



File # 30933

Rezone Summary and Recommendation

<p>Public Body: Salt Lake County Council</p> <p>Parcel IDs: 3209276001</p> <p>Current Zone: FA-2.5 (Foothills Agricultural)</p> <p>Property Address: 7355 W Rose Creek Ln</p> <p>Request: Rezone</p> <p>Township: NA</p> <p>Planner: Jim Nakamura</p> <p>Planning Staff Recommendation: Denial</p> <p>Salt Lake County Planning Commission: Approval</p> <p>Applicant Name: Lane Myers</p>	<p>Meeting Date: TBD</p> <p>Proposed Zone: FR-2.5 (Forestry Recreation)</p>
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PROJECT DESCRIPTION

Lane Myers is requesting approval for a rezone of approximately 5 acres from FA-2.5 to FR-2.5. It is intended that the property associated with the rezone is to, build a single family dwelling/ barn (to house horses) and obtain approval for horses (up to 4/acre) via conditional use for private use only.

SITE & VICINITY DESCRIPTION (see attached map)

The property associated with the rezone is boarded by other properties zoned FA-2.5
 FR-5 zoning does exist within a parcel to the East of this property (see attached)

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	N/A
Compliance with the General Plan.	Yes (see below)

GENERAL PLAN CONSIDERATIONS

This rezone is in harmony with the Southwest general plan map identified **7355 W Rose Creek Ln** as Low Density Residential. The General plan does not specifically touch on horses. Environmental quality (Air, Odor, and Noise) is addressed in the General Plan.

NEIGHBORHOOD RESPONSE

Four responses were received inquiring about the nature of request:

1 response was indifferent to the horses

3 responses were opposed to horses based on "rose creek vicinity" and the increased number of horses are too many for property/area.

REVIEWING AGENCIES RESPONSE

Health Department regulations require animal manure to be removed at least once a week (or more frequently, as needed) to avoid creating a nuisance and to avoid needless proliferation of pests. Control measures should also be put into place to keep the manure contained on the property and out of Rose Creek.

The northwest portion of the property is contained within a Drinking Water Source Protection (DWSP) Zone 3 for Herriman City's HP Well #4. Depending on the number of animals and the amount of manure produced/contained on the property, the land use may be restricted under the County's DWSP ordinance.

Zones three and four: The location of potential contamination sources, unless they are controlled through land management strategies. (Ord. 07-06, 3-1-2007, eff. 3-1-2007)

Additional Health department comments added 10.28.19 post Salt Lake County Planning Commission:

While Salt Lake County Health Department regulations and ordinances are silent on the number of horses that are permitted per property, the Salt Lake County Integrated Watershed Plan (2015) and Utah DWQ has identified Rose Creek as having an impaired designation. This is based on elevated levels of E. Coli, furthermore DWQ has identified Rose Creek as a medium priority for a TMDL (Total Max Daily Load) which would require additional protections and restrictions moving forward.

Therefore the Health Department encourages more research into the impacts of allowing an increase of horses near this watercourse.

PLANNING STAFF ANALYSIS

*Horses in the existing FA-2.5 zone allow horses up to a **maximum of four (4)** as a permitted use for private use only.*

Chapter 19.12 - FR-0.5, FR-1, FR-2.5, FR-5, FR-10, FR-20, FR-50 AND FR-100 FORESTRY AND RECREATION ZONES

19.12.030 - Conditional uses

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

The area proposed for animals is not a watershed area, as determined by the health department, and

