

February 1, 2021



**ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2020-01006**

**REQUEST:**

This is a request for an administrative interpretation regarding the development boundaries indicated on the Carrigan Cove Subdivision Plat and affecting the property located at approximately 3116 E Carrigan Canyon Drive (tax ID#16-14-400-027). Specifically, the applicant is requesting an interpretation of the terms “developable area limitation boundary” and “undevelopable area” as it relates to constructions activities on the property. The property is located in the FR-1/43,560 Foothills Estate Residential zoning district.

**DECISION:**

The Zoning Administrator finds that no development, construction activities, and other disturbances are permitted in the “undevelopable areas” designated in the Carrigan Cove Subdivision Plat. All constructions activities must be done within the “developable area limitation boundary” of the property in accordance with sections 20.08 and 21A.62 of the Salt Lake City Code.

**FINDINGS:**

The applicant wants to build a house on the property located at 3116 E Carrigan Canyon Drive. The Carrigan Cove Subdivision Plat indicates a “developable area limitation boundary line” as well as an “undevelopable area” to which the new house must comply with. The applicant is requesting an interpretation to determine the impacts of the plat designations on the construction of the house.

The Definitions chapter of the Salt Lake City Subdivisions and Condominiums Ordinance Chapter 20.08 defines Development Limit Line as:

*A legally described line, determined by the planning commission or its designee and shown on the final subdivision plat, which defines the boundary between developable and undevelopable areas. In those portions of the plat designated as undevelopable, grading, landscaping, construction activities, and other disturbances of the land are prohibited.*

The Definitions chapter of the Salt Lake City Zoning Ordinance Chapter 21A.62 defines Undevelopable Area as:

*The portion of a lot that is unusable for or not adaptable to the normal uses made of the property, which may include areas covered by water, areas that are excessively steep, included in certain types of easements, or otherwise not suitable for development, including areas designated on a plat as undevelopable.*

Grading and landscaping standards found in the special foothills zoning regulations also address undevelopable areas. Section 21A.24.010.P.7 states:

*Grading: Unauthorized grading and other surface disturbing activities are prohibited in all undevelopable areas within the lot or the subdivision. Prior to any grading or other surface disturbing activity on the property, the undevelopable areas shall be clearly delineated by temporary fencing or flagging. Any flagging stakes used to*

*delineate undevelopable areas there shall be a minimum of four feet (4') above grade and no more than twenty five feet (25') apart.*

Section 21A.24.010.P.12.c states:

*Undevelopable Areas: Lawns or gardens are prohibited in the undevelopable areas. Native and drought tolerant plant species established in undevelopable areas may be enhanced by irrigation and supplemental planting as approved by the Zoning Administrator, provided the Zoning Administrator finds that such supplemental planting is in keeping with the natural conditions.*

The plans submitted for the proposed house indicate that the walls of the house will be adjacent but will not be within the designated undevelopable areas of the property. Based on the definitions and standards discussed above, the proposed location of the house is permitted.

However, the plans submitted show that the footings and foundations of the new house would encroach into the undevelopable area. Such encroachments would cause considerable disturbance of the land and therefore, are not permitted based on the definitions and standards discussed above. Eave encroachments are not considered disturbances of the land and are permitted.

Additionally, as indicated in the definitions and standards discussed above, construction activities are prohibited in the designated undevelopable areas. Undevelopable areas must be clearly marked or fenced during the construction of the house, as noted above (Section 21A.24.010.P.7).

If you have any questions regarding this interpretation, please contact Mayara Lima at (801) 535-7118 or by email at [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com).

#### **APPEAL PROCESS:**

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <https://www.slc.gov/planning/applications> along with information about the applicable fee. Appeals may be filed in person at the Planning Counter, 451 South State Street, Room 215 or by mail at Planning Counter PO BOX 145471, Salt Lake City, UT 84114-5471.

#### **NOTICE:**

Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.



