

SALT LAKE COUNTY

2001 S State Street, N2-800

Salt Lake City, UT 84114



Meeting Minutes

Tuesday, April 16, 2024

11:00 AM

RM N2-800

Salt Lake County Council Subcommittee

1. **Call to Order**

Present Council Member Dave Alvord, Council Member Ann Granato, and Council Member Laurie Stringham

Others in Attendance

Jennifer Wilson, Catherine Kanter, Lisa Hartman, Andrew Roberts (Mayor's Office); Mitchell Park, Corinne Johnson, Abby Evans, Alecia Williams, Lauren Duke, Catalina Davison (Council Office); Zachary Shaw (District's Office); Robert Thompson (Engineering and Flood Control Division); Nichole Watt, Kim Stanger, Amy Pitt, Vanna Nguyen (Clerk's Office); Brian Tucker, Alicia Gonzalez (Greater Salt Lake Municipal Services District); Jay Olsen (Utah Department of Agriculture); Sandy Wingert, Kelsee York, Jodi Gardberg, Jeanne Riley (Utah Department of Environmental Quality); Laurice Lake, Paul Dahle (Hi-Country Estates Phase I Homeowners Association Board of Directors); Katherine Fuller, Danny Malby, Michael Cole, Kim Zacherson (Hi-Country Estates Phase II Homeowners Association Board of Directors); Riley Spargen (Hi-Country Estates Phase I Resident)

2. **Public Comment**

3. **Discussion Items on Storm Water Management Permit**

a. Discussion on Measuring Existing Citizen Compliance

Committee Member Alvord stated one of his goals with regard to coming into compliance with the Stormwater Management Permit was to figure out if residents of Hi-Country Estates Phase I and Phase II were compliant with County ordinances and their homeowner associations (HOAs) regulations. He suggested the HOAs send a postcard out to their members with a list of questions asking if they were compliant with existing laws and regulations. Questions could be how many horses they had on the property, what they did with their manure, if their septic system was inspected annually, and other questions related to County ordinances. The postcard could include a preamble of why the information was needed, and that if the survey was not

filled out, the Greater Salt Lake Municipal Services Code Enforcement would go to the property to investigate compliance.

Some Subcommittee Members were given a tour of Hi-Country Estates Phase II, which Rose Creek ran through. On the tour, Committee Member Alvord did not see a lot of horses nor did he see a major ranch or fields of cattle. He saw a pile of manure while touring, but it was miles away from Rose Creek. He asked if there was a tributary to Rose Creek within Hi-Country Estates Phase I.

Ms. Laurice Lake, President, HOA Board, Hi-Country Estates Phase I, stated there is a natural spring on Bridle Trail that flows until mid-summer, but it does not flow into Rose Creek. The Hi-Country Estates Phase II HOA does not have a limit on the number of horses a property owner can keep on their property, but property owners are not allowed to operate a business related to horses nor are they allowed to board horses. With regard to sending a postcard, she would have to check with the board members, but thought the board could do that. However, she did not think there would be many respondents.

Ms. Kathy Fuller, Vice President, HOA Board, Hi-County Estates Phase II, stated she would need to discuss that with the HOA Board, but the HOAs bylaws and covenants, conditions, and restrictions (CC&Rs) do not regulate how many animals a homeowner can have.

Committee Member Granato stated County Council Members have been getting calls from people who live out there and were responding to the proposed County ordinance, so they needed to understand the HOA rules and if there were discrepancies between those rules and the County's ordinance that needed to be resolved.

b. Discussion on the Current HOA Rules

[Earlier in the meeting]

Committee Member Alvord stated the subcommittee received HOA rules from Hi-Country Estates Phases 1 and 11, but will not be discussing them.

c. Rose Creek and Its Path Towards Jordan River

This matter was not discussed.

d. Existing County Ordinance

Ms. Kathy Fuller, Vice President, HOA Board, Hi-County Estates Phase II, stated a lot of residents had asked if they had been grandfathered in, prior to the County ordinance in 2009, which limited the number of horses a property owner could have. At the time of the passage of the ordinance, residents never received notice that they were limited to four horses, and some had not known there was a limit. Many of them have been there for generations and are on Greenbelt, so they assume they were grandfathered in. The new proposed ordinance refers to structures being grandfathered in, but there is no wording regarding the number of animals a property owner can have. She was not aware of anyone who had more than four horses, but people felt that because they had the land, they should be able to have additional horses if they wanted them and not allowing that was unrealistic and unfair.

Ms. Lisa Hartman, Associate Deputy Mayor, stated the County's current ordinance allows four horses, and that would not change with the proposed ordinance. The limit would not apply to anything that had existed on the land, as that would have automatically been grandfathered with the land. The proposed ordinance also only applies to horses, not cattle.

Mr. Brian Tucker, Planning Manager, Greater Salt Lake Municipal Services District, stated to be grandfathered or legally non-conforming, the number of animals had to be established prior to when the ordinance limiting them took effect, and there had to be consistency in keeping additional animals on the property. Animals for family food production are allowed per County ordinance, and a property owner can have up to three different types of animals. For example, a property owner could have two horses, two goats, and two sheep. That also applied to cows, so if someone had more than two cows after that ordinance took effect, they would be out of compliance. He thought the ordinance limiting the number of animals on a property became effective in 2001, and that number would not change with the new ordinance.

