

June 20, 2018



**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2018-00359**

REQUEST:

This is a request for an administrative interpretation regarding whether a proposed use at 1082 W 200 S would be considered agricultural use. The property is located in the TSA-UN-T (Transit Station Area, Urban Neighborhood Station, Transition Area) zoning district.

DECISION:

The Zoning Administrator finds that the proposed use is considered an agricultural use and therefore permitted in the TSA-UN-T zoning district per the specifications of the Table of Permitted and Conditional Uses for Transit Station Area Districts (Zoning Ordinance Section 21A.33.035).

FINDINGS:

The applicant has described the use as a *"parcel for growing crops where employees of Dominion Energy can enjoy spending time with co-workers planting, growing and harvesting crops"*.

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

"The use of a tract of land for growing crops in the open, dairying, pasturage, horticulture, floriculture, general farming uses and necessary accessory uses, including the structures necessary for carrying out farming operations and the sales of food products and agricultural goods grown on site; provided, however, such agricultural use shall not include the following uses: the feeding of garbage to animals, the raising of poultry or furbearing animals as a principal use, or the operation or maintenance of commercial stockyards, or feed yards, slaughterhouses or rendering facilities".

Table 21A.33.035 lists agricultural use as a permitted use in the TSA-UN-T zoning district. Staff finds the proposed use, as described by the applicant and shown on the site plan, meets the definition above and therefore it is allowed as a permitted use.

Any use interpretation is subject to the below standards:

- A. *Any use defined in chapter 21A.62 of this title, shall be interpreted as defined;*

Finding: Agricultural use is defined in chapter 21A.62 and Staff finds the proposed use as described meets this definition.

- B. *Any use specifically listed without a "P" or "C" designated in the table of permitted and conditional uses for a district shall not be allowed in that zoning district;*

Finding: Agricultural use is a permitted use in the TSA-UN-T zoning district.

- C. *No use interpretation shall allow a proposed use in a district unless evidence is presented demonstrating that the proposed use will comply with the development standards established for that particular district;*

Finding: The applicant has provided evidence that the use will comply with the development standards established for the district in the form of a description and a site plan of the proposed use. Building plans must be submitted for a building permit to establish the use of the property and allow accessory structures. Such plans will be reviewed for compliance with the zoning standards and approved by the Building Services division.

- D. No use interpretation shall allow any use in a particular district unless such use is substantially similar to the uses allowed in that district and is more similar to such uses than to uses allowed in a less restrictive district;*

Finding: As noted above, the use as described is most similar to agricultural use, which is a permitted use in the TSA-UN-T zoning district.

- E. If the proposed use is most similar to a conditional use authorized in the district in which it is proposed to be located, any use interpretation allowing such use shall require that it may be approved only as a conditional use pursuant to chapter 21A.54 of this title; and*

Finding: As noted above, the use as described is most similar to agricultural use, which is a permitted use in the TSA-UN-T zoning district.

- F. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district.*

Finding: The TSA-UN-T zoning district has the following purpose statement:

“The purpose of the TSA Transit Station Area District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, mixed use district. Existing uses that are complementary to the district, and economically and physically viable, should be integrated into the form and function of a compact, mixed use pedestrian oriented neighborhood”.

The proposed use provides function to an underutilized parcel in support of a walkable, mixed use district.

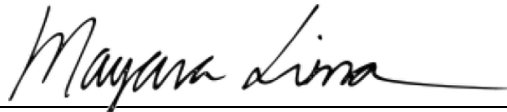
APPEAL PROCESS:

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.

A handwritten signature in black ink, reading "Mayara Lima", with a horizontal line underneath.