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

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

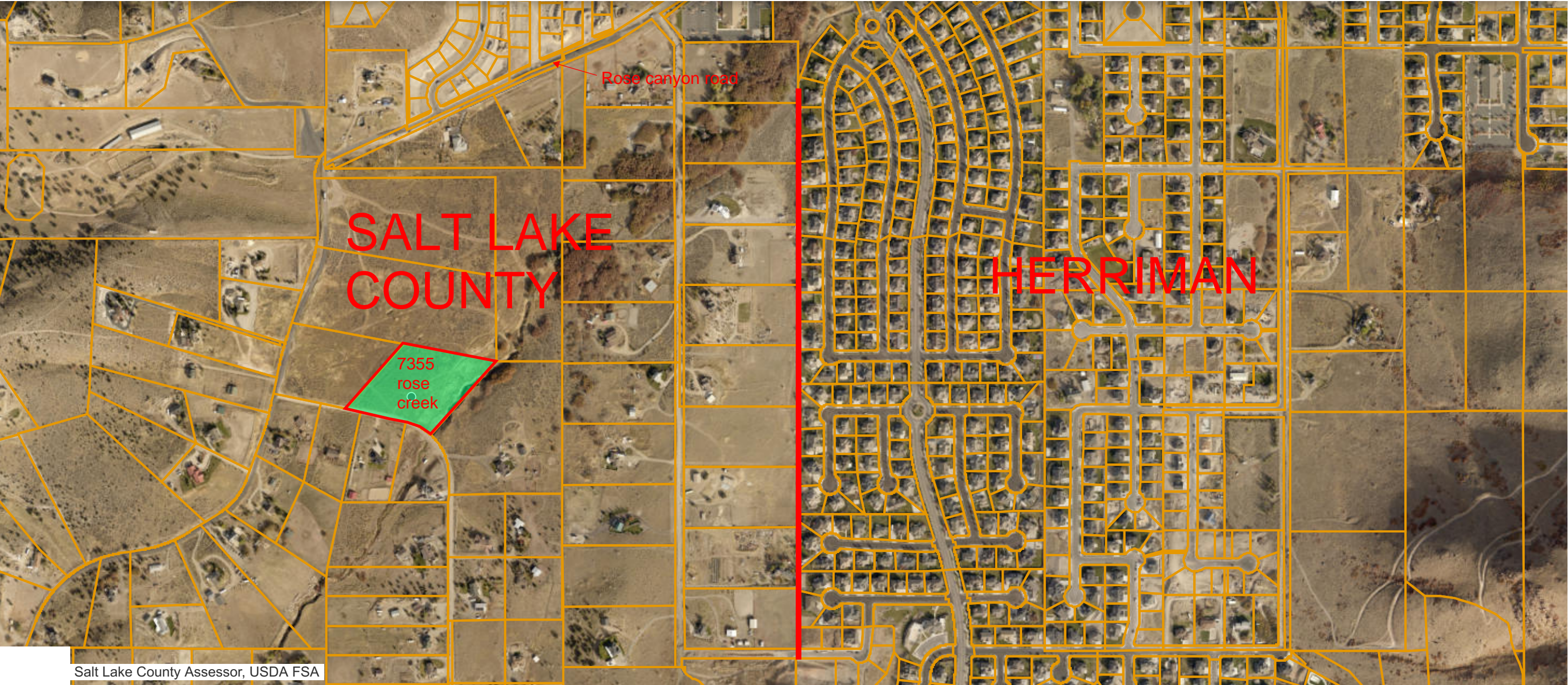
After the use is established, if the planning commission determines, based on findings of facts, that unreasonable environmental degradation is occurring, the planning commission may, after notification to the applicant and hearing, establish additional conditions or order the use to be abated;

PLANNING STAFF RECOMMENDATION

Planning Staff has reviewed this rezone request for compliance with the standards set forth in the Salt Lake County Zoning Ordinance (Title 19), and for *compatibility* with existing neighboring land uses, and recommends that the Salt Lake County Planning Commission provides a recommendation of denial to the Salt Lake County Council for the requested rezone.

