

ORDINANCE NO. 2016 - 14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 17.130.040 (FARM ANIMAL FLOATING ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code §10-9a-102 grants the City Council of the City of South Jordan (“City Council”) the authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (“City”); and

WHEREAS, the City Council has adopted Title 17 of the South Jordan City Municipal Code (“City Code”); and

WHEREAS, the City Council desires to enact text amendments that clarify language within Title 17; and

WHEREAS, the City’s Planning Commission held a public hearing, reviewed and made a recommendation concerning the subject text amendments; and

WHEREAS, the City Council held a public hearing and reviewed the subject text amendments; and

WHEREAS, the City Council finds that the subject text amendments will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Amendment. City Code § 17.130.040 (Farm Animal Floating Zone), as shown in Exhibit A, is hereby amended.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 6 DAY OF December, 2016 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	___	___	___
Bradley Marlor	<u>X</u>	___	___	___
Donald Shelton	___	___	___	<u>X</u>
Tamara Zander	<u>X</u>	___	___	___
Christopher Rogers	<u>X</u>	___	___	___

Mayor: 
 David L. Alvord

Attest: 
 City Recorder

Approved as to form:


 Office of the City Attorney



EXHIBIT A

SECTION 17.130.040 (FARM ANIMAL FLOATING ZONE)

17.130.040.030: STANDARDS FOR FARM ANIMALS, EXCLUDING BEES AND PIGEONS

A. Standards: The raising of farm animals, as defined by Subsection 17.130.040.020, on certain qualifying residential and agriculturally zoned properties is encouraged when the animals are properly cared for and maintained and the impacts on adjoining properties are adequately considered. ~~may be allowed contingent that the standards and regulations found in this floating zone are met.~~ The regulations of this Section do not apply to bees and pigeons, which are regulated by Subsections 17.130.040.040 and 17.130.040.060, respectively. Offspring of allowed animals on the premises not exceeding six (6) months of age are not regulated under this section. ~~Some animals may be allowed in all zones subject to conditions listed, while others may not be allowed under any conditions.~~ Farm animals are not allowed in any commercial, industrial, office, or open space zone. Farm animals can be the primary use in an agricultural zone, however farm animals can only be accessory to a permitted or approved conditional use in all other zones whereas allowed by the requirements of this subsection (17.130.040.030). All farm animals are to be confined to the property to which they are assigned. The following table and sections summarize in which zones farm animals are allowed: (Ord. 2011-18, 3-6-2012)

FARM ANIMAL STANDARDS TABLE

Zones	A-5	A-1	R-1.8 ¹	R-2.5	R-3	R-4	R-5	R-M	P-C ¹	BH-MU
Minimum lot size	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre	¹ / ₂ acre
Farm animals	Yes	Yes	Yes	No	No	No	No	No	No	No
Bees ²	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Pigeons ³	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Wild animals	No	No	No	No	No	No	No	No	No	No

Notes:

1. Chickens may be allowed on less than ¹/₂ acre lots per subsection 17.130.020.005A of this chapter.
2. Standards for bees are found in section 17.130.040.040 of this chapter.
3. Standards for pigeons are found in section 17.130.040.050 of this chapter.

1. Farm animals, as defined by Subsection 17.130.040.020 and regulated by this Subsection, are only allowed on lots or parcels of not less than one-half (0.50) acre in the A-5, A-1, and R-1.8 zones, with the exception that chickens may also be allowed in other residential zones pursuant to Subsection 17.130.020 (Residential Chickens Floating Zone) of this Chapter.

2. Farm Animals totaling no more than ~~thirtysixty~~ (3060) points per half acre, according to the point values listed below, may be kept as listed in the farm animal standards table on a qualifying lot or parcel. Other animals not listed under the definition of "farm animal" found in this section, are not allowed. Farm Animal points allowed per lot or parcel shall be prorated so that each one-hundredth (0.01) of an acre is equivalent to six-tenths (0.6) of a point, except that no points shall not be granted allowed for lots or parcels smaller than one-half (0.50) acre increments. Offspring of allowed animals on the premises not exceeding six (6) months of age are not regulated under this section. Farm animals are assigned a point value as follows in the Farm Animal Points table:

Farm Animals	Points
Large:	
Bison	20
Burro	20
Cattle	20
Donkey	20
Elk	20
Horse	20
Mule	20
Pony	20
Yak	20
Medium:	
Burro	10
Donkey	10

<u>Alpaca</u>	10
Emu	10
Guanaco	10
Llama	10
<u>Mini. Horse</u>	10
Ostrich	10
Pony	10
Vicuna	10
Small:	
Alpaca	5
Goat	5
Miniature horse	5
Rhea	5
Sheep	5
Turkey	5
Very small:	
Chinchilla	2
Chicken	2
Duck	2
Goose	2
Mink	2
Rabbit	2

3. Farm animals may be the primary use in an agricultural zone, however, farm animals may only be accessory to an allowed use in all other zones as allowed by the requirements of this Subsection.

4. All farm animals ~~are to~~ shall be confined to the qualifying property to which they are assigned by a fence that is no greater than six (6) feet high, and which is designed, constructed and maintained by the property owner to successfully confine the farm animals to the qualifying property.

