

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, 2021

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 FR ZONE), 19.12.030(G)(CONDITIONAL USES IN THE FR ZONE), AND 19.54.020 (PERMITTED USES IN THE FA ZONE) TO HAVE UNIFORM 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 watershed area, as determined by the health department's watershed regulation;

2. Such use is limited to personal use and shall not be commercial in nature, including but not limited to the following uses for commercial purposes: boarding, breeding, trail riding, riding academy, public stable, rodeo grounds, and manure operations.

3. For properties that include within their borders, adjoin, or are within 100' of ephemeral streams or perennial streams, as defined in Salt Lake County Code Chapter 19.72:

a. With the exception of subsection (3)(c)(i), all horses, animals, or fowl allowed in this subsection (F) shall be housed or otherwise confined at least 100' away from an ephemeral or perennial stream.

b. The limits prescribed in the definition of family food production in Chapter 19.04 apply.

c. Two horses per acre for a maximum of four (4) horses are allowed. More than four (4) horses are allowed under the following exception:

i. If the subject property contains more than 2.5 acres that is not within 300' of the ephemeral or perennial stream (hereafter "300' setback"), two (2) horses for each acre that is outside the 300' setback are allowed so long as the horses are not housed or otherwise confined within the 300' setback. This two (2) horse per acre exception is not in addition to the general rule of (4) horses but replaces that general rule if the exception applies.

d. Properties must be a minimum of one (1) acre to have horses, cows, goats, or sheep.

4. For properties that do not include within their borders, do not adjoin, or are not within 100' of ephemeral streams or perennial streams, 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 acre are allowed.

c. Properties must be a minimum of one acre to have horses, cows, goats, or sheep.

5. The requirements of Chapter 8.12 are met to the extent they are not in conflict with this subsection (E).

6. 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 (E).

7. For purposes of this subsection (F), one (1) horse per ½ acre is allowed, subject to subsection (3)(d) and (4)(c). Property acreage will not be rounded up to accommodate additional horses.

[~~E~~]G. Household pets, provided the area proposed for animals is not in a 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 repealed 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, provided that:~~

- ~~1. —The area proposed for animals is not a watershed area, as determined by the health department, and~~
- ~~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 watershed area, as determined by the health department's watershed regulation;

2. Such use is limited to personal use and shall not be commercial in nature, including but not limited to the following uses for commercial purposes: boarding, breeding trail riding, riding academy, public stable, rodeo grounds, feeding operations, and manure operations.

3. For properties that include within their borders, adjoin, or are within 100' of ephemeral streams or perennial streams, as defined in Salt Lake County Code Chapter 19.72:

a. With the exception of subsection (3)(c)(i), all horses, animals, or fowl allowed in this subsection (C) shall be housed or otherwise confined at least 100' away from an ephemeral or perennial stream.

b. The limits prescribed in the definition of family food production in Chapter 19.04 apply.

c. Two horses per acre for a maximum of four (4) horses are allowed. More than four (4) horses are allowed under the following exception:

i. If the subject property contains more than 2.5 acres that is not within 300' of the ephemeral or perennial stream (hereafter "300' setback"), two (2) horses for each acre that is outside the 300' setback are allowed so long as the horses are not housed or otherwise confined within the 300' setback. This two (2) horse per acre exception is not in addition to the general rule of four (4) horses but replaces that general rule if the exception applies.

d. Properties must be a minimum of one (1) acre to have horses, cows, goats, or sheep.

4. For properties that do not include within their borders, do not adjoin, or are not within 100' of ephemeral streams or perennial streams, 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 acre are allowed.

c. Properties must be a minimum of one acre to have horses, cows, goats, or sheep.

5. The requirements of Chapter 8.12 are met to the extent they are not in conflict with this subsection (C).

6. If horses, or animals or fowl for family food production were approved by a land use permit prior to adoption of the 2021 changes to this subsection (C), that permit governs over this subsection (C).

7. For purposes of this subsection (C), one (1) horse per ½ acre is allowed, subject to subsection (3)(d) and (4)(c). Property acreage will not be rounded up to accommodate additional horses.

D. Apiary;

[D]E. Home business, subject to Chapter 19.85;

[E]E. 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 _____, 2021.

SALT LAKE COUNTY COUNCIL

By: _____
Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

ORDINANCE HISTORY

Councilmember Bradley voting	_____
Councilmember Bradshaw voting	_____
Councilmember Theodore voting	_____
Councilmember DeBry voting	_____

Councilmember Granato voting _____
Councilmember Winder Newton voting _____
Councilmember Alvord voting _____
Councilmember Snelgrove voting _____
Councilmember Stringham voting _____

Vetoed and dated this _____ day of _____, 2021.

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 _____, 2021, 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 uniform regulations in both 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:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Councilmember Bradley voting _____
Councilmember Bradshaw voting _____
Councilmember Theodore voting _____
Councilmember DeBry voting _____
Councilmember Granato voting _____
Councilmember Newton voting _____
Councilmember Alvord voting _____
Councilmember Snelgrove 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.