Mayara Lima
Associate Planner
Salt Lake City Planning Division

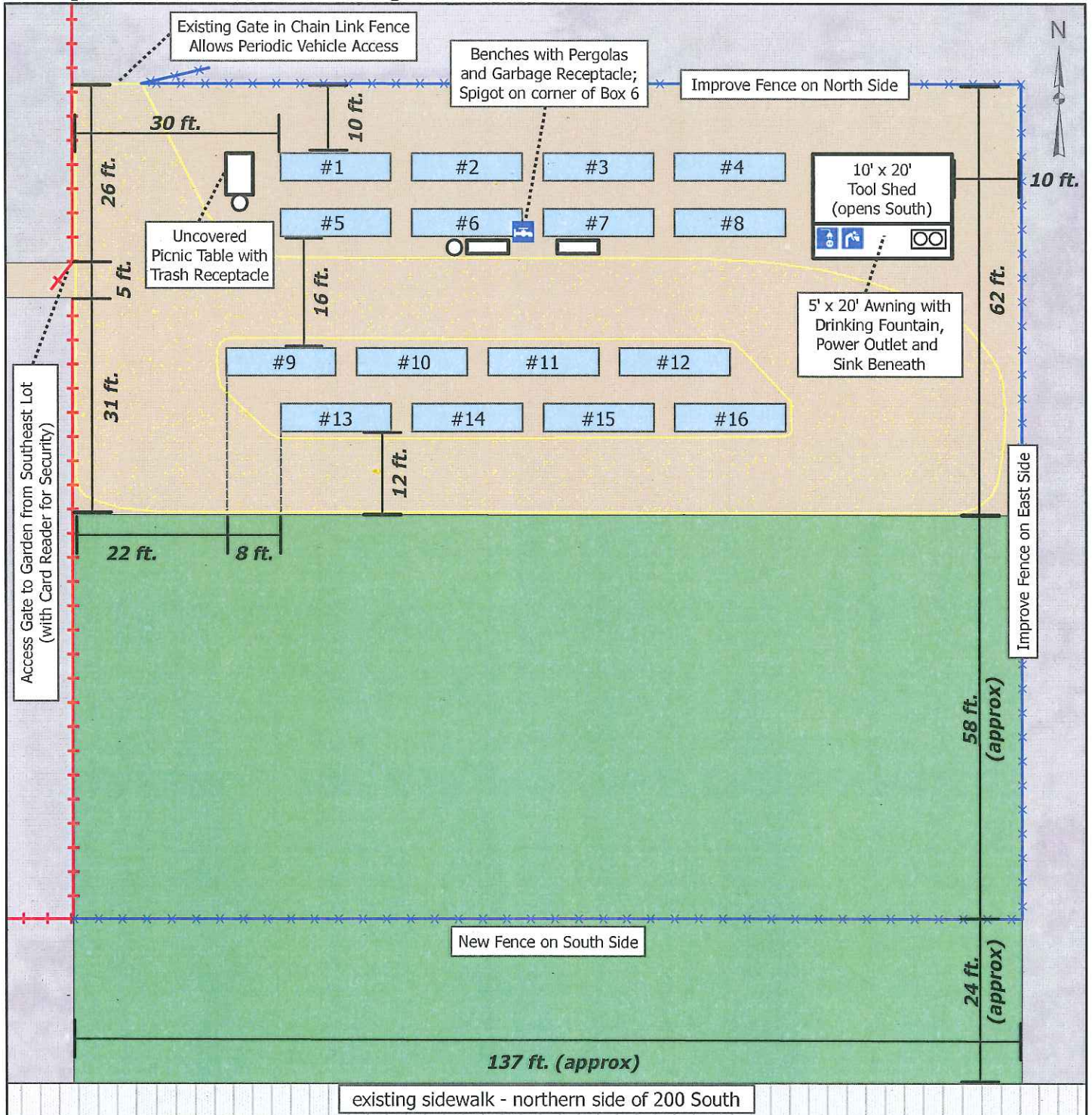
CC: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Greg Mikolash, Development Review Supervisor
Applicable Recognized Organization
Posted to Web

Attachments:

Vicinity map of subject property
Site Plan



Proposed Garden Layout



MAP KEY

	PLANTER BOXES		CRUSHED ROCK / CHAT
	OTHER FEATURES		SUGGESTED TRUCK PATH
	SECURITY FENCING		GRASS
	CHAIN LINK FENCING		

Notes:

- Chain link fencing will be 7 ft, 3-barb wire
- Boxes will be 16 ft. x 4 ft. x 1ft.
- 4 ft. spacing between boxes on long side
- 3 ft. spacing between boxes on short side

