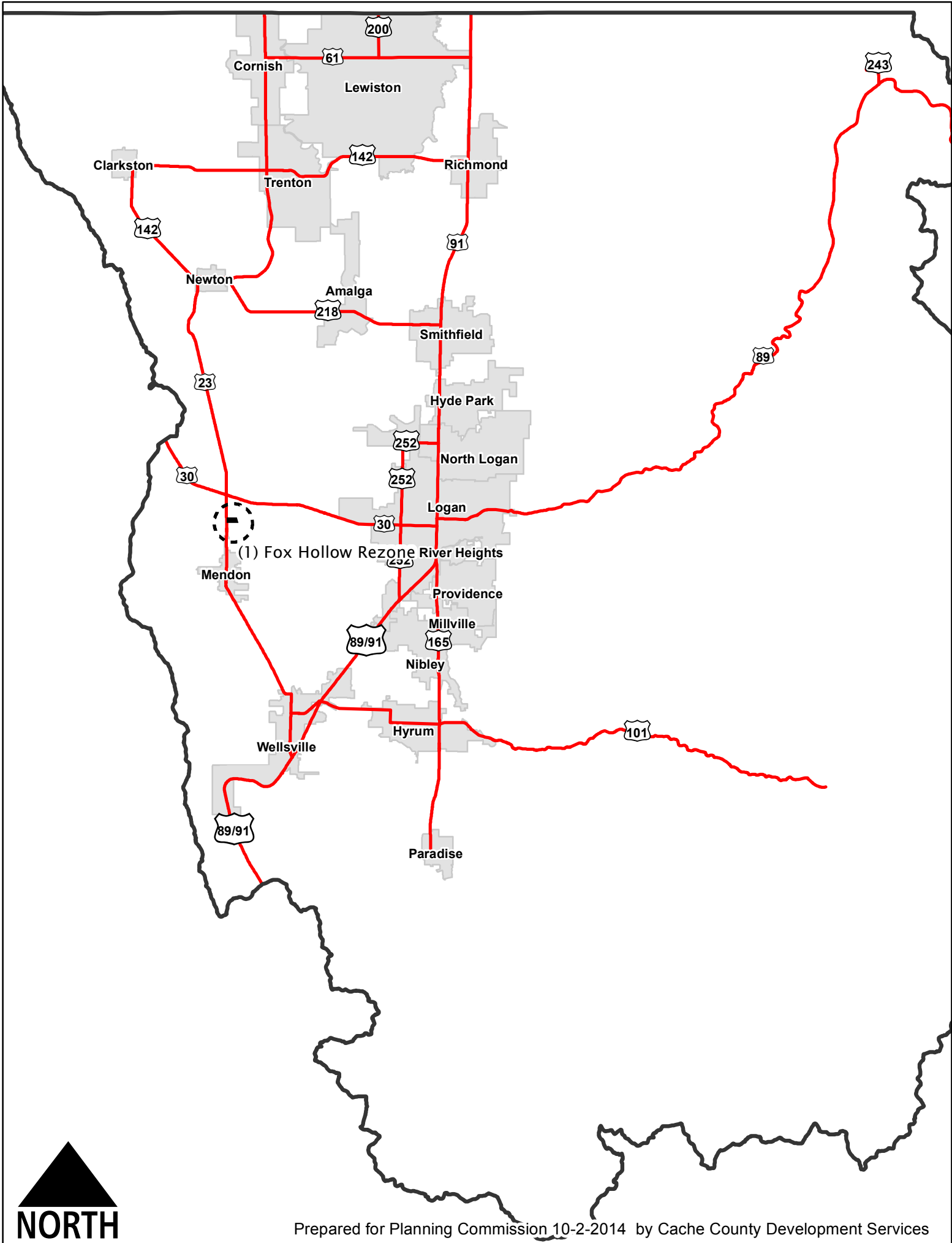
35
36 **6:50:00**

37
38 **Staff Report**

39
40 The resort recreation code needs to be re-written because it doesn’t work the way it is written currently.
41 The road standards section also needs to be cleaned up and gone through. The county is now also going
42 through the requirements for storm water permitting and staff will work on putting something together on
43 how the new requirements will affect development. Storm water permitting hits the county particularly
44 hard because the county is now responsible for making sure the process is done correctly or the county
45 will be heavily fined by the state and the EPA.

