

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, 2024

ANIMAL ORDINANCE UPDATE FOR FR AND FA ZONES

AN ORDINANCE OF GENERAL REVISION, AMENDING THE FOLLOWING SECTIONS OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001: 19.12.020 (PERMITTED USES IN THE FORESTRY AND RECREATION (FR)ZONE), 19.12.030(G)(CONDITIONAL USES IN THE FR ZONE), AND 19.54.020 (PERMITTED USES IN THE FOOTHILL AGRICULTURE (FA) ZONE) TO HAVE DISTINCT REGULATIONS IN THE FR AND FA ZONES WITH REGARDS TO ANIMAL USES AND THEIR ASSOCIATED IMPACTS ON ADJOINING PROPERTIES, THE ENVIRONMENT, AND THE WELL-BEING OF ANIMALS; AND MAKING OTHER RELATED CHANGES.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made here are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.12.020 of the Salt Lake County Code of Ordinances is amended as follows:

19.12.020 – Permitted Uses

The following uses are permitted in the FR zones subject to compliance with all applicable requirements set forth in this chapter including those relating to site and lot dimensions, development standards, and other regulations:

- A. Accessory uses and structures customarily incidental to a permitted use;
- B. Agriculture, as defined in Section 19.04.020;
- C. Apiary;
- ~~C~~D. Home business, subject to Chapter 19.85;
- ~~D~~E. Home day care/preschool for six or fewer children subject to the conditions set forth in Section 19.04.293;
- F. Horses, and animals and fowl for family food production as defined in Chapter 19.04 of this title, provided that:

1. The area proposed for such use is not a protected watershed area, as determined by the health department's watershed regulation;
2. Properties do not include within their borders, do not adjoin, or are not within 50' of ephemeral streams or 100' of perennial streams, as defined in Salt Lake County Code Chapter 19.72.
3. The following limits apply:
 - a. the limits prescribed in the definition of family food production in Chapter 19.04.
 - b. a maximum of two (2) horses per ½ acre are allowed.
4. If horses, or animals or fowl for family food production were approved by a land use permit prior to adoption of this subsection (F), that permit governs over this subsection (F).
5. For purposes of this subsection (F), two (2) horses per ½ acre are allowed. Property acreage will not be rounded up to accommodate additional horses. Properties must be a minimum of one-half (1/2) acre to have horses, cows, goats, or sheep. For purposes of this subsection (F)(5), property acreage shall not include any portion of the property that exceeds 30% slope. Applicant will submit a slope analysis of the property, with contour at vertical intervals of not more than two feet, showing which portions of the property exceed 30% slope.
6. Applicant submits a manure management plan, which shall address mitigation of stormwater runoff, odor, and flies, and shall include the following:
 - a. Clean-up of manure and off-site deposit of the same in warm -weather seasons. Manure storage or composting is allowed in accordance with Salt Lake County Health Department General Sanitation Regulation regarding composting.
 - b. Siting of newly constructed stalls to protect surface water, drainageways, wellheads, streams and irrigation ditches.
 - c. Bedding system such as stall mats, hay, wood shaving, and/or wood pellets.
7. The property is not used for a business in which trail rides originate from the property.
 - a. The property may be used for a horse riding instruction business so long as that instruction is confined to the property, students do not transport their own horses to the property, and the property otherwise complies with the home business requirements in chapter 19.85; to the extent chapter 19.85 conflicts with this subsection (F)(6)(a), this subsection shall control.
 - b. The property may be used to board horses for others so long as all of the requirements of this subsection (F) are met.
8. The water service provider(s) for the subject property is notified of animals on the subject property.
9. A permit is obtained upon compliance with this subsection (F), notwithstanding sections 19.02.090 and 19.88.080.

