

PLANNING COMMISSION STAFF REPORT

Major Street Pet Services Zoning Ordinance Amendment: Issues Only Petition PLNPCM2009-00726 October 14, 2009



Planning Division
Department of Community and
Economic Development

Applicant

Rival Investments, Jake Tate
representative

Staff

Ray Milliner (801) 535-7645
ray.milliner@slcgov.com

Master Plan Designation

City-wide

Council District

City-wide

Review Standards

21A.50.050 Standards for General
Amendments

Affected Text Sections

21A.62.040
21A.32.140

Notification

- Notice mailed on September 28, 2009
- Published in Deseret News
September 29, 2009
- Posted on City & State Websites
September 28, 2009

Attachments

- A. Packet of information
submitted by the applicant.
Packet includes
interpretation letter and staff
report from previous actions
by City.

REQUEST

On June 17, 2009 Rival Investments represented by Jake Tate of Great Basin Engineering submitted a petition to amend the following sections of the Zoning Ordinance.

- 1) Modify Chapter 21A.62.040 Definitions – Amend the definition of a funeral home to allow activities such as cremation.
- 2) Modify Section 21A.62.040 Definitions – Amend this section to create a definition of “Animal Cremation Services”
- 3) Modify Chapter 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Districts to allow “animal cremation services” in the Commercial Corridor (CC) zone.

The stated purpose of the request is to allow an animal cremation service as in the Commercial Corridor (CC) zone. Currently cremation services of any kind are allowed only in the Open Space (OS) zone. A summary of the proposed changes is provided below.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed amendments to the Salt Lake City Zoning Ordinance as **issues only** hearing, conduct a public hearing and provide the applicant and staff with direction.

No action is requested at this time.

Background/ Project Description

The applicant, Rival Investments is requesting approval of three amendments to the Zoning Ordinance. These amendments, if approved, would enable the establishment of a pet cremation service at 1727 South Major Street. The applicant first approached the City with a request to install a crematorium on the property in January of 2009. On February 12, 2009, the Zoning Administrator issued an administrative interpretation letter stating:

“A pet crematory/crematorium is not allowed in the CC Zoning District because the proposed use is most similar to a Funeral Home, a use that does not include the actual act of cremation, only the preparation of the dead for cremation, and a Pet Cemetery, which is not an allowed used in the CC zoning district. (Letter attached as exhibit B)”

The applicant appealed this interpretation to the Board of Adjustment, who heard the case on April 20, 2009. The Board of Adjustment determined that the Zoning Administrator did not err in his interpretation of the Ordinance, and voted to uphold his determination.

Rival Investments submitted an application for an amendment to the Zoning Ordinance on June 16, 2009. As staff reviewed and discussed the issues related with this petition it was discovered that there are a number of issues relating to the way in which the City regulates businesses that care for the deceased (see issue discussion section below). As a result, staff is requesting that the Planning Commission provide direction with regard to this application as well as for a possible expansion of the scope of the project.

Public Participation

Public Open House

An Open House was held on July 19, 2009. Notice of the Open House was sent to Community Council chairs, business groups and those whose names are on the Planning Divisions List serve. Notice was also posted on the City and State website.

The open house was attended by one member of the community who was adamantly opposed to the cremation service. She stated that the use is not appropriate for the CC zone, that there are businesses and residences in the immediate vicinity of the proposed Major Street location that would be negatively impacted by the cremation use.

Public Comments

Aside from comments received at the open house, staff has received one telephone call in opposition to the project and one e-mail in favor (email attached as exhibit C).

Summary of Proposed Code Changes

The following is a short synopsis of the changes proposed by Rival Investments (language and redlines attached as Exhibit A):

1. Chapter 21A.62.040 Definitions – This change would modify the existing definition of a funeral home from:

“FUNERAL HOME: An establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held.”

To:

“FUNERAL HOME: An establishment where the activities necessary for the care and custody of the dead, including: refrigeration, embalming; cremation; other necessary care; viewings; wakes; funerals; and other rites and ceremonies consistent with the proper final disposition of the dead, are conducted.”

