

ORDINANCE NO. 2024 - 17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING PORTIONS OF SECTION 17.130.020 (RESIDENTIAL CHICKENS FLOATING ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

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

WHEREAS, the subject text amendment expands the Residential Chickens Floating Zone to all residential zones; and

WHEREAS, the subject text amendment allows all owners of lots that meet the requirements of the Residential Chickens Floating Zone, including the minimum lot size of 10,000 square feet, to keep chickens on their lots; and

WHEREAS, the subject test amendment changes the name of the zone from “Residential Chickens Floating Zone” to “Residential Chickens Overlay Zone” to align with the definition of floating and overlay zones in Section 17.130.010 of the South Jordan City Municipal Code; and

WHEREAS, the Planning Commission held a public hearing and reviewed the subject text amendment before forwarding a recommendation to the City Council that it adopt the text amendment; and

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

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare, and will promote the goals of the General Plan and purpose of the Residential Chickens Floating Zone.

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

SECTION 1. Amendment. Section 17.130.020 of the South Jordan City Municipal Code, as shown in the attached **Exhibit A**, is hereby amended. References to the “Residential Chickens Floating Zone” in Sections 17.18.030.030.A.3, 17.130.040.010 and 17.130.040.030.A.1 of the South Jordan City Municipal Code are hereby amended to “Residential Chickens Overlay Zone.”

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.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 3 DAY OF September, 2024 BY THE FOLLOWING VOTE:

Patrick Harris
 Kathie L. Johnson
 Donald Shelton
 Tamara Zander
 Jason McGuire

| YES | NO | ABSTAIN | ABSENT |
|-----|-----|---------|--------|
| X | --- | --- | --- |
| X | --- | --- | --- |
| X | --- | --- | --- |
| X | --- | --- | --- |
| X | --- | --- | --- |

Mayor: *Dawn R. Ramsey*
 Dawn R. Ramsey

Attest: *Anna Crookston*
 City Recorder

Approved as to form:

Gregory Simonsen
 Gregory Simonsen (Aug 29, 2024 15:17 MDT)
 Office of the City Attorney



EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.130.020: RESIDENTIAL CHICKENS ~~FLOATING OVERLAY~~ ZONE

The Residential Chickens ~~Floating Overlay~~ Zone is established to provide regulations and standards for the raising of chickens and egg production in certain Residential Zones in the City. The ~~Floating Overlay~~ Zone is intended to encourage sustainable local and family food production, while establishing regulations that control the appropriateness of chickens in a ~~semirural residential~~ environment as needed to protect the health, safety, and welfare of the community. Except for standards herein allowed under the “Residential Chickens ~~Floating Overlay~~ Zone~~2~~,” land use and development standards shall meet the requirements of the underlying zone.

17.130.020.005: STANDARDS FOR RESIDENTIAL CHICKENS

The Planning Department may approve requests for the raising of residential chickens and egg production for family food production based upon the following standards being met:

- A. Residential Land Use Requirement: The raising of chickens in Residentially zoned areas is permitted, subject to the regulations established herein, for minimum ten thousand (10,000) square foot residential lots within the P-C and ~~Single Family Residential R~~ Zones. Standards for raising chickens on Agriculturally zoned properties are regulated based upon animal requirements under the A-1 and A-5 Zones set forth in **Section 17.130.040, “Farm Animal Floating Zone,”** of this Chapter.
- B. Number and Type of Chickens Allowed: Up to six (6) chickens per residential lot may be kept for the purpose of family food production. The keeping of roosters in Residential Zones is expressly prohibited, **including on properties zoned R-1.8 that qualify under Section 17.130.040, “Farm Animal Floating Zone,” of this Chapter.** ~~Roosters, as part of pullet stock, may be kept temporarily until such stock is four (4) months old.~~
- C. Coop Size and Location: The size, height, and location of chicken coops shall be adequate to house the number of chickens on the property and shall meet the requirements for accessory buildings in the underlying zone, including setbacks and rear lot coverage. In addition to ~~said the~~ **residential accessory building** requirements, chicken coops (or the portion of a larger accessory structure used for the raising of chickens) shall be located at least ten feet (10') from the on-site dwelling, five feet (5') from the property line of an adjoining neighbor, and forty feet (40') from a dwelling on an adjoining property.
- D. Chicken Care and Maintenance Guidelines: The raising of residential chickens and egg production shall be done in such a way that the use is clearly subordinate to the residential character of the property with no significant impacts or nuisances being created for the residential neighborhood in general and adjoining property owners in particular.
 1. Education and Awareness: Residents interested in residential chickens and egg production are strongly encouraged to educate themselves as to appropriate chicken raising methods, Salt Lake County Board of Health requirements, and City ordinances before purchasing chickens and equipment, constructing facilities, and obtaining applicable City permits.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

Residents are also encouraged to discuss their family food production plans with adjoining neighbors. Regardless of approvals by the City, the keeping of residential chickens may be further restricted civilly by homeowners' associations and recorded restrictive covenants.

2. Slaughtering: The slaughtering or processing of chickens outdoors for food production is expressly prohibited in Residential Zones.
3. Feed Containers: The storage and accessibility of chicken feed shall be so handled to discourage rodents, other vermin, and predators.
4. Nuisance: Property owners will ensure that the raising of residential chickens and egg production is properly conducted and monitored to not create impacts to neighbors. Approval to raise residential chickens shall include the construction and maintenance of adequate and comely coops, pens, enclosures, and property fencing that will confine chickens to the property and that do not adversely affect neighborhood property values. The maintenance and cleanliness of facilities and equipment shall be the ongoing responsibility of the property owner. If and when nuisance issues arise, property owners will work with neighbors, and City staff as necessary, to amicably resolve concerns. Complaints shall be considered prima facie nuisances with the burden upon property owners to resolve the same.

17.130.020.010: PLOT PLAN, PERMITS, FEES, INSPECTIONS, AND POTENTIAL REVOCATION

A onetime residential chicken permit and fee (as established by the City Council) shall be required for the keeping of residential chickens in approved Residential Zones. In order to determine compliance with the requirements herein, ~~two (2) copies of~~ a plot plan shall be submitted to the Planning Department, drawn to scale, clearly showing the location of all existing and proposed structures, coops, pens, enclosures, and property fencing as may be needed depending on the proposed type of residential chicken setup. The plot plan shall also show building structures on adjoining residential lots. Distances to on-site and off-site structures as well as property lines shall be indicated to facilitate review and compliance.

Before any required building permits may be issued, appropriate building construction plans shall be submitted to the City for review and compliance with Building Codes, along with any applicable building permit fees. Periodic property inspections may be necessary to determine compliance with residential chicken standards, as may be deemed appropriate by City staff. Residential chicken permits may be revoked for noncompliance with the standards stated herein.

17.130.020.015: TRANSFERABILITY

Residential chickens and egg production in Residential Zones is not transferable. Upon sale of the home or the change of primary occupant, the approval for residential chickens shall expire, unless otherwise renewed by the new owner or tenant. A renewed application and permit shall be required if previously approved residential chickens and egg production is discontinued for more than one year by the property occupant.