

From: [REDACTED]
To: [Wendy Gurr](mailto:Wendy.Gurr@slco.org)
Cc: ZS@slco.org; [Jim Nakamura](mailto:Jim.Nakamura@msd.uah.gov); Jmcnulty@msd.uah.gov
Subject: FR/FA Ordinance change for Hi-Country Estates II
Date: Tuesday, May 11, 2021 2:00:29 PM

Salt Lake County Planning Commission,

The fact that SLCO MSD has chosen to change our zoning ordinance on over 2000 acres of land zoned for agriculture (FA) without contacting us as land/homeowners is alarming. The Hi-Country Estates II Homeowners Association formed in 1973 with protective covenants include these acres zoned for agriculture, some 48 years ago. Although the County states they were within their rights because they posted on the state notice website, they should have notified the HOA or citizens of Hi-Country II prior to this and had discussions before bringing it to a vote on Wednesday, May 12th.

The integrity of this brings a conclusion that the County is not being transparent in their actions and decisions. The reasons stating HI-Country I and Hi-Country II were having disputes is not true. We are two very different communities. We barely share a small border. We have not had problems with the FA zoning or the 4 horses limit on a lot, as it has been in effect for at least 20 years. We are agricultural with cows, chickens, goats, sheep, pigs, lamas, and horses. This area has a livestock heritage from before those 48 years.

Regardless, there are still too many unanswered questions to bring this to a final vote. Please, postpone this vote so that the land and homeowners can get all the information. Please do not change our FA zoning, this is a peaceful place to live and it seems there might be another underlying reason for this move.

Thank you,
Terri Williams

From: [SHEILA ADLER](#)
To: [Jim McNulty](#); [Jim Nakamura](#); [Lupita McClenning](#); [Wendy Gurr](#)
Cc: [Jim Bradley](#); [Kathy Fuller](#)
Subject: Proposed Ordinance Update to FA and FR Zoning
Date: Tuesday, May 11, 2021 1:53:36 PM

May 11, 2021

To Whom It May Concern:

My name is Sheila Adler. I'm the President of Hi Country Estates II (HCEII) HOA. Neither the HOA nor its members were notified by Salt Lake County of the proposed Ordinance Update, the so called ANIMAL ORDINANCE UPDATE FOR FR AND FA ZONES. And yet this update will have very serious impacts on the HOA and its members. There are over 360 lots spanning over 2200 acres included in the HOA - 186 of those lots have residences. That's a lot of stakeholders who were not notified by the County and all of them may be negatively affected by this update. One of the duties of an HOA is to protect the value of the properties and yet we weren't given notice or an appropriate amount of time to review this update and it's impacts with our members. This feels rushed and haphazard which has caused a lot of concern. We need time to discuss and digest with the County, our attorneys, and our members. We need to glean a clear understanding of the purpose of this update, and the County should be providing that education. It is not clear why FA and FR zoning should be more uniform - there are differences for many pertinent reasons. We request the County to allow ample time for the stakeholders to receive education and understanding of the purpose before this update is rushed through.

There are so many questions that need to be answered by Salt Lake County. What is the purpose of this update? There has been conflicting information provided by the County to some of the stakeholders. Is the purpose 1) to create uniformity between FA and FR zoning, or 2) because the County is frustrated with a few members of Hi Country I complaining about their neighbors, or 3) to comply with "Federal Regulations", as was stated during the Mountainous Planning Commission Public Hearing? What are these federal regulations and why aren't they referenced in the ordinance update? Is the FCOZ ordinance going to be updated to comply with these same "Federal Regulations"? Will Yellow Fork County Park, the primary use of which is for horses and trail riding, be updated to comply with the same "Federal Regulations" because Rose Creek runs through the park? Rose Creek is a low volume perennial stream that is not a drinking water source - does the compliance with "Federal Regulations" account for this? Does the ordinance update take this into account? Is this the first step towards other changes that could lead to private property being taken away from owners? If the County is concerned about the quality of Rose Creek, why are they not enforcing the Noxious Weed Act? This law requires the county to enforce and work towards removing noxious weeds and yet Rose Creek is full of Phragmites and the banks are infested with Scotch Thistle.

Most of Rose Canyon is topographically comprised of hillsides and ridges with a relatively small percentage of areas of flatter, low areas between the hills. Much of the current livestock housing is located in these narrow, low areas. Horses are more suited to moderate topography. The low and moderate areas also happen to be where the perennial and ephemeral streams are located. HCEII has a stream, Rose Creek, and several ephemeral streams, whereas HCEI has none; this is an example of how it is not appropriate to attempt to make the zoning uniform between the HOAs. The proposed update includes restrictive setbacks that are unreasonable for a non-watershed area. And current FCOZ restrictions make it difficult or impossible to house livestock on the hillsides. With the restrictive setbacks in this amendment, the County is essentially telling the property owners they are not allowed to house livestock on the hillsides or in the flatter, low areas between them. By doing this, the County is causing a negative impact on property values and infringing on property rights. Impact on current and future property values is a very serious issue that appears to not have been

taken in to consideration by the County. There is a very small percentage of property zoned for horses and livestock in Salt Lake County, and it's decreasing in percentage terms as population and density in the valley increases. That property carries a premium for people wanting to keep horses or small numbers of farm animals such as family cows, goats, or sheep. Even if a current resident doesn't choose to keep horses on their property, a future buyer might, and the ability to keep horses on the property makes it more valuable. If restrictions make it difficult or impossible to maintain horses on either the hillsides or in the bottoms between the hillsides, it takes that premium or value from many if not most of the HCEII property owners.

The southwest canyons are substantially and qualitatively different from the east-side canyons of Salt Lake County. We have a long agricultural heritage and a sagebrush/juniper ecosystem. The east-side canyons have a different eco-system of alpine forests with surface watersheds. Were these differences taken into consideration when trying to comply with "Federal Regulations"?

The southwest area of Salt Lake County has a long, strong heritage of livestock, including HCEII. The Mascaro family who were one of the founding families of the HOA, kept up to 700 head of goats and maintained a small rodeo ground in the middle of Rose Canyon. Most cities in the southwest portion of the County still have rodeos and families that keep small homesteads that include farm animals. Hi-Country Estates I and II are a big part of that heritage. Making livestock in the community unreasonable to keep could threaten the livestock heritage of the community.

If this ordinance amendment makes it unreasonable for livestock owners to keep livestock, they may lose their greenbelt tax status, incurring roll-back taxes and making it financially difficult for current owners. The negative financial impact due to the decreased property values compounded with losing greenbelt status could financially ruin property owners.

How would compliance of these new restrictions be enforced? Compliance/enforcement may infringe on the privacy of all residents and the property rights of owners in the HOA.

Incremental encroachments including taking away or restricting property rights, should be well noticed to each stakeholder, thoroughly explained, exhaustively questioned, and extremely justified. It doesn't seem like this ordinance amendment has met any of those requirements. Please suspend this ordinance update, or vote no, until ample time has been allowed for education and for discussions to occur between the County and all stakeholders.

Thank you,
Sheila Adler
HCEII President