46
47 **6:55:00**

48
49 **Adjourned**



(1) Fox Hollow Rezone River Heights

NORTH

STAFF REPORT: FOX HOLLOW REZONE

02 October 2014

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Duane Williams

Parcel ID#: 12-036-0005

Staff Recommendation:None

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Chris Harrild - Planner II

Project Address:
300 North Highway 23
Petersboro

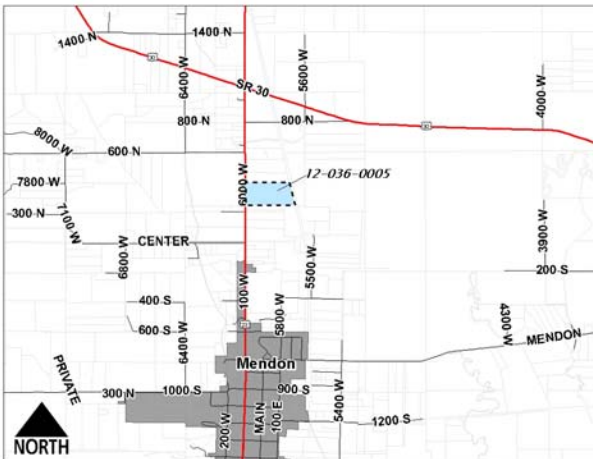
Acres: 49.6

Surrounding Uses:

North – Agricultural/Residential
South – Agricultural/Residential
East – Agricultural/Residential
West – Agricultural/Residential

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Rural 5 (RU-5)



PROJECT PURPOSE, ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

To review and make a recommendation to the County Council regarding the proposed Fox Hollow Rezone; a request to rezone the 49.6 acre parcel 12-036-0005 currently zoned Agricultural (A-10) to the Rural 5 (RU-5) Zone.

Ordinance:

Current Ordinance does not specify appropriate locations for the Rural 5 (RU5) Zone. The Cache County Comprehensive Plan also does not currently support the RU5 Zone.

The Cache County Ordinance Title §17.08.030[C][3] requires that development within the Rural 5 (RU5) Zone must be appropriately served by suitable public roads, have access to necessary water and utilities, and have adequate public service provision.

Any impacts related to permitted and conditional uses allowed within the Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.

Summary:

There are no existing dwellings on this property. The requested rezone would allow up to 9 lots on the 49.6 acre property. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and the following:

Density (see map): Within a one-mile radius of this property, the surrounding parcels reflect an average parcel size of 7.6 acres for those parcels with dwellings, and an overall average parcel size of 20.75 acres. This does not include the portions of Mendon City that fall within that radius.

Zone Placement: As identified by the Planning Commission and the County Council at the time the RU5 Zone was adopted, the intended/anticipated placement of said zone was the areas of the unincorporated county adjacent to municipalities. This proposed rezone is approximately 0.5 miles north of Mendon City.

Maintenance Capability: It is anticipated that the approval of this rezone request and subsequent subdivision request will result in the creation of ~500' of new roadway that require county maintenance. The approval of the higher density zones within the unincorporated county increases the county's maintenance burden and cost. The county is not currently capable of maintaining the existing county roadway systems, and therefore this increased burden is likely to impact the maintenance of all county roads. Consideration of the long term cost to maintain and serve high density areas in the unincorporated county is an appropriate tool when determining necessary action regarding such requests.

Access: Highway 23 is an adequate access route. Water supply for fire protection will be provided by the Mendon City Fire Department. Access for fire protection and emergency services will require further review prior to development.