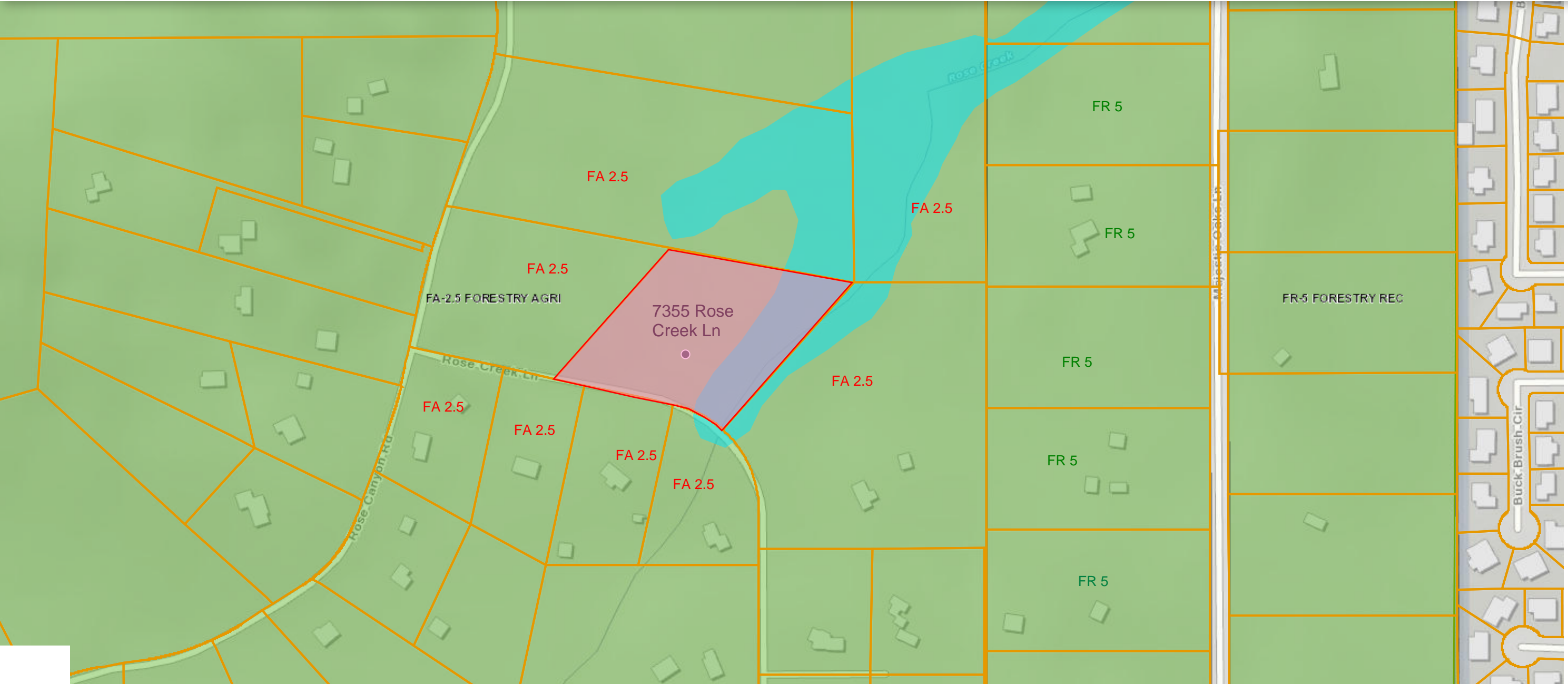
SALT LAKE COUNTY PLANNING COMMISSION RECOMMENDATION

Salt Lake County Planning Commission recommended Approval on the 10.16.19 meeting.



