



Public Works
Planning & Development Services Division
<http://www.utah.gov/pmn/index.html>

Emigration Township Planning Commission

REVISED Public Meeting Agenda

Thursday, October 17, 2013 8:30 A.M.

THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,
ROOM N1100

ANY QUESTIONS, CALL (385) 468-6700

REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken by the Planning Commission on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

Business Items – 8:30 A.M.

- 1) Adoption of minutes from the September 12, 2013 meeting.
- 2) Progress update on the “old Santa Fe Restaurant” property located at 4170 E. Emigration Canyon Road and discussion of newly proposed uses in the existing building.

The Public Hearings will begin immediately following the Business Meeting.

PUBLIC HEARINGS

Ordinance Amendment

28640 – Salt Lake County is considering amendments to Salt Lake County Ordinances 19.04.235, 19.14.020, and 19.14.030 to limit the scope of “animals and fowl for family food production” and to make that land use a conditional use rather than a permitted use in the R-1-21 and R-1-43 zones in order to allow planning commission review and approval with the imposition of conditions of approval as necessary to mitigate the impacts of the introduction of farm animals into residential areas. **Community Council:** All. **Planner:** Curtis Woodward

ADJOURN



MEETING MINUTE SUMMARY

Emigration Planning Commission Meeting

Thursday, September 12, 2013 8:30 a.m.

Approximate meeting length: 27 minutes
Number of public in attendance: 0
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Bennion (Vice Chair)

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
Fred Smolka – Chair			x			
David Bennion – Vice Chair	x	x		David Gellner	x	x
David Brems	x	x		Wendy Gurr	x	x
Jack Christensen	x	x		Max Johnson		
Andrew McNeil			x	Zach Shaw (DA)	x	x
John Morris	x	x		Will Becker	x	x
Brent Tippits	x	x				

BUSINESS MEETING

Meeting began at – 8:37 a.m.

- 1) Approval of Minutes from the April 11, 2013 meeting.

Motion: to approve the minutes from the April 11, 2013 meeting as presented.

Motion by: Commissioner Brems

2nd by: Commissioner Tippits

Vote: Unanimous in favor (of commissioner present)

- 2) Other Business Items (as needed)

David Gellner informed the Commissioners that a market and café is in the works at Ruth’s Café. Commissioner Morris advised this is different from what they discussed a year ago. The zoning administrator will make the determination regarding a market.

PUBLIC HEARINGS

Hearings began at – 8:41 a.m.

25638 - Planning and Development Services is seeking a recommendation for approval for the adoption of the Bicycle Best Practices into Salt Lake County General Plans. The Bicycle Best Practices would be applicable to all unincorporated areas of Salt Lake County. The purpose of the Bicycle Best Practices is to provide Salt Lake County with a county-wide bicycle planning framework and design resource. **Planner:** Will Becker

Commissioners questioned registration, cyclist doesn't have any identification and if there is an accident and they don't have identification, responders need to identify the person. Advised there is a lot of information in the document. Will Becker advised the commissioners, this is just a guideline, recommend adoption of the document, not subscribing to or supporting all technical items. This is designed to be just a guide. Acute issue, as they deal with it every day, all commissioners bicycle. By nature there is a confrontation with vehicles on the road. The document doesn't address any responsibility, they are giving them entitlement and something needs to be posted and they need to follow proper procedures. Cyclists need to be educated, they ride outside the bike lane and there needs to be an intense educational effort in the serious cyclist community behind this. Commissioner Tippetts states this is the first year in 8 years he hasn't seen an accident and taken a cyclist to the hospital. There are stretches of roads without bike lanes, dangerous sections of road to ride, problems with enforcement and motorcyclists are terrifying. They feel there isn't enough law enforcement in the canyon. Commissioner Bennion seems like if they give a recommendation, that there ought to be a meshing with the County Sheriff's department, so there is a specific bicycle law in place. He will see the Sheriff out giving tickets to motorists, but doesn't see them all the time. He would like to see them out during high usage times and to pull over cyclists when they aren't following the laws. Zach Shaw (DA) stated basic notions, that State Law prevails over county that cyclists can ride 2 abreast. Commissioner Christensen thinks the document is fine, but doesn't apply to the canyons. Will Becker stated it focuses more on urban areas and not so much in the Canyon. Commissioner Morris supports this document and would recommend a motion to the County Council.