Water: There may be issues regarding access to adequate culinary water at this location.

Utilities and Public Service Provision: An existing bus stop is located approximately 1,000 feet from the noted property. There are no known issues regarding any other public service provision, outside of maintenance capability, at this location.

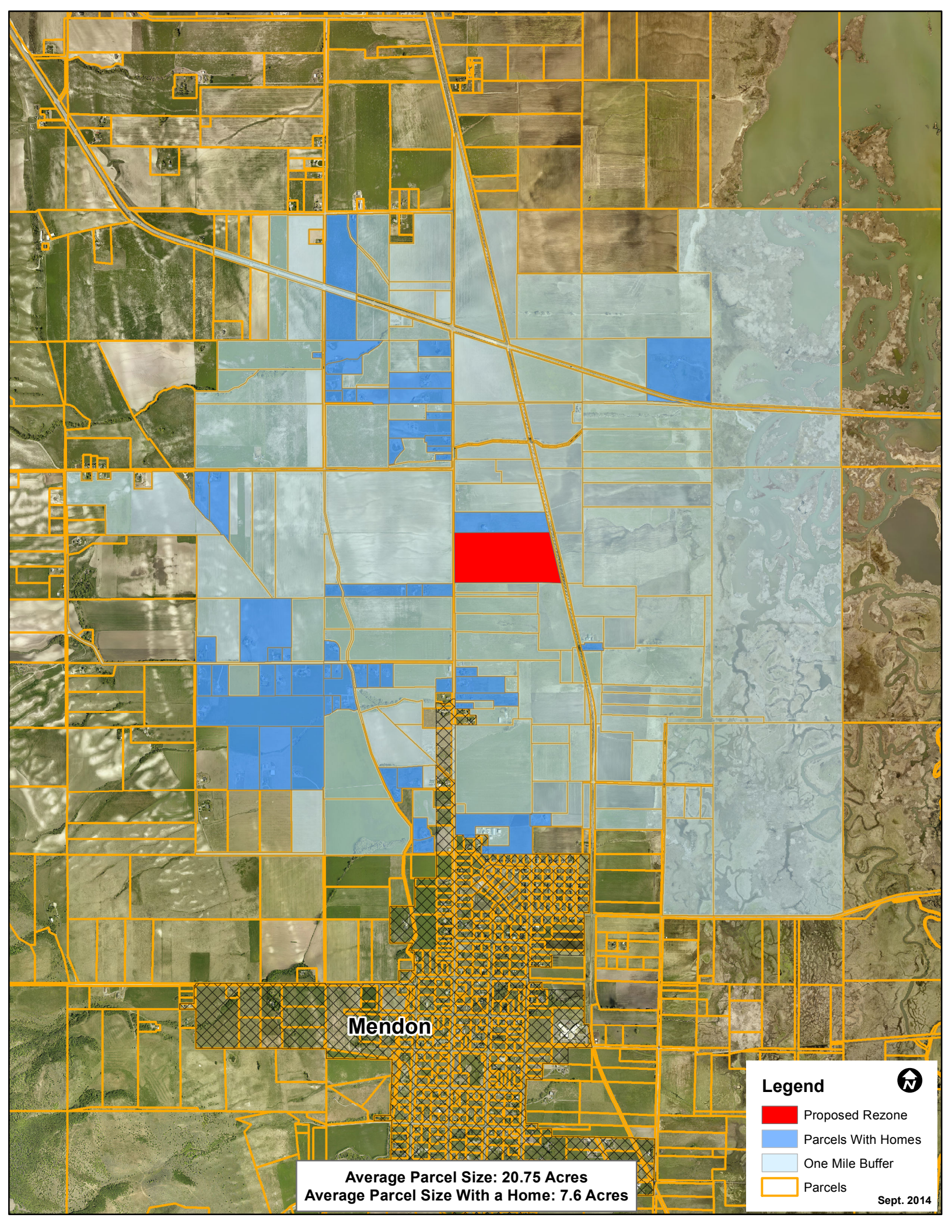
Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time Development Services has received one comment regarding the availability of culinary water.

