



# Memorandum

Planning Division  
Community & Economic Development Department

**To:** Historic Landmark Commission  
**From:** Ray Milliner  
**Date:** April 12, 2010  
**Re:** Zoning Ordinance Use Table Amendments Relating to Sustainability

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**Petition: PLNPCM2009-01337**

## ***Background***

On November 18, 2009, Mayor Becker initiated a petition to amend the Salt Lake City Zoning Ordinance to create a series of regulations promoting sustainability and diversity throughout the City. Priorities of the proposed amendments include:

- Urban Agriculture
- Alternative Energy

Included in this memorandum are draft amendments relating to the use table for the regulation of urban agriculture. The proposed uses associated therein, may be allowed, in some form, within each of the City's historic districts. As part of the public participation/approval process, staff is requesting that the Historic Landmark Commission evaluate the attached ordinance amendments and provide recommendations for modifications where applicable. Below is an assessment of the issues and a brief explanation for each.

## ***Issues/Requests***

### **URBAN FARM**

Urban farms are proposed as a permitted use in residential and commercial zones. These farms are commonly located in large rear yards, or on vacant lots. Owners grow vegetables, herbs, and flowers that are then sold to consumers. The most common type of urban farm is Community Supported

Agriculture, wherein individuals purchase shares of the farm produce prior to the growing season, then receive allotments of the harvest throughout the summer. Produce from urban farms may also be sold at farm stands and farmers markets.

**Issue:** As proposed, these urban farms would be allowed within both commercial and residential zoning Districts. Staff is requesting that the Commission review the attached definition and qualifying provisions and provide feedback as to whether or not they are sufficient to protect the integrity of historic neighborhoods. Qualifying provisions include:

1. **Accessory Buildings:** Storage and tool sheds, greenhouses, hoop houses, and cold frames associated with community gardens are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures and the requirements of the International Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet the requirements of Chapter 8.08 of the Salt Lake City Municipal Code, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable.
2. **Storage Requirements:** All flammables, pesticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Salt Lake City Department of Health Services or successor agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.
3. **Large Vehicles:** No vehicles in excess of five (5) tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.
4. **Hours of Operation:** All urban farm related uses shall operate only during daylight hours.
5. **Irrigation Systems.** All new or retrofitted agricultural irrigation systems for agricultural uses shall be designed with water conservation in mind.
6. **Delivery and Pick-up:** In residential zones, delivery and pick-up of products is allowed provided pick-up times are staggered so that one patron is on site at a time.
7. **Parking:** Parking for employees, and patrons of the urban farm shall be provided on site, at a rate of two parking stalls per acre.
8. **Sales:** Products from urban farms may be donated or sold on-site and off premise in accordance with the seasonal sales stand regulations in Section 21A.40.210.
9. **Fencing:** Fencing of urban farms shall comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.

**Request:** Staff requests that the HLC provide direction as to whether or not the proposed qualifying provisions for urban farming are sufficient, or if additional changes need to be made to ensure compliance in Historic Preservation Overlay Zone.

## COMMUNITY GARDEN

Community gardens are a type of garden where the property is owned and managed by an individual or group of individuals where food is grown for personal or group use. These gardens could be

housed on a vacant lot, in a person's back yard, or in any open space area. The most visible community garden in the City is located at the corner of 800 South and 600 East in the Central City Historic District.

**Issue:** The impact of a community garden most likely would be similar to those of an urban farm. Community Gardens would be allowed within various zoning districts in the city which means they would be allowed in each of the Historic Districts in the City. Staff is requesting that the Commission review the proposed qualifying provisions and provide feedback as to whether or not they are sufficient to ensure compliance with the historic preservation overlay. Qualifying provisions include:

1. **Accessory Buildings.** Storage and tool sheds, greenhouses, hoop houses, and cold frames associated with community gardens are subject to the development standards in Chapter 21A.40, of this code.
2. **Size:** In residential zones, community gardens shall not exceed one half 1/2 acre in size.
3. **Hours of Operation:** In residential zones, community gardens shall not operate between the hours of 9 pm and 7 am.
4. **Large Vehicles:** No vehicles in excess of five (5) tons shall be kept or stored on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.
5. **Irrigation Systems:** All new or retrofitted agricultural irrigation systems for agricultural uses, shall be designed with water conservation in mind.
6. **Sales:** Products from community gardens may be donated or sold on-site and off premise in accordance with the seasonal farm stand regulations in Section 21A.40.210.

**Request:** Provide feedback as to whether or not the proposed qualifying provisions for a community garden will mitigate any potential impacts on the existing historic districts.

## SEASONAL FARM STAND

Seasonal farm stands are sales tables or kiosks where food crops are sold away from where the food was grown. Seasonal farm stands generally operate during the time of year coinciding with the growing season.

**Issue:** As proposed, seasonal farm stands will not be allowed in residential zones, as a result, the impacts in historic districts will be centered only on neighborhood commercial zones, downtown exchange place and mixed use zones. Proposed qualifying provisions include:

1. **Location:** Seasonal farm stand shall be located only along City streets designated as "collector" or "arterial" by the cities major streets plan.
2. **Duration:** Seasonal farm stands shall operate only during the growing season.
3. **Setback:** Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
4. **Size:** A seasonal farm stand may not exceed 100 square feet in size.
5. **Food Preparation:** Food preparation is prohibited at farm stands with the exception of food samples.

6. **Signs:** Signs for a seasonal farm stand are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs are not allowed to be placed more than 50 feet from the stand location
7. **Sales:** Food crops and/or non-food, ornamental crops, such as flowers grown locally are allowed to be sold at a seasonal food stand. Prepackaged “shelf stable” foods produced in close proximity to the farm stand may be sold as well, provided they are produced in a Health Department approved facility.
8. **Animals:** No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.
9. **Garbage:** All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.
10. **Storage:** Perishable foods must be stored in a vermin-proof area or container when the facility is closed.

**Request:** Staff requests that the HLC review the proposed qualifying provisions and provide staff with direction, as it relates to mitigating potential impacts of seasonal farm stands in historic districts.

## ***EXHIBITS***

1. Proposed Ordinance Amendments







**DRAFT USE TABLE**  
**Seasonal Farm Stand**

Use	Residential Zones																		
	FR-1	FR-2	FR-3	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	P	P	P	P	
<b>SEASONAL FARM STAND</b>	Commercial Zones																		
	RO	CN	CB	CS'	CC	CSHBD'	CG	TC-75	M-1	M-2	D-1	D-2	D-3	D-4	G-MU	RP	BP	FP	
	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU					
	P	P	P	P	P		P	P	P	P	P	P	P	P					
	<b>Qualifying:</b>																		
	Location: Seasonal farm stand shall be located only along City streets designated as "collector" or "arterial" by the City Transportation Department.																		
	Duration: Seasonal farm stands shall operate only during the growing season.																		
	Setback: Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.																		
	Size: A seasonal farm stand may not exceed 100 square feet in size.																		
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	Garbage: All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.																		
	Storage: Perishable foods must be stored in a vermin-proof area or container when the facility is closed.																		

**Definition:**  
"Seasonal farm stand" means a sales table, area, or kiosk of food crops and/or non-food, ornamental crops, such as flowers, that is located off-premise from the location where the food was grown, or when located in any agricultural district, and operates during the time of year coinciding with the growing season.