2. Modify Section 21A.62.040 – To create a new definition for an Animal Cremation Services. Proposed language would read:

“ANIMAL CREMATION SERVICE: A facility dedicated to the disposition of dead animal remains by means of cremation that may also provide necessary goods and services for memorialization of the animal if requested.”

3. Modify Chapter 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Districts to allow “animal cremation services” in the Commercial Corridor (CC) zone.

Analysis

The applicant has submitted this application with the intent of enabling a pet crematorium at the Major Street location in the CC zone. Nevertheless, the proposed changes would have a wide ranging impact on the way in which funeral homes (for both pet and humans) are defined and regulated throughout the City, as the proposed definition of a funeral home would apply to all funeral homes, enabling cremation on site. Currently, the definition only allows the preparation of a body for these activities, not the actual cremation.

The applicant argues that because of technological advances, respectful and discreet care for the dead with limited impacts on the neighboring uses is viable because modern crematoriums generally do not emit visible emissions (smoke, ash, and the like), as this residue is filtered and processed greatly prior to being emitted into the atmosphere.

The creation of a definition for animal cremation services would simply create a separate definition for the applicant’s use, which would then be included on the use table as an allowed use in the CC zone. This action would enable animal cremation services throughout the city, as the CC zone is located in various areas of the City, most prominently along State Street, Main Street, Redwood Road, and some spots along North Temple.

Issue Discussion

Because the proposed redefinition of funeral home is included in the proposal, staff has researched the potential impacts of the amendment to all mortuaries and funeral homes in the City. The impact of the proposed text amendment would have a significant effect on the way in which future businesses are regulated, as they would be allowed to legally offer cremation services to their clients. Currently, funeral homes or cemeteries are permitted or conditional uses in the following zones:

- Corridor Commercial (CC)
- Community Shopping (CS)
- Sugar House Business District (CSHBD)
- General Commercial (CG)
- Transit Corridor – 75 (TC-75) Conditional Use
- Open Space (OS)

Only one of the existing funeral homes in the City is located in these zones. Most funeral homes are nonconforming uses. Consequently, these uses are unable to expand or modify their business legally, as the expansion of a nonconforming use is not allowed.

If the Planning Commission adopts the proposed changes to the funeral home definition, it would open a door for new businesses in these zones, to legally operate with crematoriums in place. It would not address existing funeral home that would like to expand.

With regard to the pet cremation service, the proposed modifications would allow for this business only in the CC zone. Other zones that allow for funeral homes would not be included, such as the CG, CS etc.

Staff requests that the Planning Commission review the proposal and provide staff with direction on the following questions:

- Are the proposed changes to the definition of a funeral home appropriate?
- Is the proposed new “Animal Cremation Service” definition appropriate?
- Should Animal cremation services be allowed in the CC zone?
- Should animal cremation services be allowed in any other zone?
- What, if anything, should be done about bringing nonconforming funeral homes into compliance (such as rezoning properties, or allowing these services in the zones where funeral homes currently exist)?

Staff Recommendation

Staff recommends that the Planning Commission consider the possibility of modifying the definitions and regulations for funeral homes in the Zoning Ordinance, but with the following modifications:

- That crematoriums be removed from the definition of a funeral home and defined separately.
- That crematoriums be allowed only as an accessory use to a funeral home and as a conditional use, thereby providing the Planning Commission an opportunity to review these uses and mitigate any potential issues that may arise on the site.
- That the Planning Commission direct staff to review the funeral home use and zoning issues as part of the ongoing Zoning Ordinance Amendment process.

Staff draft definition and criteria for a crematorium conditional use include:

Definition

Crematorium: An accessory use to a funeral home where the dead, both animal and human, are prepared for and cremated.

Criteria:

When reviewing the application for a crematorium, the Planning Commission or administrative hearing officer will consider the following factors for approval:

1. The crematorium shall emit no visible emissions.
2. All activity relating to the dead shall be screened from public view, including delivery and storage of the corpse.
3. The crematorium shall receive all necessary approvals from applicable state and federal agencies.
4. The crematorium use shall be consistent with all adopted City ordinance and master plans.
5. The crematorium use shall be associated with a licensed funeral home, or dedicated animal cremation service.