STAFF DETERMINATION

This report has been provided to the Planning Commission and County Council to assist them in their review of this rezone request. No determination or finding(s) of fact has been identified by staff, however all relevant information regarding the rezone request has been provided.




Staff recommends that the Planning Commission and County Council strongly consider the intended location of the RU5 Zone and the long term cost and burden to the county associated with the maintenance of road systems that serve high density areas, and arrive at a determination based on finding(s) of fact prior to any legislative action. Staff will assist in the drafting of a determination and finding(s) of fact once they have been identified by the Planning Commission and/or County Council.



Mendon

Average Parcel Size: 20.75 Acres
Average Parcel Size With a Home: 7.6 Acres

Legend

-  Proposed Rezone
-  Parcels With Homes
-  One Mile Buffer
-  Parcels



Criteria considerations:

1. Health, Safety, and Welfare
2. Compliance with Law
3. Compliance with Intent of General Plan and Zone
4. Adequate Service Provision
5. Impacts and Mitigation
6. Compatible with Character of Vicinity

Proposed Criteria:

1. Health, Safety, and Welfare:
The proposed conditional use is not detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - a. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - b. It unreasonably interferes with the lawful use of surrounding property.
2. Compliance with Law:
The proposed conditional use complies with the regulations and conditions specified in this title and other applicable agency standards for such use.
3. Compliance with Intent of General Plan, Ordinance, and Zone:
The proposed conditional use is consistent with the intent, function, and policies of the applicable zone and the current general plan.
4. Adequate Service Provision:
The proposed conditional use does not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.
5. Impacts and Mitigation:
Reasonably anticipated detrimental effects of the proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, **impacts on sensitive areas as defined by this code, and/or disruption of agricultural practices.**
6. Compatible with the Character of the Vicinity:
The proposed conditional use is compatible with the character and uses in the immediate vicinity while preserving and/or enhancing the character of the same.

Amendments to 17.07 | DEFINITIONS RE: Kennels

17.07.030: Use Related Definitions

~~**6150 ANIMAL SHELTER:** A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.~~

7200 BOARDING FACILITY: A series of stables, barns, paddocks, and/or other shelters and ~~exercising~~ exercise facilities in which farm animals are fed, exercised, and/or cared for on a short or long term basis for a fee.

7210 HOME BASED KENNEL:

~~**1. Kennel:** Any establishment at which four (4) or more adult dogs are bred or raised for sale, boarded, groomed, and/or otherwise cared for. Up to four (4) adult dogs may be allowed per acre, but a home based kennel shall consist of no more than 12 adult dogs.~~

~~**7220 PROFESSIONAL KENNEL:** Any establishment at which thirteen (13) or more adult dogs are bred or raised for sale, boarded, groomed, and/or otherwise cared for.~~

17.07.040: General Definitions

~~**ADULT DOG:** A dog is considered an adult when it is six (6) months of age or older.~~

Amendments to 17.09 | SCHEDULE OF ZONING USES RE: Kennels

Index	Description	Base Zone							Overlay Zone	
		RU2	RU5	A10	FR40	RR	C	I	ME	PI
6150	Animal Shelter	N	N	N	N	N	C	C	N	-
7200	Boarding Facility	C	C	C	N	C	C	N	N	-
7210	Home Based Kennel	C	C	C	N	C	C	N	N	-
7220	Professional Kennel	N	N	N	N	N	C	C	N	-

Public Comment: Watkins
30 September 2014

Blacksmith Fork Veterinary Clinic

Aldon T. Watkins, D.V.M.

Andrea Russell, D.V.M.