PUBLIC PORTION OF MEETING OPENED

There was no one from the public present to comment.

PUBLIC PORTION OF MEETING CLOSED

Motion: to recommend approval of application #25638 as presented, with an amendment that the document doesn't adequately deal with the Canyons.

Motion by: Commissioner Brems

2nd by: Commissioner Morris

Vote: Unanimous in favor (of commissioners present)

David Gellner advised the Planning Commission the next meeting date is October 17, if anything is on the agenda.

MEETING ADJOURNED

Time Adjourned – 9:04 a.m.



STAFF REPORT

Executive Summary					
Hearing Body:	Emigration Canyon Township Planning Commission				
Meeting Date and Time:	Thursday, October 17, 2013	08:30 AM	File No:	2	8 6 4 0
Applicant Name:	Salt Lake County	Request:	Ordinance Amendment		
Description:	Changes to the definition of "family food production" and to the R-1-21 and R-				
Location:	Council Chambers				
Community Council Rec:	Not yet received				
Staff Recommendation:	Approval				
Planner:	Curtis Woodward				

1.0 BACKGROUND

1.1 Summary

Currently the R-1-21 and R-1-43 (estate residential) zones allow the keeping of animals and fowl for family food production as a permitted use. Family food production involves the keeping of a limited number of "farm" animals, which may have an impact on neighboring properties. Changes are being proposed to reduce the number of animals which may be kept, and to require conditional use approval in the R-1-43 and R-1-21 zones for this use. The conditional use process will allow planning commission oversight and the imposition of conditions of approval to mitigate any negative impacts that may result from the keeping of these types of animals.

1.3 Community Council Response

Not yet received at the time the staff report was written

2.0 ANALYSIS

2.1 Existing Ordinance

"Family Food Production" is currently defined as: the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese and twenty pigeons, provided that an additional number of animals equal to two times the number listed above, and an additional number of fowl equal to five times the number listed above may be kept for each one-half acre of the lot over and above the minimum number of square feet required for a single-family residential lot in the zone, and provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any lot smaller than one-half acre.

It is listed as a permitted use in the R-1-21 an R-1-43 zones, with the only restriction being found in section 19.76.240: No animals or fowl shall be kept or maintained closer than forty feet from any dwelling on an adjacent parcel of land

2.2 Proposed Ordinance

The proposed ordinance removes the provision that allows for an increased number of animals for lots that exceed the minimum acreage requirement in the zone, and also limits the number of different types of animals that may be kept on one lot to three. It also removes "the keeping of animals and fowl for family food production" from the permitted use list in the R-1-21 and R-1-43 zones, and inserts it into the conditional use list in the same zones.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Ordinance Amendment.

3.2 Reasons for Recommendation

- 1) The proposed changes will allow appropriate conditions of approval to be imposed on residential properties on which family food production animals are allowed.
- 2) The proposed changes will also establish reasonable limits on the numbers of animals on residentially zoned (R-1-21 and R-1-43) lots.

SALT LAKE COUNTY ORDINANCE

Ordinance No. _____, 2013

AN ORDINANCE AMENDING SECTIONS 19.04.235, 19.14.020, AND 19.14.030 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, REGARDING THE DEFINITION OF FAMILY FOOD PRODUCTION AND BY MAKING FAMILY FOOD PRODUCTION A CONDITIONAL USE IN THE R-1-21 ZONE 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 19.04.235 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

19.04.235 - Family food production.