5. The Development Services Director may allow a second horse on properties that comply with the regulations of this Section and with the following criteria:

- a. The subject property is eligible to have farm animals according to Subsection A.1 of this Section and qualifies for less than forty (40) animal points, according to Subsection A.2 of this Section;
- b. All large animals shall be contained in a dedicated area of not less than two thousand (2,000) square feet;
- c. Where the subject property is adjacent to a property that does not qualify for farm animals, the dedicated area shall be fenced or shall otherwise contain animals so that no large animal may be kept less than ten (10) feet from the property line.
- d. Grain stored for animal feed shall be kept in rodent-proof containers.
- e. Animal waste shall be collected regularly and, if stored on site, shall be stored not less than forty (40) feet from any property line; and
- f. A covered structure with a coverage area of not less than one hundred forty-four (144) square feet and a height sufficient to provide shelter to both animals shall be located within the dedicated area.

B. Location: Farm animals may not be kept in any front yard or side yard area on properties that are less than one (1) acre in size. On properties that are less than one (1) acre in size, no farm animal may be kept within forty (40) feet (40') of any dwelling unit on an adjacent property that ~~was in existence~~ prior to the keeping of the animal.

C. Housing of Farm Animals: If an accessory building is used to house farm animals it shall be constructed to meet all pertinent building codes, zoning ordinances and engineering requirements. Such buildings shall be located at least forty (40) feet (40') from any dwelling, or commercial building where food is stored and/or prepared. No building used ~~for~~ housing of farm animals shall be located in the front yard or street side yard of any property.

The construction of such buildings ~~will require a building permit to be issued, and shall comply with the~~ other zoning requirements of this Title including, but not limited to, relating to setbacks from property lines and heights requirements found in this title regarding accessory buildings shall also be met.

D. Fencing: All fencing ~~shall be designed to and constructed to confine all farm animals within the owner's property. The fencing shall not exceed six (6) feet (6') in height. The fencing shall be the animal owner's responsibility unless a development is proposed adjoining to it wherein such case a developer would be responsible for fencing. If conflicting, the fencing~~

~~requirements found in title 16 of this code and this title will prevail over the requirements found in this chapter.~~

ED. Slaughtering Of Farm Animals: ~~A F~~farm animals may only be slaughtered on an agriculturally or residentially zoned qualifying property if at the animal owner's property ~~only if the animals were~~was raised on-siteon that property. The area where the slaughter takes place shall be kept clean to prevent health hazards.~~It, and~~ may be located in the same building or area where animals are kept or may be a separate building or area.

FE. Animals Not Listed: An animal meeting the definition of a "farm animal", but not shown in the farm animal list can be submitted to the ~~community development~~Development Services ~~Department~~for determination of whether the animal will be allowed, otherwise animals not listed are prohibited. The ~~community development~~Development Services department ~~Director~~will determine the following:

1. Whether the animal meets the definition of "farm animal" found in this ~~s~~Section 17.130.040.
2. Point value to be assigned to the proposed animal.

~~Should an applicant not agree with the determination made by the community development director, an appeal may be filed with the city council provided required application forms and fees are submitted for the appeal.~~

GF. Nuisances: If the animals are determined to be a nuisance in accordance with ~~€~~Title 8, ~~e~~Chapter 8.24 of this ~~e~~Code or applicable state law, they may be ordered removed from the property ~~in order~~to remedy the problem.

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WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News



The Salt Lake Tribune

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CUSTOMER NAME AND ADDRESS

SOUTH JORDAN CITY,

1600 TOWN CENTER DR

SOUTH JORDAN UT 84095

ACCOUNT NUMBER

9001350317

DATE

5/16/2016

100150-520050

ORD 2016-14

ACCOUNT NAME

SOUTH JORDAN CITY,

TELEPHONE

8012543742

ORDER # / INVOICE NUMBER

0001091428 /

PUBLICATION SCHEDULE

START 05/14/2016 END 05/14/2016

CUSTOMER REFERENCE NUMBER

PH 5/24

CAPTION

CITY OF SOUTH JORDAN NOTICE OF PUBLIC HEARING Notice is hereby given that

SIZE

42 LINES 1 COLUMN(S)

TIMES

3

TOTAL COST

75.56

CITY OF SOUTH JORDAN
NOTICE OF
PUBLIC HEARING

Notice is hereby given that the City of South Jordan has scheduled public hearings before the Planning Commission on Tuesday, May 24, 2016 at 6:30 p.m. and the City Council on Tuesday, June 21, 2016 at 6:00 p.m. to receive public comment regarding an application to amend the Zoning Ordinance (Title 17) of the South Jordan Code, including revisions to regulations affecting farm animals. The draft documents are available for review at www.sjc.utah.gov/planning-documents.asp or by visiting South Jordan City Hall, 1600 W. Towne Center Drive (10610 S.). The hearings will be held at South Jordan City Hall. All interested parties are invited to attend. The City will provide reasonable accommodations for special needs, including necessary interpretation, for all timely requests. The hearing impaired may call 7-1-1 to contact TDD Utah Relay. For inquiries, contact South Jordan City Offices at 801-254-3742.
1091428 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF CITY OF SOUTH JORDAN NOTICE OF PUBLIC HEARING Notice is hereby given that the City of South Jordan has scheduled public hearings before the Planning Commission FOR SOUTH JORDAN CITY, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 05/14/2016 End 05/14/2016

DATE 5/16/2016

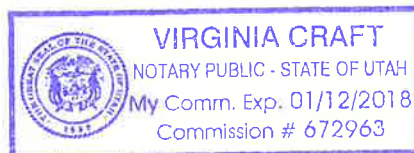
SIGNATURE Ann Dartnell

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 16TH DAY OF MAY IN THE YEAR 2016

BY ANN DARTNELL



Virginia Craft
NOTARY PUBLIC SIGNATURE