16 East 6200 South

Hyrum, Utah 84319

(435) 245-4710

September 30, 2014

Dear Cache County Council and/or Zoning Committee:

I have received correspondence from concerned clients the past few days about proposed changes and implementation of regulations regarding dog ownership. I think it is important to understand the changing face of dog ownership. When I started practicing in Cache Valley 20 years ago, the average dog was in the 50-100 lb range, lived outdoors, barked outdoors, and ran loose outdoors, which I'm sure is the reason for many city and county regulations about dogs. Now the great majority of dogs I see are in the 2-20 lb range and rarely leave the house.

The modern, more responsible generation of dog owners, are emotionally dependent upon their pets and will defend them, protect them, and care for them as they would their own children. It has been interesting to me to observe this change. Everyday in my practice people refer to their pets as "their children."

I appreciate the County's efforts in encouraging responsible animal ownership. It is wrong to assume that people with multiple or many animals are the ones that are irresponsible owners.

Limiting the number of dogs seems as absurd to the modern dog owner as limiting the number of children would seem to parents wanting large families. It has been my experience that cities with ordinances limiting the number of dogs people own, are simply making liars out of their citizens. I frequently hear people tell me that the number of dogs they own above the city's limits are simply kept inside and hidden.

I am also concerned about limiting dogs based on acreage owned. This will simply encourage the wealthy to be multiple dog owners, rather than those who cannot afford property in Cache county. Thankfully for those of us from large families, such regulations are not in place for people.

My recommendation is to be cautious when limiting numbers and focus on regulating specific issues such as noise and odors, which are not always number related. Thanks for your time and consideration.

Sincerely,


Aldon T. Watkins, DVM

Public Comment: Burton
15 September 2014

RECEIVED
SEP 15 2014

Dear Council members

BY.....

First I would like to thank each council member for your service and hard work in helping to make Cache County so great, we do appreciate it! I would also ask that each of you please take a few minutes and read this entire letter, it is very important to us.

My name is Karie Burton and I have been breeding teacup and toy schnauzers now for over 7 years, the whole time in Cache Valley. Most of those years we have lived in Paradise, in the county. I have always had quite a few dogs, in the last 3 years I have had between and 40-50 breeding dogs and in this entire time have never had one complaint except for one right after we moved and this came from an anonymous person so we are not even sure it was my dogs that they were reporting.

Anyway, it has come to my attention that the council is about to approve a new ordinance that will allow only 4 dogs per acre and only 12 dogs total and they will have to be moved to a commercial zone if we have over 13.

Here is my concern and correct me if I am wrong but when the council comes up with a new ordinance is it not supposed to be well thought through and researched from all points of view and with everyone that is affected by it consulted with or at least considered as far as fairness and equality in the matter? Shouldn't there be some education involved so that the council or person making the new law is knowledgeable about everyone that is affected by the new law so the law is fair? I am sure you all must realize how critical any law is to a person's life and can be life changing.

When Josh and Chris came up with this very unfair and biased ordinance did they actually research anything about kennels and breeders? Obviously not or they never would have come up with a number out of a hat like this and the worst part about this is trying to force us to take our dogs and leave them in a commercial zone? This is honestly shocking that they would even consider such a thing, this is inhumane and terrible! Where is the Humane Society on an issue like this or were they even consulted either? For sure they will be notified on this issue because it is really horrible to think of leaving my dogs alone in a commercial zone with all the traffic, people and noise.

I sincerely hope that there will be more discussion on this issue before you go any farther with this approval of this ridiculous ordinance.

I actually took about an hour today and did some research on each county in Northern Utah to find out what their ordinances were concerning kennels and breeders and none of them have anything close to this one your members are proposing...none of them limit the amount of dogs a breeder can have, they can have any number they choose as long as they are cared for and open to inspections, etc....so simple to just go online and make a few phone calls to see what these other counties require...why didn't Josh and or Chris do this simple homework so they could come up with a fair and balanced ordinance instead of just picking a number like 12 dogs along with the other quite ridiculous ideas they have proposed?