Mr. Danny Malby, HOA President, Hi-Country Estates Phase II, asked

how many horses a property owner could have if they owned three separate parcels of land.

Mr. Tucker stated the number of horses allowed is per lot, so someone who owned three parcels of land could have four horses per parcel. In Hi-Country Estates Phase I, there is not a formal limit on horses, but property owners need a conditional use permit to have horses, and that permit theoretically limits the number of horses.

Mr. Zachary Shaw, Deputy District Attorney, stated the Forestry Recreation (FR) / Forestry Agriculture (FA) ordinance does not have prescribed limits on the number of horses. It says the Planning Commission will set those limits, which is ambiguous without any objective criteria and is one of the problems the County is trying to solve.

Ms. Laurice Lake, President, HOA Board, Hi-Country Estates Phase I, asked where people could go to find the ordinances.

Mr. Shaw stated they could Google Salt Lake County's Code of Ordinances.

Mr. Mitchell Park, Legal Counsel, Council Office, stated the ordinances are also on the County's website.

e. Open Discussion

Mayor Jennifer Wilson stated the County needs to find the source of E. coli in Rose Creek and correct that to come into compliance with the Utah Division of Water Quality regulations. She did not think the County needed to send Code Enforcement to this area to measure the number of animals on a property until it understood which animals were the source of the problem. If it finds out horses are the problem, it might need to further limit the number of horses or figure out another means to control the problem. However, if horses are not the source of the problem, the County might not need a ceiling on the number of horses allowed. The County did not want to crack down on things that were not the problem. The State has given the County a little more time to come into compliance.

Mr. Bob Thompson, Watershed Section Manager, Engineering and Flood Control Division, stated the Engineering and Flood Control Division has been testing the water in Rose Creek for about 15 years, and the testing indicates there is a problem with E.coli there. Additional testing is planned for late summer. The County does not have microbial source tracking data yet; it will not get a report on that until the end of the year.

Committee Member Alvord stated he was fine waiting for that data to come back before moving forward with measuring existing compliance.

Committee Member Stringham stated she wanted to measure compliance because it would help the County understand the whole picture and where to go from here.

Committee Member Granato stated it was important to see the data and measure compliance to understand what the issues were from both the HOAs and the County's perspectives and find a way to reconcile them.

Committee Member Stringham stated she understood some property owners were on greenbelt, and to stay on greenbelt, they had to have animals on their land.

Mr. Jay Olsen, Program Manager, Utah Department of Agriculture and Food, stated a property owner on greenbelt had to generate \$1,000 in income from the property to stay on greenbelt. There was no requirement to maintain a certain number of animals to be on greenbelt. However, having a cow or selling a horse could provide that \$1,000 income.

Committee Member Stringham asked how greenbelt worked with the HOAs, considering property owners could not make money off the property.

Ms. Kathy Fuller, Vice President, HOA Board, Hi-County Estates Phase II, stated the Hi-County Estates Phase II HOA did not have rules on greenbelt. The HOA's bylaws allowed people to work from home, provided they did not create noise or have stuff on the property that was a nuisance, or create traffic.

Committee Member Granato stated the HOAs limited specific income, such as breeding horses, or running a horse facility where animals were being

boarded.

Ms. Fuller stated the Hi-County Estates Phase II HOA does not allow anything that specific.

Ms. Kim Zacherson, HOA Board Member, Hi-Country Estates Phase II, stated the HOA's rules allow property owners to ask for consideration to have a business out of their house, and the board can elect whether to approve that request.

Committee Member Alvord stated since neither HOA regulated animals, the questionnaire should probably come from the County.

Ms. Lisa Hartman, Associate District Attorney, stated she thought sending a postcard was reasonable, and suggested the postcard be informational with a website address that respondents could go on to fill out a smartsheet survey. They could even do that anonymously, which would help alleviate residents' fears. Having that information would be valuable to the County. Once the survey results were gathered, she would want to discuss what the next steps would be. She did not think sending Code Enforcement to the community made sense.

Ms. Riley Spargen, resident, Hi-Country Estates Phase I, stated an informational packet would be helpful for the community to know why the County wanted a response from residents and why residents needed to comply with the ordinance. If people did not know what the motive was, the County would not get a very big response to the survey.

Committee Member Stringham suggested having a townhall meeting with each HOA separately. It could be an informal meeting. It would be helpful to get to know residents.

Ms. Hartman stated she thought people would be guarded even in a meeting like that, but if the County did do that, she would suggest still doing the survey.

Committee Member Alvord asked if Ms. Hartman's office had the bandwidth to put together the questions on the survey and create the website.

Mr. Brian Tucker, Planning Manager, Greater Salt Lake Municipal Services District (MSD), stated the MSD's planning team could put together something useful. It would need about a month to do that.

Committee Member Alvord suggested the Committee put the survey and information preamble on its next agenda.

f. Schedule next Subcommittee Meeting(s)

Committee Member Alvord stated the next meeting is scheduled for Tuesday, May 21st, at 10:00 AM.

4. Approval of Minutes

4.1 030524 Subcommittee Meeting Minutes

[24-1568](#)

Attachments: [030524 Subcommittee Meeting Minutes](#)

A motion was made by Committee Member Stringham, seconded by Committee Member Granato, that this agenda item be approved. The motion carried by a unanimous vote.

5. Other Subcommittee Business

6. Adjourn

The meeting was adjourned at 12:15 PM.

LANNIE CHAPMAN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL SUBCOMMITTEE