



Staff Report

Coalville City
Community Development Director

To: Coalville City Council and Mayor
From: Don Sargent, Community Development Director
Date of Meeting: August 26, 2024
Re: Development Code Section 26-050: Farm Animal Point System
Action: Review and Discussion

Farm Animal Point System Review and Discussion

REQUEST

Review and discuss the Farm Animal Point System provisions in Section 26-050 of the development code and provide any direction to Staff regarding the provisions.

BACKGROUND

At the last city council meeting on August 12th the city council requested the Farm Animal Point System development code provisions be scheduled on the agenda for review and discussion.

Attachment A includes the Farm Animal Point System Section 26-050 of the development code with the definition of *Farm Animal*. This code provision was adopted by the city council in 2022 and became effect on June 24, 2022.

Attachment B includes a letter received from a member of the public on this issue for your reference.

ANALYSIS

The 2022 Farm Animal Point System replaced the previous farm animal regulations in the development code that were in place since 2011 for all zone districts. Overall, the 2022 Farm Animal Point System appears to provide increased opportunities for landowners, particularly in the residential zone districts, to use their property for farm animal use compared to the previous regulations.

Previous Farm Animal Regulations

The previous regulations allowed farm animals in the Agricultural (AG-20) and (R-A) Zones with required minimum 5-acres in the AG-20 Zone and 150 setbacks from a public street and 100 setbacks from any adjacent dwelling for both zones.

The previous Low Density (R-1) Residential Zone District included the following additional requirements: *Typical domesticated farm animals including horses, sheep and cattle provided that no more than two (2) farm animals per acre are kept at any one time. More than two (2) farm animals per acre would require Conditional Use Approval in accordance with Chapter 3*

herein. In no case shall more than five (5) animals per acre be approved in the Low-Density Residential Zone.

The previous residential zone district R-2 included the following additional requirement: *This zone is residential in nature and typical domesticated farm animals are not allowed except as approved as a conditional use for no more than two (2) farm animals per acre.*

The remaining residential zone districts R-4 and R-8 did not allow any *typical domesticated farm animals*.

The previous Commercial (CC) and HC) Zones likewise did not allow any *typical domesticated farm animals*. The Light Industrial (LI) Zone, however, did allow agriculture uses under a conditional use permit.

RECOMMENDATION

Staff recommends the City Council review and discuss the Farm Animal Point System and provide any direction to staff.

26-050: FARM ANIMAL POINT SYSTEM

Farm animals. Livestock, fowl, and other animals (excluding household pets) may, where permitted, be kept, bred, and maintained according to the following point system:

A. Animals may total 50 points per one-half acre of ground used solely for their care and keeping.

B. Animals shall be worth the following points:

1. Chickens, pigeons, pheasants, and other similar birds: 2 points each.
2. Rabbits, chinchillas, and other similar animals: 5 points each.
3. Geese, ducks, peafowl, turkey, and other similar birds: 10 points each.
4. Sheep, goats, llamas, calves, foals, and other similar sized animals: 25 points each.
5. Horses, cattle, and other similar sized animals: 40 points each.
6. The keeping of swine will be allowed only to a maximum of four animals.
7. For the purpose of this point system, an animal and one offspring shall be considered to be one animal until six months after the birth of the offspring.

C. Any building, structure or corral in which livestock is kept must be at least 100 feet from any existing dwelling on a neighboring lot or parcel or 50 feet from side and rear property lines, whichever is greater. This restriction does not include open pasturing on a temporary or seasonal basis.

D. Nothing herein shall be construed as authorizing the keeping of inherently dangerous animals capable of inflicting harm or endangering the health and safety of any person or property.

E. Existing farm animal uses are classified as existing legal non-conforming uses and are allowed and may continue but cannot be expanded per Chapter 4 herein.

Note: Farm animals are not allowed in the Very High Residential (R-8), Community Commercial (CC), and Highway Commercial (HC) Zones of the City.