~~{E}~~G. Household pets, provided the area proposed for animals is not in a protected watershed area, primary water supply recharge area, or drinking water source protection area, as determined by the Salt Lake ~~[Valley]~~ County health department or Utah Department of Environmental Quality;

~~{F}~~H. Minor ski resort improvements, provided:

1. That the privately owned land areas on which such improvements are permitted constitute less than ten percent of the total land area utilized for the ski resort that the improvements support, and
2. That at least ninety percent of the land area on which the improvements are developed, operated, and maintained is on public lands, and
3. That the public agency responsible for the management and administration of such lands has previously approved a special use permit or similar regulatory authorization, and has assumed long-term administrative and enforcement responsibilities for such approvals, and
4. That opportunities for public notice, review, and comment on the proposed improvements have been provided through a finalized National Environmental Policy Act (NEPA) or other comprehensive public review and comment process, and
5. That such improvements are either:
 - a. Essential to public safety, or
 - b. Required in association with the reasonable repair or maintenance of existing legally established facilities and improvements, or
 - c. Essential to the continuation or extension of improvements approved under the terms of a governmental land lease or use permit or by final action of the federal or state governmental agency with jurisdiction over the lands on which the improvements are located;

~~{G}~~I. Residential facility for persons with a disability;

~~{H}~~J. Single-family dwellings;

~~{I}~~K. Wireless telecommunication facilities; provided:

1. The wireless telecommunication facility is a wall-mounted or roof-mounted facility, and
2. The facility is mounted on a nonresidential building, and
3. A computer-generated visual simulation of the proposed structure is submitted as part of the required site plan, and
4. All other applicable requirements set forth in Chapter 19.83, “Wireless Telecommunications Facilities,” are satisfied.

SECTION III. Section 19.12.030(G) of the Salt Lake County Code of Ordinances is

amended as follows:

19.12.030 – Conditional Uses

.....

- G. Horses, and animals and fowl for family food production, as defined in Section 19.04.235 of this title, when the property includes within its borders, adjoins, or is within 50’ of ephemeral streams or 100’ of perennial streams (as defined in Salt Lake County Code Chapter 19.72), provided that:
1. The area proposed for animals is not a protected watershed area, as determined by the health department;~~[, and]~~
 2. All horses, animals, or fowl allowed in this subsection (G) are housed or otherwise confined at least 50’ away from an ephemeral stream or 100’ away from a perennial stream, subject to the following:
 - a. The commission may reduce the above setbacks by 25% upon the applicant submitting and implementing a riparian vegetation plan that creates a riparian zone in the setback which is in accordance with recommendations in the Salt Lake County “Stream Care Guide” and the following subsections from the Landscape Design Standards section of the Salt Lake County zoning ordinance: Plant Quality, Plant Coverage and Growth Rate, Species Diversity, and Plant Size Requirements at Planting.
 - b. If the commission approves a setback reduction under subsection (G)(2)(a), structures that house horses, animals, or fowl may not be constructed until the applicant provides a bond in the amount of the estimated cost of implementing the riparian vegetation plan, as determined by the Director, in accordance with Salt Lake County Code section 19.02.110; the bond shall only be released in accordance with that section.
 - c. This subsection (G)(2) shall not apply to structures that lawfully existed as of the effective date of this subsection. Under Salt Lake County Code section 19.02.090, land use permits are not required for the keeping of animals; under Utah Code section 15A-1-204, a building permit is generally not required for structures used for the keeping of animals.
 3. No more than two horses per ½ acre for a maximum of four (4) horses are allowed, and the limits on other animals prescribed in the definition of family food production in Chapter 19.04 apply;
 - a. Property acreage will not be rounded up to accommodate additional horses. Properties must be a minimum of ½ acre to have horses, cows, goats, or sheep. For purposes of this subsection (G)(3), property acreage shall not include any portion of the property in excess of 30% slope. Applicant will submit a slope analysis of the property, with contour at vertical intervals of not more than two feet, showing which portions of the property exceed 30% slope.
 - b. If horses, or animals or fowl for family food production were approved by a land use permit prior to adoption of this subsection (G)(3), that permit governs over this subsection.