I have called and/or printed off the kennel/breeder ordinances from Salt Lake, Utah, Davis, Weber, Utah and Box Elder counties and included them here for you to look at...even Salt Lake county with all of it's

people have a simple and clear and FAIR kennel/breeder ordinance...all are much the same, any number of dogs as long as they are well cared for, available of inspection from the county animal control and abide by local laws and ordinances as far as noise, zoning etc...so simple and fair to everyone so why is Cache county proposing such an unfair new ordinance?

NONE of the other counties would ever dream of putting dog kennels in a commercial zone! Why would YOU want to put dogs in the most congested zone there is? This would cause them to bark and be a nuisance!

Just some background on how we as breeders operate...our dogs are loved and cared for 24/7, they need to be where we can see them at all times, this is what a good breeder does, we want to be good neighbors and not cause noise, smells or distractions...we need to be out in the country so we can be a good neighbor and a good breeder. I do sell my puppies mostly off my website, I sell all over the country and also internationally so yes I guess I would be considered a commercial breeder, but to me this is a small home business, my dogs are in my home and also in my kennel, my dogs are tiny HOUSE DOGS...they do not require a lot of space at all, they spend most of their time indoors...all my dogs are tiny, all 3 to 8 pounds...we do not need an acre of ground at all, all of my 42 dogs are fine in our big back yard, they have lots of grass to run and play on and a nice comfortable kennel to live in...my dogs sleep on childrens toddler beds with lots of blankets...it is insulated and heated and cooled...they have fresh water and food 24/7...my kennel is like a big bedroom actually and my girls are in my home when they give birth and nurse their litters...all of our puppies also live in my home until they go to their new homes, they do not go outside at all so there is no noise from puppies.

My dogs are taught to not bark and because I am home all the time I can teach and reinforce this, so this is why I do not get complaints because of noise, we live out away from others, we have a fence all the way around our yard and we teach our dogs to not bark...most people would never even know I have dogs.

Our home in Paradise was on 10 acres however my dogs only used about a half acre if even that, but we like to have a little more property so we can be good neighbors. We only have 3-5 visitors a year to see our puppies so there is no need for parking issues, etc.

So here again, how is it fair to say only 4 dogs per acre? Are you going to break this down into sizes? How can you compare my tiny dogs to a large dog like a shepard? 8-10 of my tiny dogs would be the same as one shepard! Are you also going to make ordinances then for all animals? My neighbor has chickens and his rooster makes ten times more noise than all 42 of my dogs! What about all the people who sell other animals, they are also commercial then, are you going to require dairies, sheep, chickens, cats, pigs, lama's etc. to all have to move their business to a commercial zone? Isn't this why we have an ag zone to keep animals in to keep noise, smells, etc. down and be good neighbors? Isn't this why we put people in residential zones, animal operations in ag zones and business in commercial zones? A commercial zone is absolutely no place for a kennel of any kind unless you are rescue, then yes that is a good place because they have so much traffic and people coming in and out...we do not have very many

visitors at all so do not require parking, etc. What about the USU coyote farm in Nibely, they are so loud and can be heard for miles, are you going to make them go to a commercial zone?

I have a high respect for rescues such as Four Paws and also for the Humane Society, however we are absolutely not in the same category at all! We do not even own cages like they do, we do not have strays like they do, so to say you are going to rewrite the law to put us as breeders in the same category will not work and it is wrong.

I have included here a list of some of the schnauzer breeders that I deal with and know personally here in Utah, the number of dogs they have, etc...I know there are many, many more breeders of all kinds but my point being you need to realize how many dogs they all have, there does not need to be a limit on how many dogs a breeder has, it is all about how they are cared for...it is silly and unfair to come up with a number like Josh has done when he has no idea about kennels or breeders and he did not do homework at all on any of this or he would not have come up with this. I have also included a list of other schnauzer breeders across the country that I know are excellent breeders, the point being I am proving to you all that it is not hard to care of 5 or 60 dogs or even 100 dogs, just like you would not tell a dairy farmer or any animal business how many they can have when you do not understand how they operate and do business until you actually do it.