18. **Animal, domestic.** Any animal customarily kept by humans for companionship, including but not limited to dogs, cats, birds, rabbits, hamsters, mice turtles, and the like.
19. **Animal, farm.** Animals other than household pets that may, where permitted, be kept, and maintained for commercial production and sale or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep and goats; or small animals, e.g., rabbits, chickens, turkeys, pheasants, geese, and ducks.
20. **Animal Specialties.** The raising of exotic animals, reptiles or fowl as an agricultural commercial business or hobby, which is not customarily associated with the historic and traditional agricultural uses and activities of Coalville City.
21. **Annexation.** The addition of territory to Coalville City.
22. **Antenna.** A transmitting or receiving device used in telecommunications that radiates or captures radio, television, data, or similar communication signals.
23. **Antenna Structures.** Equipment, buildings, and appurtenances associated with supporting a device for sending and/or receiving radio, television, data, or similar communication signals.
24. **Apartment.** A dwelling unit within a Multi-Unit Dwelling Building with exclusive living, cooking, sleeping and bathroom areas. A multiple dwelling; see Dwelling, Multi-Family.
25. **Applicant.** The owner or representative of land proposed to be subdivided or developed or any person who submits an official application form. Consent shall be required from the legal owner if required.
26. **Application.** A form or checklist supplied by the City indicating the data and information necessary to process the applicants' proposal(s).
27. **Application, Complete.** A submission that includes all information required on the appropriate form or the Code, and payment of all applicable fees.
28. **Architectural Detail.** Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the property was conceived, designed, or fabricated by a people or culture. Within a Historic District, these physical features or traits commonly recur in individual Buildings. The characteristics can be expressed in terms of form, proportion, Structure, plan, architectural style, or materials such as siding, doors, windows, or trim.

ATTACHMENT B

From: [Michael & Cinda Richards](#)
To: [Don Sargent](#)
Subject: Proposed zoning change
Date: Sunday, August 18, 2024 5:24:33 PM

Hi Don:

This is Cinda Richards and I am sending you this message for both myself and my husband, Michael Richards. We live at 444 East Chalk Creek Court and have done so for about 5 1/2 years. We have recently been informed about a proposed zoning change for this area to accommodate the homeowners at the Chalk Creek Road entrance to this property/neighborhood. Reportedly, the above mentioned homeowners have requested this change to allow them to have more animals at their property.

Don, we would like to go on record as being STRONGLY opposed to this or any other zoning ordinance change that will allow more animals to be kept on any/all properties in this area. This is a residential area, not a farm neighborhood. If you have seen this lot, you would have to admit that it is an eyesore on a good day! It is almost a sure fact that adding more animals will only make it worse! Not only does it lower the property value of everyone here in the neighborhood, but the unsightly nature and stench at that lot makes it impossible for the owners of the surrounding homes to have the pleasure of sitting out in their own yards to enjoy their property.

Every homeowner here goes to great lengths to have a well kept/manicured yard. By allowing one home owner to dictate what will and won't be changed is not fair to the rest of the owners. I have been told that the owners requesting the change have stated that they have the support of the community. I am not sure who they are referring to, but everyone that I have spoken with is not in favor of the change. Quite honestly, we are all sick about the mess that we have to look at every time we enter our neighborhood.

One last thought. I am fairly certain that the existing ordinances were in place when they purchased the lot and built their home. At that time, they should have been aware of the zoning ordinances and known that a "farm" was not allowed in that area. We are not against property owners having animals, but there are ordinances in place to ensure that a "Beverly Hillbillies" situation does not exist where it shouldn't. Summit County is full of property where that kind of yard is allowed. It is not here!

Please make sure that our voice is noted and heard and proper notification, discussion and voting procedures are followed on Monday, August 26, 2024. Had it not been because of "word of mouth", we would not have known that this was even on the agenda for this meeting. This request should not be "rushed in through the back door". Proper procedures need to be adhered to on something like this that will affect so many homeowners.

Thank you!