4. Applicant submits a manure management plan, which shall address mitigation of stormwater runoff, odor, and flies, and shall include the following:
 - a. Clean-up of manure and off-site deposit of the same in warm -weather seasons. Manure storage or composting is allowed in accordance with Salt Lake County Health Department General Sanitation Regulation regarding composting. Compost piles shall not be located within 100' of a perennial stream or within 50' of an ephemeral stream.
 - b. Siting of newly constructed stalls to protect surface water, drainageways, wellheads, streams and irrigation ditches.
 - c. Bedding system such as stall mats, hay, wood shaving, and/or wood pellets.
 5. The water service provider(s) for the property is notified of animals on the property.
 6. The property is not used for a business in which trail rides originate from the property.
 - a. The property may be used for a horse riding instruction business so long as that instruction is confined to the property, students do not transport their own horses to the property, and the property otherwise complies with the home business requirements in chapter 19.85; to the extent chapter 19.85 conflicts with this subsection (F)(6)(a), this subsection shall control.
 - b. The property may be used to board horses for others so long as all of the requirements of this subsection (F) are met.
- ~~2. The use will not create unreasonable on-site erosion, downstream siltation, bacteriological or biological pollution in subsurface or surface waters, destruction of vegetation, air pollution, including dust and odors or other detrimental environmental effects. In determining the environmental effects of the use, the planning commission shall seek and consider recommendations from the health department and other concerned agencies, and may require the applicant to submit scientific studies including analysis of slope, soils, vegetative cover, availability of water, and other elements necessary to establish environmental effects of the proposed use, and~~
 - ~~3. The planning commission may limit the number of animals and fowl, or limit the amount of ground to be devoted to such use, or make other conditions to ensure environmental protection, and~~
 - ~~4. After the use is established, if the planning commission determines, based on findings of facts, that unreasonable environmental degradation is occurring, the planning commission may, after notification to the applicant and hearing, establish additional conditions or order the use to be abated;]~~

SECTION IV. Section 19.54.020 of the Salt Lake County Code of Ordinances is

amended as follows:

19.54.020 – Permitted Uses

The following uses are permitted in the FA zones subject to meeting all applicable requirements set forth in this chapter and ordinance relating to site and lot dimensions, development standards, and other regulations.

- A. Accessory uses and structures customarily incident to a permitted use;
- B. Agriculture, as defined in Section 19.04.020 of this title;
- C. ~~Animals and fowl for family food production, as defined in Section 19.04.235; household pets; a maximum of four horses for private use only;~~

Horses, and animals and fowl for family food production as defined in Section 19.04.235 of this title, provided that:

1. The area proposed for such use is not a protected watershed area, as determined by the health department's watershed regulation;
2. For properties that include within their borders, adjoin, or are within 50' of ephemeral streams or 100' of perennial streams, as defined in Salt Lake County Code Chapter 19.72, all horses, animals, or fowl allowed in this subsection (C) are housed or otherwise confined at least 50' away from an ephemeral stream or 100' away from a perennial stream, subject to the following:
 - a. The Director may reduce the above setbacks by 25% upon the applicant submitting and implementing a riparian vegetation plan that creates a riparian zone in the setback which is in accordance with recommendations in the Salt Lake County "Stream Care Guide" and the following subsections from the Landscape Design Standards section of the Salt Lake County zoning ordinance: Plant Quality, Plant Coverage and Growth Rate, Species Diversity, and Plant Size Requirements at Planting.
 - b. If the Director approves a setback reduction under subsection (C)(2)(a), structures that house horses, animals, or fowl may not be constructed until the applicant provides a bond in the amount of the estimated cost to implement the riparian vegetation plan, as determined by the Director, in accordance with Salt Lake County Code section 19.02.110; the bond shall only be released in accordance with that section.
 - c. This subsection (G)(2) shall not apply to structures that lawfully existed as of the effective date of this subsection. Under Salt Lake County Code section 19.02.090, land use permits are not required for the keeping of animals; under Utah Code section 15A-1-204, a building permit is generally not required for structures used for the keeping of animals.
3. The limits prescribed in the definition of family food production in Chapter 19.04 apply. A maximum of four horses for private use only is permitted.
4. Properties with horses, cows, goats, or sheep are a minimum of one acre.
5. If horses, or animals or fowl for family food production were approved by a land use permit prior to adoption of the 2023 changes to this subsection (C), that permit governs over this subsection (C).

