

From: [DAVID L Winters](#)
To: [Wendy Gurr](#)
Subject: FR/FA Ordinance Amendment public comment for 9/15/2021
Date: Monday, September 13, 2021 7:55:27 PM

To Whom it may concern;

I am writing to once again ask you to vote, **“NO”**, on the proposed FR/FA ordinance amendment.

I have been a property owner in the affected area for over 30 years.

I have a background working in law enforcement and planning and zoning for County and City governments, for over 33 years.

I am asking for your **“NO”** vote for a number of reasons.

1. Current and existing FR/FA zoning is more than adequate in addressing land use issues, and potential violations, in the affected areas.

Code Enforcement of potential nuisance violations has been an effective tool used to address those issues in the past. Code Enforcement should continue to be used to address *specific, individual* potential violations.

There is no need for onerous, overburdensome, over broad restrictions placed on a small group of property owners.

2. Staff is miss defining the term, “Permitted Use”, in the current FA zoning.

Current County ordinance (19.04.415) defines permitted use as, **“...Land for which NO conditional use permit is required.”**

Staff has repeatedly stated that current property owners, in the FA zone, must apply for a “Permit” in order to exercise their “permitted use”.

Reviewing the County Planning and Zoning website, **There is no Fee schedule for a “permitted use” application. There is NO listing for a “Permitted Use” permit. No “permitted use permit” exists**, as per County Planning and Zoning website.

Staff is in error, instructing property owners to comply with “Conditional Use” requirements that do not exist in the current FA zoning (19.54.020).

3. Water Contamination study is flawed.

Staff responded to public input in the August meeting, by referencing a water study from “Montana”, in a Montana waterway, which indicated a high level of e-coli sourced from “ruminates”. Staff did not reference a local study pertaining to Rose Creek. In staff’s most recent reply to public comment, reference is made to water studies of Rose Creek. Where is the data collection information and test result reports? Why isn’t that data included in staff’s response?

If water quality and equine contamination are the issue, why not provide documentation? Staff makes reference to Rose Creek, as an EPA “Impaired waterway”. I have reviewed the EPA website listing of 303(d) impaired waterways, within Salt Lake County. No reference to Rose Creek is found. However, the Jordan River is listed, as an impaired waterway. Staff references the high contamination of water samples taken at Loomis Parkway, “near

the confluence of the Jordan River”.

Rose Creek goes under ground at approx. 7000 West, runs 14 miles east to the Jordan River (approx. 700 West), through 3 different municipalities with total populations over 155,000 people. A small number of horse owners and a handful of horses 14 miles away can not be construed, with any reasonableness, to contribute to the high readings described.

4. Public comment, at past hearings on this proposal, have been overwhelmingly against this proposed ordinance amendment.

Public comment, from those directly affected and others, continues to be against this proposed amendment.

For these reasons, and others, I ask that you vote **“NO”** on these proposed amendments to the FA/FR zoning.

Leave the FA/FR zoning as it currently exists. Property owners purchased property within these zones for a reason.

The proposed amendments would create a burdensome, unnecessary, over regulation of the property owners.

Please vote, **“NO”**.

Thank you,

David Winters

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[REDACTED]
[REDACTED]