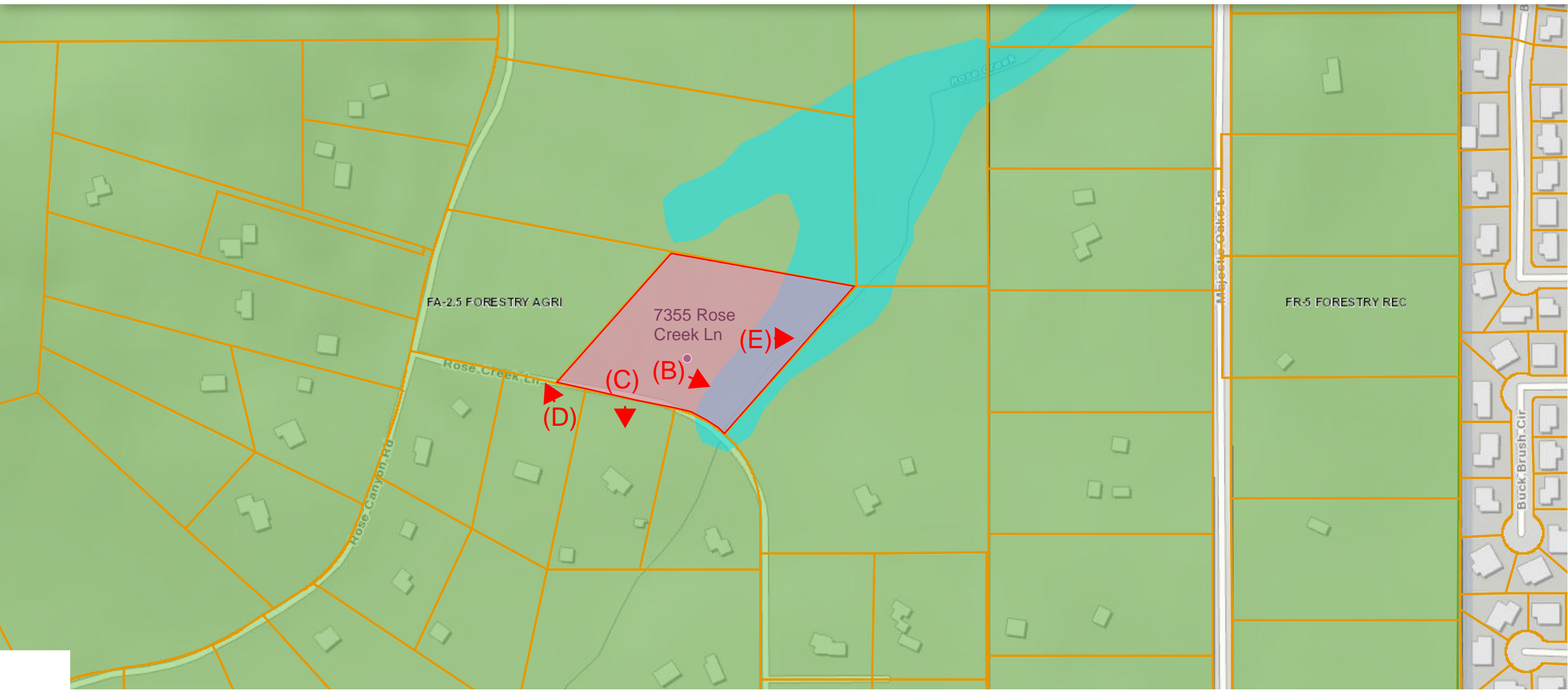
7355 rose creek

zone vacinity map



0 150 300ft

area with image legend



looking due East from property on Rose Creek Ln

(E)



looking NW from property on Rose Creek Ln

(D)



looking South from property on Rose Creek Ln
(C)



looking towards creek on SouthEast property line on Rose Creek Ln

(B)



9/20/19

To whom it might concern,

We are sending this information to be attached to the request that is being considered for the ordinance change concerning Zoning for horses in certain areas in Salt Lake County. If changed, like neighboring cities with similar ordinances, all requirements and recommendations for the care, maintenance, and housing of the animals would be obeyed, implemented and followed on our property. The storm water and run off ditch area on our property will be protected and the animals will be restricted of any use, as per any codes and demands, in that area.

The following are standard equine management practices that should be taken to ensure the health and welfare of horses. Attention needs to be paid not only to the physical wellbeing of the horses stabled on a property, but also to their social environment. There are many recommended standards of care, but here are some of the most basic.