Also want to make a few more points in hopes that you can all see that this ordinance needs to be rethought and started over...this ordinance is taking away my rights along with any other breeders who have worked so hard to do everything right, to produce healthy, happy purebred puppies for others to enjoy and now with this ordinance we feel we are being punished! Everywhere we go there are dogs roaming around or dogs tied to posts laying in the dirt, this is heart breaking...this is exactly the opposite of what a good breeder does to care for their dogs...we keep our dogs in a clean, sanitary home/kennel, they are NEVER allowed to roam loose...they are cared for medically with the best of everything they need to be healthy...we do not over breed, we retire our dogs when they are young...we sell 98% of our dogs as pets only...we have a 5 year health guarantee and we always will take back any pup/dog that someone does not want or cannot keep, we never want any of our dogs to be abandoned or left alone...we stand behind every pup/dog we have and we have never had one dissatisfied customer!

We have always paid our taxes on our dog business, kept our dogs licensed, have a business license, got inspections done timely, everything we are required to do and no complaints!

Last year we spent over \$10,000 in veterinary expenses to local vets here not to mention thousands to local business for supplies, including Walmart, Petsmart, IFA, printers, grocery stores, etc, etc....we are contributors to lots of businesses here in Cache Valley along with other breeders, but with this new ordinance you are going to force us to take our dogs and go to Idaho or Box Elder county...is this what you want? I am sure if and when the vets here in Cache Valley hear about this ordinance they will also be willing to voice their complaints as they will lose substantial business if all breeders are forced to go elsewhere.

Cache Valley is a big place and there is room for anyone who wants to operate a legitimate business, even one that has to do with animals like breeders of any animals...so why are dog breeders being

singled out here? Why can't we come up with a more fair ordinance similar to every other county in the state to be fair to breeders and to those who do not care for breeders which seems to be the case with Josh and Chris? If they are truly doing their jobs and want what is best for everyone then why haven't they done the simple homework I just did that took an hour of my time to research other county ordinances and also to maybe get an understanding of how good breeders operate? How could they even think it is humane to leave dogs in a commercial zone without their owners? I just cannot wrap my brain around this ordinance at all and it needs to be redone.

Another point is that I listened to the meetings online where you have discussed this issue and I am at a loss to understand why again Josh has come up with this stuff...he actually spoke and said they have had very little complaints about dog kennels from people but lots of complaints about Four Paws, so then why he is proposing to limit the amount of dogs breeders can have and punishing us??? Can he not see that the dogs that are in commercial zones like the Humane Society and I assume Four Paws are the ones that are getting complaints? Then why would he propose and why would you all agree to put more dogs in commercial zones to make more noise? Just does not make sense! Kennels need to be out in the country! Also he is proposing to put kennels under the same classification as rescues and Humane Society, please do not let him push you into such an ordinance! We are nothing like these businesses are! We are in fact the opposite, we do not have stray dogs, we do let our dogs bark endlessly like they do, our dogs are our family and each one is an individual, their dogs are mostly strays which is heartbreaking but they are not breeders and we should not be categorized with them at all, this is not right! None of the other counties do this, they have them separated as it should be.

I am sorry this is long but these obvious points need to be brought up...there is no reason for such an ordinance at all and the proof comes from the other counties that do fine with kennels and breeders and we should have a dog ordinance that is similar, one that is fair to everyone and were written by people who researched the issues and came together with a fair and balanced ordinance...we contribute a lot to the local economy and work hard to be good neighbors and get along.

Another very important point that you are probably not aware of...we as breeders get inspected by AKC on a regular basis, we have to keep our places and dogs in excellent condition to stay in good standing with AKC and most dogs are registered with AKC or we cannot register our dogs.

