

CITY OF HOLLADAY

ORDINANCE NO. 09-10

AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES BY AMENDING SECTIONS 13.04.326, 13.14.020(B), AND 13.14.030(A) PERTAINING TO LIVESTOCK.

WHEREAS, certain issues have surfaced regarding the regulation of animals and livestock within the community; and

WHEREAS, present City ordinances need modification and amendment to clarify the policy of the city; and

WHEREAS, the Planning Commission and Municipal Council have each held noticed public hearings on February 18, 2009 May 21, 2009, respectively; and

WHEREAS, proposed and revised language will establish clear City policy and adopt clear regulations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Holladay, Utah as follows:

SECTION 1

That Section 13.04.326 pertaining to Livestock be enacted to read as follows:

I. LIVESTOCK

Section 13.04.326. Livestock:

“Livestock” means animals kept for husbandry or for family food production, including the following:

- a. “Large livestock” means horses, mules, burros, donkeys, cattle, sheep, goats llamas, swine and other similarly sized farm, hoofed domesticated animals, excluding dogs, cats and ferrets.
- b. “Small livestock” means chickens, turkeys, ducks, geese, pigeons, pheasants, rabbits and other similarly sized fowl or animals, excluding dogs, cats and ferrets.

Section 13.14.020 (B) Permitted Uses: Permitted uses in the R-1 zones are as follows:

A. All R-1 zones:

1. Accessory uses and buildings customarily incidental to a permitted use, provided the total footprint square footage of all accessory buildings does not exceed the maximum square footage as allowed in chart 13.14.101 of this chapter.

2. Agriculture.
3. Home daycare/preschool, small, subject to section 13.04.294 of this title.
4. Household pets.
5. Residential facilities for persons with disabilities.
6. Single-family dwelling.
7. Guesthouse, which meets the following:
 - a. A maximum footprint of one thousand two hundred (1,200) square feet on lots greater than twenty one thousand seven hundred eighty (21,780) square feet but smaller than forty three thousand five hundred sixty (43,560) square feet.
 - b. A maximum footprint of two thousand (2,000) square feet on lots greater than forty three thousand five hundred sixty (43,560) square feet.
8. Small livestock, as allowed for family food production, as defined in chapter 8.01.290, on a lot of at least 10,000 square feet, limited to one half the listed numbers of animals allowed for family food production, as defined in chapter 13.04, and subject to a permit issued by the City. Such permits are personal to the property owner and do not run with the land.

- B. R-1-21, R-1-43 and R-1-87 zones:
1. Animals and fowl for family food production.
 2. Livestock, large and small and subject to the limitation of the family food production as defined in chapter 13.04.
 3. Horses, provided that such horse(s) shall be for private use only, not for rental or boarding. A maximum of:
 - a. One horse on a lot of one-half (1/2) acre in size; or
 - b. Four (4) horses on a lot of one acre in size, and;
 - c. One additional horse for each additional one-half (1/2) acre of land beyond the first acre.

Section 13.14.030 (A): 13.14.030: CONDITIONAL USES: Conditional uses in the R-1 zones are as follows:

- A. All R-1 zones:
1. Accessory uses and buildings customarily incidental to a conditional use.
 2. Any accessory building or buildings incidental to a permitted use where the total footprint square footage exceeds the square footage as allowed in chart 13.14.101 of

this chapter.

3. Cemetery.
4. Daycare/preschool center, subject to section 13.76.260 of this title.
5. Golf course.
6. Home daycare/preschool, subject to section 13.04.293 of this title.
7. Home occupation.
8. Monopoles, only allowed within an existing utility site.
9. Planned unit development.
10. Private educational institutions having an academic curriculum similar to that ordinarily given in public schools.
11. Private nonprofit recreational grounds and facilities.
12. Public and quasi-public uses.
13. Residential facility for elderly persons.
14. Temporary buildings for uses incidental to construction work that must be removed upon the completion of the construction work. If such buildings are not removed within ninety (90) days upon completion of construction work or thirty (30) days after notice, the building will be removed by the city at the expense of the owner.
15. ~~Pigeons, subject to health department regulations.~~ Residential healthcare facility for up to five (5) residents excluding the facility operator and his related family with a maximum of one nonresident part time relief employee on the premises at any one time, which use shall not change the residential appearance and character of the property.
16. Sportsman's kennel with a minimum lot area of one acre.
17. Guesthouse, which meets the following:
 - a. A footprint greater than one thousand two hundred (1,200) square feet on lots larger than twenty one thousand seven hundred eighty (21,780) square feet but smaller than forty three thousand five hundred sixty (43,560) square feet.
 - b. A footprint greater than two thousand (2,000) square feet on lots larger than forty three thousand five hundred sixty (43,560) square feet.

B. Zones R-1-43 and R-1-87:

1. Bed and breakfast homestay.

Amendments to Title 8:

Chapter 8.01.290: **LIVESTOCK:** ~~"Livestock" means animals kept for husbandry, including, but not limited to, fowl, ratites, horses, mules, burros, asses, cattle, sheep, goats, llamas, swine and other farm, hoofed domesticated animals, excluding dogs, cats and ferrets.~~

"Livestock" means animals kept for husbandry or for family food production, including the following:

- a. "Large livestock" means horses, mules, burros, donkeys, cattle, sheep, goats llamas, swine and other similarly sized farm, hoofed domesticated animals, excluding dogs, cats and ferrets.
- b. "Small livestock" means chickens, turkeys, ducks, geese, pigeons, pheasants, rabbits and other similarly sized fowl or animals, excluding dogs, cats and ferrets.

AMENDMENTS TO TITLE 14:

Section 14.52.020: Livestock use on highway unlawful: It is unlawful for any person to drive livestock upon the public highways. However, this provision shall not prohibit the riding of horses, use of horse drawn carriages, and walking of animals on a leash.

SECTION II

This Ordinance shall take effect upon the first publication and filing of a copy thereof in the office of the City Recorder of the City of Holladay, Utah.

PASSED AND APPROVED this 4th day of June, 2009.

HOLLADAY CITY COUNCIL

By: _____
Dennis R. Webb, Mayor

[SEAL]

VOTING:

Grant Orton	Yea	___	Nay	___
Lynn Pace	Yea	___	Nay	___
J. James Palmer, Jr.	Yea	___	Nay	___
Patricia Pignanelli	Yea	___	Nay	___
E. Barry Topham	Yea	___	Nay	___
Dennis R. Webb	Yea	___	Nay	___

ATTEST:

Stephanie N. Carlson, CMC
City Recorder

DEPOSITED in the office of the City Recorder this 4th day of June, 2009.

RECORDED this 4th day of June, 2009.