To begin, adequate food amounts and quality will be provided, with a general recommendation that horses receive 1 – 1 ½ percent of body weight in forage every day. Exceptions to this are made when there is veterinary supervision to modify the diet. Horses that cannot maintain body condition on forage alone also might need supplemental feed.

Clean and available ice-free water is essential for basic health. Each horse needs a minimum of 5-12 gallons daily, and considerably more if exercised and/or during warm weather.

Ideally, horses have daily turnout to freely exercise and be part of a social herd. Horses should be turned out in compatible social groups. Fencing around pastures and paddocks will be provide and maintained in good condition and composed of safe materials. A combination of natural windbreaks and shade formed by trees, bushes and manmade shelter are appropriate in our harsher climate. Covered areas such as a run-in shed, or a stall, with the stall size sufficient—at least 12 x 12—to allow a horse to safely

lie down and rise are recommended. Good ventilation should be provided in closed spaces such as barns to control temperature and to eliminate stagnant air, ammonia fumes and excess humidity. Regular preventive health care is an important standard of care and should include:

- Routine deworming;
- Annual or bi-annual fecal exam;
- Twice yearly immunizations that include annual administration of at least all core vaccines—Eastern and Western encephalitis, tetanus, West Nile virus, and rabies—as recommended by the American Association of Equine Practitioners (AAEP);
- Dental care;
- Coggins testing for equine infectious anemia (EIA);
- Daily monitoring for wounds or injury;
- Daily hoof cleaning to prevent bruises and infections of the foot;
- Routine farrier care every 6-8 weeks to maintain hooves in a useful condition and to enable a horse to move comfortably.

These procedures keep a horse as healthy as possible. A qualified equine veterinarian should be called without delay to examine any horse demonstrating an illness, injury or musculoskeletal issue.

Thanks for your considerations,

Mike & Tracy Page

And

Lane Myers Construction



Agricultural Animals

The keeping of small, medium, and large agricultural animals is allowed in the following zones: A-.25, A-.50, A-1, R-1-21, R-1-43. (To determine what zone you live in, please consult the Interactive Zoning Map found at <https://www.herriman.org/city-departments/gis/>, or call the Planning and Zoning Department at 801-446-5323).

Small Animals: rabbits, chickens (excluding roosters), pheasants, ducks, and pigeons

Medium Animals: sheep, goats, turkeys, geese, and miniature horses

Large Animals: cows, horses, and alpaca

The number of allowed animals depends upon lot size:

Zone	Lot Size		
	0.49 Acre or Less	0.5 Acre to 0.99 Acre	1 Acre or More, *Per Acre*
A-.25 A-.50 A-1 R-1-21 R-1-43	40 Small Animals and 2 Medium Animals	75 Small Animals and 4 Medium Animals and 2 Large Animals	100 Small Animals and 15 Medium Animals and 4 Large Animals

- Roosters and pigs are not allowed (nor are any animals not mentioned above).
- The number of animals may be doubled temporarily if the increase is related strictly to meat or milk production, or for a bona fide youth project such as 4-H and fair projects.
- The permanent keeping of more animals than allowed in the chart (or allowed temporarily as mentioned above) may be approved as a conditional use in allowed zones.
- The keeping of animals must conform to good animal husbandry practices including, but not limited to: mitigation of noise, smells, insects, rodents, dust, or other nuisances resulting from the keeping of animals and fowl.
- No animals described above shall be kept or maintained closer than 40 feet from any house on an adjacent lot, and no barn, stable, coop, pen, or corral shall be kept closer than 40 feet from any street.

This information is a summarized version of that in the Herriman City Code. Those intending to keep agricultural animals or backyard chickens are responsible to read 10-29-7 of the Herriman City Code to view the full, codified, and most current information. With any questions, please contact the Planning Department at 801-446-5323.