---

Mayara Lima  
Principal Planner  
Salt Lake City Planning Division

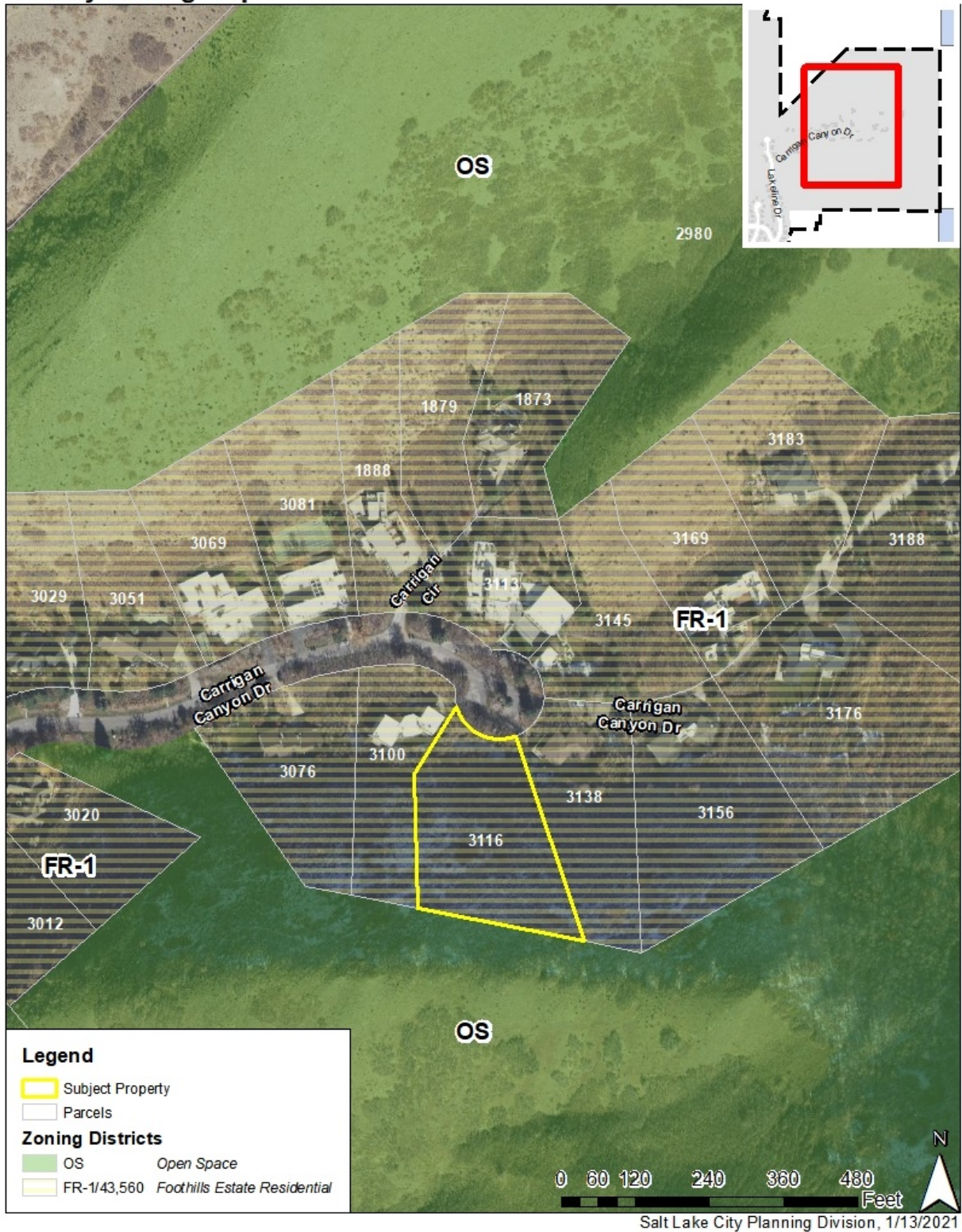
CC: Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Greg Mikolash, Development Review Supervisor  
Posted to Web

Attachments:

- A. [Vicinity Zoning Map](#)
- B. [Carrigan Cove Subdivision Plat](#)
- C. [Proposed Plans](#)

