

**BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH**

**ORDINANCE NO. 06-20-2016, O1  
URBAN LIVESTOCK**

**AN ORDINANCE AMENDING TITLE 17 “ZONING” SECTION 17.08.010 “DEFINITIONS” AND SECTION 17.28.020 “PERMITTED USES” AND SECTION 17.30.020 “PERMITTED USES” AND SECTION 17.31.020 “PERMITTED USES” AND SECTION 17.32.020 “PERMITTED USES” AND ADDING SECTION 17.116.280 “URBAN LIVESTOCK” IN THE UINTAH COUNTY CODE;**

**Section 1. Purpose of Ordinance.** The purpose of this ordinance is to amend Title 17 “Zoning” by amending Section 17.08.010 “Definitions” and Section 17.28.020 “Permitted Uses” and Section 17.30.020 “Permitted Uses” and Section 17.31.020 “Permitted Uses” and Section 17.32.020 “Permitted Uses” and adding Section 17.116.280 “Urban Livestock”.

**Section 2. Authority for Ordinance.** Section 17-27a-102 and 501 of the Utah Code Annotated (1953, as amended) which expressly mandates that the legislative body of each Utah County may enact land use ordinances.

**Section 3. Modification.** The Uintah County Code, Title 17, Section 17.08.010 “Definitions” is hereby amended by amending the following definition:

**17.08.010 - Definitions**

"Animal unit" means one hog, one pig, one horse, one cow, one mule, one donkey, one alpaca, one llama, two (2) bee hives, two and one-half (2.5) sheep, two and one-half (2.5) goats, fifteen (15) rabbits or twenty-five (25) domestic fowl. All other animals must be approved by the land use authority.

**Section 4. Modification.** The Uintah County Code, Title 17, Section 17.28.020 “Permitted Uses” is hereby amended as follows, to wit:

**17.28.020 - Permitted Uses**

The following buildings, structures and uses of land shall be permitted:

- A. Agriculture and buildings incidental to the use of the land for agricultural purposes;
- B. The raising and grazing of animals and fowl, including the supplementary or full feeding of such animals and fowl, as follows:
  - 1. Not more than two animal units (as set forth in Uintah County Code, Chapter 17.08 Definitions) per one-half acre are permitted;

2. No animal rights exist on parcels that contain less than one-half acre except for Urban Livestock (as set forth in Section 17.116.280, Urban Livestock, of this title); and
  3. All animals and facilities for their care and keeping shall be subject to the rules and regulations of the State of Utah Department of Environmental Quality and the Department of Agriculture and Food;
- C. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl, provided such structures for the care and keeping of livestock and fowl are located at least one hundred (100) feet in distance from any adjoining existing dwelling, public or semipublic building on an adjoining parcel of land;
  - D. One and two-family dwellings and buildings accessory thereto;
  - E. Water reservoirs and water facilities;
  - F. Public or private utility substations and government buildings;
  - G. Churches, parks and golf courses, plant nurseries, and veterinary hospitals;
  - H. Residential facilities for the elderly in accordance with Utah Code 17-27a-515 thru 518 and Chapter 17.92 of the Uintah County Code;
  - I. Residential facilities for persons with a disability in accordance with Utah Code Annotated, Section 17-27A-519 and Chapter 17.90 of the Uintah County Code;
  - J. Public, charter or private schools;
  - K. Guest home, as defined in Uintah County Code, Chapter 17.08 Definitions. Home occupations or home businesses in accordance with Chapters 17.08 and 17.116 of the Uintah County Code;
  - L. Employee Housing, Accessory. Accessory employee housing shall comply with the following standards.
    1. Employee housing shall be accessory to the primary use.
    2. Use and occupancy of such housing shall be restricted to persons (and their immediate families) who primarily earn their livelihood from employment on-site.
    3. All employee housing must have a building permit. Documentation showing the number of employees must be provided when application for the building permit is made.
    4. A covenant running for fee simple guaranteeing that the employee housing shall be used only for the housing of employees and their immediate families, and not rented, leased, sold, or taxed separately from the rental, lease or sale of the main residential structure shall be recorded with the county recorder.
    5. When all private and/or access roads have been approved by the land use authority and all subdividing is done strictly in accordance with county zoning and subdivision codes, and approval is recorded with the county recorder's office, the covenant running for fee simple may be removed from the property.
    6. The property must be at least five acres in size. If property is less than five acres approval must be obtained from the land use authority.
    7. New employee housing must meet the same setbacks as the main structure.