Attachment A: Packet of Information from Applicant

Proposed Amendment to the Text of the Salt Lake City
Zoning Code

in relation to

Major Street Pet Services

1727 South Major Street

June 17, 2009

Prepared for:
Raval Investments Co., Inc



CONSULTING ENGINEERS &
LAND SURVEYORS

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CONSULTING ENGINEERS
AND LAND SURVEYORS

June 17, 2009

Salt Lake City Planning
451 South State Street, Rm 406
Salt Lake City, UT 84111

Re: Major Street Pet Services Zoning Text Amendment

To Whom It May Concern:

This report and text amendment application have been created at the request of Raval Investments for the purpose of operating a business dedicated to providing pet owners a respectful alternative to disposing of their pets in the landfill. The need to accomplish this through an amendment to the definitions found in Chapter 21A.62.040 of the zoning code was a result of an administrative interpretation and the associated interaction with the City. The essence of the correspondence being that the zoning code was in need of being updated to be more in line with current cremation practices and clarification on the association of cremation facilities with funeral homes and cemeteries.

This report proposes two changes to the definitions found in Chapter 21A.62.040 of the Salt Lake City Zoning Code. The first is to update the definition of a funeral home from its current wording of "An establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held" to a definition more in line with current practices found throughout the nation of "an establishment where the activities necessary for the care and custody of the dead, including: refrigeration; embalming; cremation; other necessary care; viewings; wakes; funerals; and other rites and ceremonies consistent with the proper final disposition of the dead, are conducted". The second is the addition of a new term to the zoning code that would clarify the use dedicated to the cremation of animals for their owners which is not currently found in the code. The proposed text would read: "Animal Cremation Services – a facility dedicated to the disposition of dead animal remains by means of cremation that may also provide necessary goods and services for memorialization of the animal if requested".

The attached report provides further discussion, reference material, data and information that led to these text amendment recommendations. It also provides background on previous communications with the city and details about the administrative interpretation. If there are any questions please feel free to call (801-521-8529) at any time. I look forward to working through this process with you.

Sincerely,
GREAT BASIN ENGINEERING – SOUTH

Jake Tate
Assistant Project Engineer

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Appendix

- Salt Lake City Zoning Code Chapter 21A.62.040 – Definition of a Funeral Home
- Salt Lake City Zoning Code Chapter 21A.62.040 – Definition of a Cemetery
- Salt Lake City Zoning Code Chapter 21A.32.140 – Table of Permitted and Conditional Uses for Special Purpose Districts
- Copy of Administrative Interpretation
- Death Statistics for Salt Lake County from Utah 2007 Vital Statistics
- National Cremation Rates from C.A.N.A. (Cremation Association of North America)
- State of Utah Code Section 58.9.102(18)(b)(ii) – State’s Definition of a Funeral Service Establishment
- State of Utah Code Section 58.9.102(22)(e) – State’s Definition of Funeral Service
- State of Utah Code Section 58.9.610 – State Sets Forth Cremation Procedures
- B&L Cremation Systems Retort Information – Independent Tests, Technical Information and Emission Comparison Table
- Site Plan and Photos
- Salt Lake City Zoning Code Chapter 21A.62.040 – Definition of a Pet Cemetery
- Attachment “C” from the Staff Report for the Board of Adjustment Meeting
- Salt Lake City Zoning Code Chapter 21A.26.080 – Table of Permitted and Conditional Uses for Commercial Districts