"Family food production" means the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese and twenty pigeons, ~~[provided that an additional number of animals equal to two times the number listed above, and an additional number of fowl equal to five times the number listed above may be kept for each one-half acre of the lot over and above the minimum number of square feet required for a single family residential lot in the zone,~~ and] provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any [lot smaller than one-half acre]lot in zones where family food production may be a permitted or conditional use.

SECTION III. Section 19.14.020 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

19.14.020 - Permitted uses.

Permitted uses in the R-1 zones are as follows:

Zone	Permitted Uses
All R-1 zones	—Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;
	—Agriculture;
	—Home business, subject to Chapter 19.85
	—Home day care/preschool, subject to Section 19.04.293
	—Household pets;
	—Residential facility for persons with a disability, provided that each such facility shall not be located within one-half mile of a similarly-licensed residential facility for persons with a disability.
R-1-6, R-1-7, R-1-8, R-1-10, R-1-15	—Single-family dwelling.
R-1-21, R-1-43	—Animals and fowl for family food production;
	—Guesthouse, the square footage must be less than one thousand two hundred square feet;
	—Maximum of four horses for private use only, not for rental;
	—Single-family dwelling.

SECTION IV. Section 19.14.030 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

19.14.030 - Conditional uses.

Conditional uses in the R-1 zones are as follows:

Zone	Conditional Uses
All R-1 zones	—Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one half-acre or one thousand two hundred square feet on lots one-half acre or larger;
	—Cemetery;

	—Day care/preschool center, subject to Section 19.76.260
	—Golf course;
	—Home day care/preschool, subject to Section 19.04.293
	—Planned unit development;
	—Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
	—Private nonprofit recreational grounds and facilities;
	—Public and quasi-public uses;
	—Residential facility for elderly persons;
	—Temporary buildings for uses incidental to construction work, which building must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work or thirty days after notice, the building will be removed by the county at the expense of the owner.
R-1-3, R-1-4,	—Single-family dwelling.
R-1-5	—Single-family project developments The planning commission may approve a detailed development plan for the entire single-family project in an R-1-3, R-1-4, R-1-5 zone, pursuant to Chapter 19.84 of this title. Thereafter, the development services division director may, as authorized by the planning commission, approve use permits for individual residential uses, provided that the plans comply with all requirements and conditions of the approved development plan.
R-1-6, R-1-7, R-1-8, R-1-10,	—Nursery and greenhouse, provided that there is no retail sales;
R-1-15	—Pigeons, subject to health department regulations;
	—Residential health care facility for up to five residents on streets less than eighty feet in width, and up to ten residents on streets eighty feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the Utah Department of Health, which use shall not change the residential appearance and character of the property;
	—Sportsman's kennel with a minimum lot area of one acre.
R-1-21, R-1-43	<u>—Animals and fowl for family food production;</u>
	—Bed and breakfast homestay;
	—Nursery and greenhouse; provided, that there is no retail sales;
	—Pigeons, subject to health department regulations;

	—Residential health care facility for up to five residents on streets less than eighty feet in width, and up to ten residents on streets eighty feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the Utah Department of Health, which use shall not change the residential appearance and character of the property;
	—Sportsman's kennel with a minimum lot area of one acre.

SECTION V. This ordinance shall be 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 _____, 2013.

SALT LAKE COUNTY COUNCIL

By: _____
Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Date _____

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Granato voting	_____
Councilman Jensen voting	_____
Councilman Snelgrove voting	_____
Councilman Wilde voting	_____

Vetoed and dated this _____ day of _____, 2013.

By: _____
MAYOR BEN MCADAMS
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 _____, 2013, the County Council of Salt Lake County adopted Ordinance No. _____, which amends sections 19.04.235, 19.14.020, and 19.14.030 of the Salt Lake County Code of Ordinances, 2001, regarding the definition of family food production and by making family food production a conditional use in the R-1-21 and R-1-43 zones and making other related changes.

SALT LAKE COUNTY COUNCIL

By: _____
Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Date _____

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Granato voting	_____
Councilman Jensen voting	_____
Councilman Snelgrove voting	_____
Councilman Wilde voting	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.