

September 17, 2018

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2018-00694**



REQUEST:

A request for an administrative interpretation regarding a proposed Permitted Home Occupation located at 1136 E Gilmer Drive. The proposed Permitted Home Occupation, Gilmer Farms, involves small batch production of jams and pickles for wholesale and internet sales. Business operation would take place wholly within the principle structure, specifically the basement. The request involves whether this business would qualify as a Permitted Home Occupation. This parcel is located in the R-1/5,000 Single-Family Residential District.

DECISION:

The Zoning Administrator finds that the proposed business is most similar to “Artisan Food Production” and is allowed as a Permitted Home Occupation pursuant to Zoning Ordinance section 21A.36.030 Home Occupations and the findings below.

FINDINGS:

As described by the applicant, the proposed use includes the following:

Gilmer Farms is a boutique jam and pickle maker in Salt Lake City, which is proposed to be located at 1136 E Gilmer Drive. Gilmer Farms specializes in extremely small batch production of jams and pickles, for retail sale via the internet, and grocery/specialty food retail outlets. Gilmer Farms is just beginning commercial production of jams and pickles, and we expect that the total number of jars produced will be between 500-1,500 in the 2019 spring/summer season.

Pursuant to the Salt Lake City Home Occupations Ordinance (Section 21A.36 of the Salt Lake City Code), all home occupations not specifically listed as prohibited may be permitted subject to their compliance with the standards specified in subsection G of this section. Artisan Food Production is not specifically listed as prohibited.

The Definitions of Terms section of the Zoning Ordinance (21A.62.040) defines “Artisan Food Production” as:

ARTISAN FOOD PRODUCTION: A facility typically operated by a single business entity for the production of small-scale, hand-crafted specialty food and beverage products for on- and/or off-site sales and consumption. May include wholesale and/or retail sales.

After considering the operation of the proposed use, as provided in the submitted materials, the uses defined in the Salt Lake City Zoning Ordinance, and the standards that govern use interpretations, it is my determination that the proposed business is defined and listed within the Salt Lake City Zoning Ordinance as “Artisan Food Production” and is permitted as a Home Occupation.

If you have any questions regarding this interpretation please contact Chris Earl at (801) 535-7932 or by email at christopher.earl@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 <http://www.slcgov.com/planning/planning-applications> along with information about the applicable fee. Appeals may be filed in person or by mail at:

In Person: Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT	US Mail: Salt Lake City Corp Planning Counter PO Box 145471 Salt Lake City, UT 84114-5417
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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.



Chris Earl
Associate Planner

cc: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Greg Mikolash, Development Review Supervisor
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Applicable Recognized Organizations