**Section 5. Modification.** The Uintah County Code, Title 17, Section 17.30.020 "Permitted Uses" is hereby amended as follows, to wit:

**17.30.020 - Permitted Uses**

The following buildings, structures and uses of land shall be permitted:

- A. Agriculture and buildings incidental to the use of the land for agricultural purposes;
- B. The raising and grazing of animals and fowl, including the supplementary or full feeding of such animals and fowl, as follows:
  - 1. Not more than two animal units (as set forth in Uintah County Code, Chapter 17.08 Definitions) per one-half acre are permitted;
  - 2. No animal rights exist on parcels that contain less than one-half acre except for Urban Livestock (as set forth in Section 17.116.280, Urban Livestock, of this title);; and
  - 3. All animals and facilities for their care and keeping shall be subject to the rules and regulations of the State of Utah Department of Environmental Quality and the Department of Agriculture and Food;
- C. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl, provided such structures for the care and keeping of livestock and fowl are located at least one hundred (100) feet in distance from any adjoining existing dwelling, public or semipublic building on an adjoining parcel of land;
- D. One- and two-family dwellings and buildings accessory thereto;
- E. Water reservoirs and water facilities;
- F. Public or private utility substations and government buildings;
- G. Churches, parks and golf courses, plant nurseries, and veterinary hospitals;
- H. Residential facilities for the elderly in accordance with Utah Code 17-27a-515 through 518 and Chapter 17.92 of the Uintah County Code;
- I. Residential facilities for persons with a disability in accordance with Utah Code Annotated, Section 17-27A-519 and Chapter 17.90 of the Uintah County Code;
- J. Public, charter or private schools;
- K. Guest home, as defined in Uintah County Code, Chapter 17.08 Definitions. Home occupations or home businesses in accordance with Chapters 17.08 and 17.116 of the Uintah County Code;
- L. Employee Housing, Accessory. Accessory employee housing shall comply with the following standards:
  - 1. Employee housing shall be accessory to the primary use.
  - 2. Use and occupancy of such housing shall be restricted to persons (and their immediate families) who primarily earn their livelihood from employment on site.
  - 3. All employee housing must have a building permit. Documentation showing the number of employees must be provided when application for the building permit is made.
  - 4. A covenant running for fee simple guaranteeing that the employee housing shall be used only for the housing of employees and their immediate families, and not rented, leased, sold, or taxed separately from the rental, lease or sale of the main residential structure shall be recorded with the county recorder.
  - 5. When all private and/or access roads have been approved by the land use authority and all subdividing is done strictly in accordance with county zoning and subdivision codes, and approval is recorded with the county recorder's office, the covenant running for fee simple may be removed from the property.
  - 6. The property must be at least five acres in size. If property is less than five acres, approval must be obtained from the land use authority.
  - 7. New employee housing must meet the same setbacks as the main structure.

**Section 6. Modification.** The Uintah County Code, Title 17, Section 17.31.020 “Permitted Uses” is hereby amended as follows, to wit:

**17.31.020 - Permitted Uses**

The following buildings, structures and uses of land shall be permitted:

- A. Agriculture and buildings incidental to the use of the land for agricultural purposes;
- B. The raising and grazing of animals and fowl, including the supplementary or full feeding of such animals and fowl, as follows:
  - 1. Not more than two animal units (as set forth in Uintah County Code, Chapter 17.08 Definitions) per one-half acre are permitted;
  - 2. No animal rights exist on parcels that contain less than one-half acre except for Urban Livestock (as set forth in Section 17.116.280, Urban Livestock, of this title); and
  - 3. All animals and facilities for their care and keeping shall be subject to the rules and regulations of the State of Utah Department of Environmental Quality and the Department of Agriculture and Food;
- C. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl, provided such structures for the care and keeping of livestock and fowl are located at least one hundred (100) feet in distance from any adjoining existing dwelling, public or semipublic building on an adjoining parcel of land;
- D. One- and two-family dwellings and buildings accessory thereto;
- E. Water reservoirs and water facilities;
- F. Public or private utility substations and government buildings;
- G. Churches, parks and golf courses, plant nurseries, and veterinary hospitals;
- H. Residential facilities for the elderly in accordance with Utah Code 17-27a-515 through 518 and Chapter 17.92 of the Uintah County Code;
- I. Residential facilities for persons with a disability in accordance with Utah Code Annotated, Section 17-27A-519 and Chapter 17.90 of the Uintah County Code;
- J. Public, charter or private schools;
- K. Guest home, as defined in Uintah County Code, Chapter 17.08 Definitions. Home occupations or home businesses in accordance with Chapters 17.08 and 17.116 of the Uintah County Code;
- L. Employee Housing, Accessory. Accessory employee housing shall comply with the following standards:
  - 1. Employee housing shall be accessory to the primary use.
  - 2. Use and occupancy of such housing shall be restricted to persons (and their immediate families) who primarily earn their livelihood from employment on site.
  - 3. All employee housing must have a building permit. Documentation showing the number of employees must be provided when application for the building permit is made.
  - 4. A covenant running for fee simple guaranteeing that the employee housing shall be used only for the housing of employees and their immediate families, and not rented, leased, sold, or taxed separately from the rental, lease or sale of the main residential structure shall be recorded with the county recorder.