6. Applicant submits a manure management plan, which shall address mitigation of stormwater runoff, odor, and flies, and shall include the following:
 - a. Clean-up of manure and off-site deposit of the same in warm -weather seasons. Manure storage or composting is allowed in accordance with Salt Lake County Health Department General Sanitation Regulation regarding composting. Compost piles shall not be located within 100' of a perennial stream or within 50' of an ephemeral stream.
 - b. Siting of newly constructed stalls to protect surface water, drainageways, wellheads, streams and irrigation ditches.
 - c. Bedding system such as stall mats, hay, wood shaving, and/or wood pellets.
7. The water service provider(s) for the subject property is notified of animals on the subject property.
8. A permit is obtained upon compliance with this subsection (C), notwithstanding sections 19.02.090 and 19.88.080.

D. Apiary;

~~D~~E. Home business, subject to Chapter 19.85;

~~E~~F. Home day care/preschool for six or fewer children subject to the conditions set forth in Section 19.04.293;

~~F~~G. Residential facility for persons with a disability;

~~G~~H. Single-family dwelling;

~~H~~I. Wireless telecommunication facilities, provided:

1. The wireless telecommunication facility is a wall-mounted or roof-mounted facility, and
2. The facility is mounted on a nonresidential building, and
3. A computer-generated visual simulation of the proposed structure is submitted as part of the required site plan, and
4. All other applicable requirements set forth in Chapter 19.83, "Wireless Telecommunications Facilities," are satisfied.

SECTION V. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED AND ADOPTED this _____ day of _____, 2024.

SALT LAKE COUNTY COUNCIL

By: _____
Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

REVIEWED AS TO FORM/LEGALITY:

ORDINANCE HISTORY

Councilmember Bradley voting	_____
Councilmember Bradshaw voting	_____
Councilmember Theodore voting	_____
Councilmember Harrison voting	_____
Councilmember Granato voting	_____
Councilmember Winder Newton voting	_____
Councilmember Alvord voting	_____
Councilmember Stewart voting	_____
Councilmember Stringham voting	_____

Vetoed and dated this _____ day of _____, 2024.

By: _____
MAYOR JENNIFER WILSON
OR DESIGNEE

(Complete as Applicable)

Veto override: Yes____ No____ Date_____
Ordinance Published in Newspaper: Date_____
Effective Date of Ordinance:_____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2024, the County Council of Salt Lake County adopted Ordinance No. _____, an ordinance of general revision, amending the following sections of the Salt Lake County Code of Ordinances, 2001: 19.12.020 (permitted uses in the FR zone), 19.12.030(g)(conditional uses in the FR zone), and 19.54.020 (permitted uses in the FA zone) to have distinct regulations in the FR and FA zones with regards to animal uses and their associated impacts on adjoining properties, the environment, and the well-being of animals; and making other related changes.

SALT LAKE COUNTY COUNCIL

By: _____
Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

REVIEWED AS TO FORM/LEGALITY:

Councilmember Bradley voting	_____
Councilmember Bradshaw voting	_____
Councilmember Theodore voting	_____
Councilmember Harrison voting	_____
Councilmember Granato voting	_____
Councilmember Newton voting	_____
Councilmember Alvord voting	_____
Councilmember Stewart voting	_____
Councilmember Stringham voting	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2-100A, Salt Lake City, Utah.