Also the USDA has passed a new law in 2012 where they will be doing yearly inspections of all dog breeders starting very soon...they have a very strict set of rules including having enough space for each dog...they require our local vets to inspect us annually, we have to keep excellent records, etc. so there is no need again for such an ordinance...both of these organizations will make sure that all breeders go by the rules or they will be shut down...I have also included the new USDA packet here for you to look at and see their strict requirements for us dog breeders...they are doing this to shut down bad breeders and puppy mills so it is a good thing and yes it will be more cost for us. So as you can see there is no need here for the county to police, you have an animal control officer that takes care of this along with AKC and now with the USDA inspectors no one who sells dogs will be able to avoid being inspected.

So bottom line, I know you are all trying to do what is best for our great county, and I know you have the best interests of the people in mind, but please reconsider this ordinance, It is seriously flawed and extremely unfair and was obviously not researched like it should have been...others are saying it is because of the issues with Mullins and this is why Josh is trying to push it through so fast, I do not know his reasons and how he came up with his numbers, but it is just not right at all and I am a very fair and reasonable person and whether I am a dog breeder or not it is plain to see this is just not right.

This is America where everyone has the right to do what they want with their families, their business and their animals and property as long as they are good neighbors and as long as they abide by fair rules and laws...we do not need more government telling us how many dogs we can have or not and where they need to be by someone who does not understand the business of being a breeder...all we ask is to have some say in such an ordinance where this will be such a life changing situation...all we want is for all of us to work together on this issue and make a good decision and a fair decision based on facts, not just pulling a number out of hat.

We love it here in Cache Valley, our family is here and my husband works here...we have lived here for 14 years now and have always been good citizens, etc. and are just asking you all to think about this and do not approve such an ordinance for the sake of the dogs especially...please do not force us to move to Idaho or Box Elder, we want to stay here and be good neighbors as always.

Sincerely,

Karie Burton

PROOF THAT NUMBER OF DOGS IS NOT THE ISSUE AND SHOULD NOT BE LIMITED

Included are ordinances concerning dog kennels and breeders from Salt Lake, Davis and Weber counties...they are mostly similar, no limits on how many dogs a breeder has as long as they are open to inspections and abide by local laws, etc.

Box Elder county does not have an online post for their ordinances but I did call them and they have no ordinances except for licensing and to go to the Planning Commission to get a kennel license.

Some require certain fences some don't.

All require licenses and some break down the kennel license fees according to how many dogs you have from 1-100 or more dogs...number of dogs do not matter it is how you care for them.

BELOW IS A LIST OF BREEDERS FIRST FROM UTAH AND THEN ALSO ACROSS THE COUNTRY TO PROVE THAT NUMBER OF DOGS IS NOT THE ISSUE THAT THEY CAN BE CARED FOR AND THIS IS NORMAL FOR BREEDERS TO HAVE BIG NUMBERS OF DOGS. ALL OF THESE BREEDERS I HAVE DEALT WITH AND SOME I HAVE VISITED AND THEY TAKE EXCELLENT CARE OF THEIR DOGS.

Also have listed websites and years they have been doing this so you can look yourself.

www.onesmallschnauzer.com	20 dogs, Corrine, breeder for 12 years.
www.lucky7schnauzers.com	18 dogs, Honeyville, 8 years.
www.royal-schnauzers.com	36 dogs, Thatcher, 15 years
www.spoiledrottenschnauzers.com	21 dogs, Orem, 7 years
www.schnauzerlover.com	60+ dogs, Texas, over 25 years
www.toyschnauzer.com	30+ dogs, Texas, over 30 years
www.dreammakerspuppies.com	55+ dogs, Texas, over 20 years
www.blairstoy Schnauzers.com	30+ dogs, Florida, over 25 years.
www.preciousdreamsdoghouse.com	10 dogs, Michigan, over 25 years.
www.toyschnauzercottage.com	8 dogs, California, over 20 years
www.dreamweaverkennel.com	15 dogs, Arkansas, over 20 years
www.cartmellkennels.com	30+ dogs, Oklahoma, over 20 years.

Discussion of mineral extraction
amendments has been delayed and will be
addressed next month.