5. When all private and/or access roads have been approved by the land use authority and all subdividing is done strictly in accordance with county zoning and subdivision codes, and approval is recorded with the county recorder's office, the covenant running for fee simple may be removed from the property.
6. The property must be at least five acres in size. If property is less than five acres, approval must be obtained from the land use authority.
7. New employee housing must meet the same setbacks as the main structure.

**Section 7. Modification.** The Uintah County Code, Title 17, Section 17.32.020 "Permitted Uses" is hereby amended as follows, to wit:

### **17.32.020 - Permitted Uses**

The following buildings, structures and uses of land shall be permitted in the RA-1 zone, upon compliance with requirements, as set forth in this title:

- A. One- and two-family dwellings;
- B. The raising and grazing of animals and fowl, including the supplementary or full feeding of such animals and fowl, as follows:
  1. Not more than two animal units (as set forth in Chapter 17.08, Definitions, of this title) per one-half acre are permitted;
  2. No animal rights exist on parcels that contain less than one-half acre, except for Urban Livestock (as set forth in Section 17.116.280, Urban Livestock, of this title); and
  3. All animals and facilities for their care and keeping shall be subject to the rules and regulations of the state of Utah Department of Environmental Quality and the Department of Agriculture and Food;
- C. Churches, public parks and recreation areas;
- D. Machinery sheds for the storage of farm machinery, farm produce sheds, buildings and cellars;
- E. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl, and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet distance from any adjoining, existing dwelling, public or private building used for human occupancy;
- F. Clubs, lodges, except those in which the chief activity is a business;
- G. Veterinary clinics;
- H. Residential facilities for the elderly in accordance with Utah Code 17-27a-515 thru 518 and Chapter 17.92 of this title;
- I. Residential facilities for persons with a disability in accordance with Utah Code 17-27a-519 and Chapter 17.90 of this title;
- J. Guest home, as defined in Chapter 17.08 Definitions, of this title;
- K. Home occupations or home businesses in accordance with Chapters 17.08 and 17.116 of this title;
- L. Public or charter schools and private schools;
- M. Public utility substations and government buildings.
- N. Pet crematories as follows:

1. May not be located in a recorded subdivision;
2. Customers shall not be allowed at the crematory location;
3. Property shall be one-half acre in size or larger;
4. Crematory shall be located at least fifty (50) feet from any residence;
5. Crematory cannot be located in front of the home;
6. Crematory facilities shall be odorless, have a zero emission chamber and meet the currently adopted building code as amended;
7. Facilities shall meet all setback requirements;
8. Crematory may only service small animals weighing less than two hundred fifty (250) pounds.

**Section 8. Modification.** The Uintah County Code, Title 17, Section 17.116.280 “Urban Livestock” is hereby added as follows, to wit:

**17.116.280 – Urban Livestock**

- A. A minimum parcel size of twelve thousand (12,000) square feet shall be required in order to keep urban livestock.
- B. The maximum number of animals that may be kept per parcel shall be as follows:
  1. Rabbits: six (6)
  2. Ducks: six (6)
  3. Hen Chickens: six (6) Except that in the A-3 and A-4 zones the maximum number of hen chickens shall not exceed twelve (12).
  4. Goats: three (3)
  5. Bees: one (1) hive with no more than one swarm per hive
  6. Other similar animals as approved by the Community Development Director.
- C. Additional requirements
  1. Goats must be miniature, dwarf, or pygmy. Goats must also be dehorned and male goats must be neutered.
  2. All be hives must be set back a minimum of twenty-five (25) feet from any property line.
  3. Rooster chickens shall not be allowed.
  4. Should a bee hive become populated with Africanized honeybees, it must be destroyed.
  5. Except for bees, all urban livestock shall be kept in a fashion so as to be contained and to prevent them from exiting the property at any time.
  6. Except for bees, a combination of no more than six (6) total animals may be kept. In the A-3 and A-4 Zones a combination of no more than twelve (12) total animals may be kept.
- D. Nuisance
  1. In no case shall this section permit a nuisance, as defined in Uintah County Code, to be created or to exist.

- 2- Urban livestock shall not be permitted to cause excessive odors, noises, or otherwise threaten the health, safety, and welfare of the surrounding community.

**Section 9. Effective Date.** This ordinance shall take effect, fifteen (15) days after enactment, and after depositing a copy in the Clerk-Auditor’s Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

**ENACTED** on this, the eleventh (11<sup>th</sup>) day of July, 2016.  
**IN WITNESS THEREOF:**

\_\_\_\_\_  
MARK RAYMOND, Chair

William Stringer \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent  
Michael McKee \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent  
Mark Raymond \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent

**ATTEST:**

**REVIEWED:**

\_\_\_\_\_  
MICHAEL W. WILKINS  
Clerk-Auditor

\_\_\_\_\_  
JONATHAN STEARMER  
Deputy County Attorney