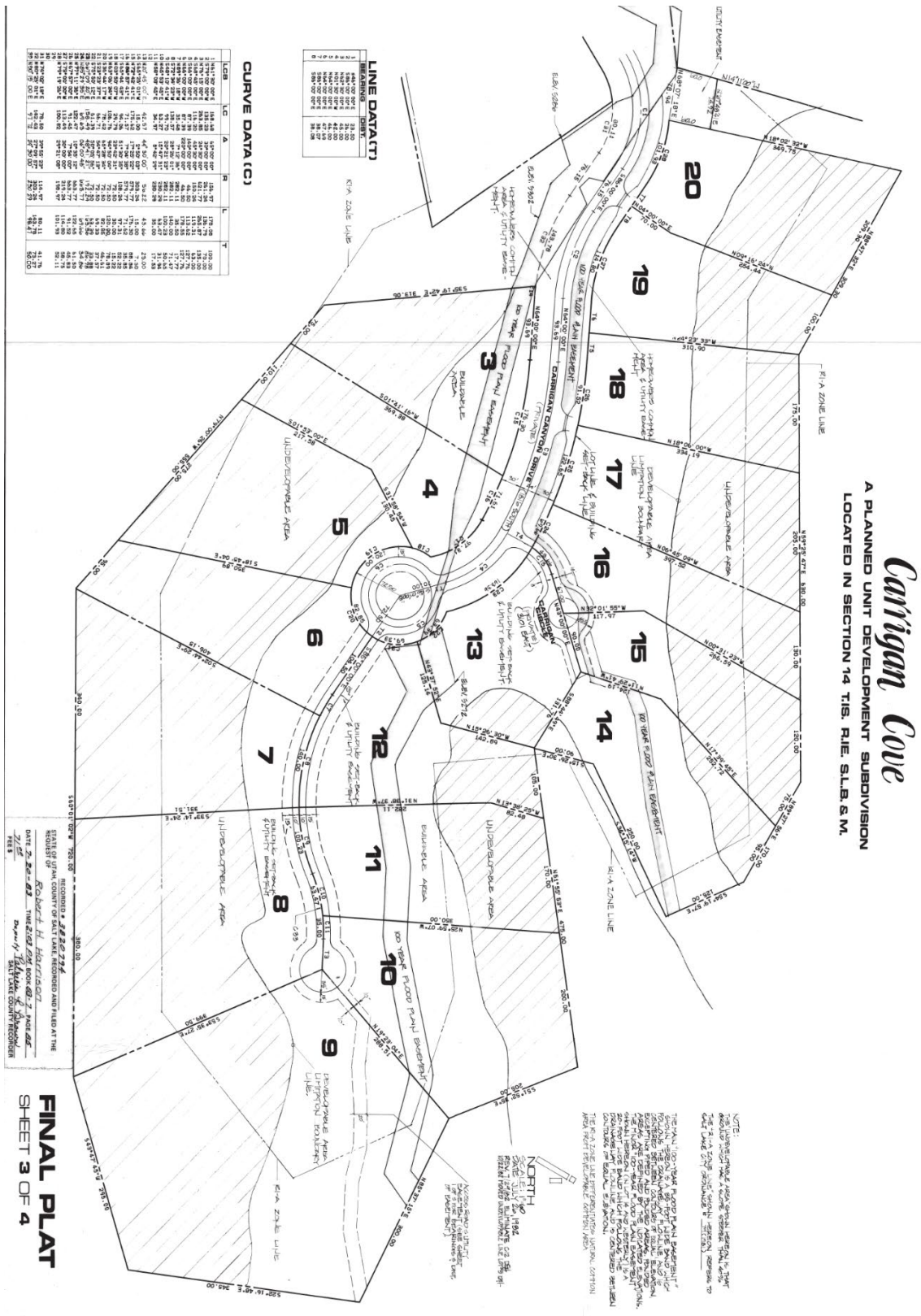
# Attachment A

## Vicinity Zoning Map





# Attachment B



# Attachment C