I. Definition of a Funeral Home

Background

This process began with a call to Anna Anglin at the City's Buzz Center to try and determine if a pet crematory would be allowed in a corridor commercial (CC) zone. After a few minutes on hold Anna informed us that after speaking with her supervisor, Larry Butcher, this particular Use is considered to be Pet Cemetery and that it would only be allowed in the general commercial (CG) zone. Since the proposed Use did not involve burying or any other means of depositing remains in their final resting place, we did not feel the designation "cemetery" was appropriate for our Use. The services that are proposed and will be provided by Major Street Pet Services are more in line with those that take place at a traditional funeral home (i.e. meeting with grieving families, arranging for the cremation of a loved one, providing cremation services, making urns or other memorialization options available and returning the cremated remains to the family, all while providing a pleasing atmosphere for the pet owners). We raised our concerns about this with the city and were told to file an administrative interpretation. In that application we stated that our proposed Use was not at all like a cemetery but our business model was to a greater degree similar to that of a traditional funeral home (which is a permitted use in the CC zone). Unfortunately, along with a denial of our request for our Use to be allowed in a CC zone, we learned that even if we were considered most like a funeral home we would not be able to cremate due to the definition of a funeral home in Chapter 21A.62.040 which states that a funeral home is: "An establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held", the emphasis being on the preparation of the dead for cremation, not the act of cremation (See Appendix).

Currently one of two places in the Salt Lake City zoning code where a crematorium is mentioned is in the definition of a cemetery found in Chapter 21A.62.040 which reads: "Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery" (See Appendix). The other mention of a crematorium can be found in Chapter 21A.32.140 which is the table of permitted and conditional uses for special purpose districts where cemeteries and accessory crematoriums are listed as a permitted use in the Open Space (OS) zone (See Appendix). The denial letter for our administrative interpretation clarified this by stating that "a crematorium is a conditional use in the OS Open Space zoning district when associated with a cemetery" (See Appendix). This leaves the availability to operate a cremation facility in Salt Lake City only in the Open Space (OS) zone and only when it is associated with a cemetery.

The portion of the City's definition of a cemetery which states: "Land used or intended to be used for the burial of the dead" is the traditional definition of the word with which most people are familiar with and would accept as a general description of the function of a cemetery. The City goes a step further to include the statement that a cemetery also is land "dedicated for cemetery purposes, including columbariums, crematories,

mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery". This statement is accurate in the sense that it allows these facilities to be included on the grounds of a cemetery (which we agree with) but it mistakenly implies that this is the only place where these facilities may be constructed. In the case of a burial plot, columbarium and mausoleum it makes sense that they would only be associated with a cemetery because they are all final resting places for human remains. A mortuary and crematorium, on the other hand, are service based facilities where human remains are prepared for interment in their final resting place (in this case the word prepared would mean getting the body to a point where final disposition is imminent). If you look only at the service provided by a crematorium, there is no direct link between a crematorium and a cemetery. As the code stands right now, when a family decides to have a loved one cremated the funeral director would have to take the body to a cemetery with a crematorium, have the body cremated and bring the remains back to the funeral home where the family can pick them up. As can be seen, there is a direct link between the services of a funeral home and those of a crematorium. A cemetery plays no part the transformation of a dead body to cremated remains. It may be a place where a crematory can be located, but it should not be the only place.

Changing Trends in Cremation

To the best of our knowledge there have been five (5) crematories located in Salt Lake City over the years. Only two (2) of these have been located near a cemetery property. These cemeteries are owned and operated by funeral homes that have chosen to include cremation facilities in their funeral operation. All of the others have been located in a variety of zones from the Residential Mixed Use zone, Central Business District zone (the cremation facility located in the D-1 zone is proposed/under-construction) and the Downtown Support District (D-2) all have their cremation facility onsite with a funeral home. In fact, there is no cremation facility in the State of Utah that is solely associated with a cemetery without a funeral home. They are always included as part of a funeral home.

Demand for cremation services has grown significantly in the past few decades. In 1990, Salt Lake County reported 492 of 3847 deaths chose cremation as they method of disposition, a rate of 12.8%. In 2000, 1217 of 5019 deaths chose cremation, a rate of 24.2%. The latest information indicates that in 2007, 1752 of 5437 deaths chose cremation for a rate of 32.2% (See Appendix for Data). Utah typically has one of the lower cremation rates in the country, but the steady growth pattern indicates that metropolitan Utah is falling in line with the rest of the nation. The national cremation rates were 26.2% in 2000, 34.9% in 2007 and are projected at 39% in 2010. As the demand for cremation rises, the need for additional cremation facilities will also rise. The zoning code, as it is currently written, is highly restrictive and preventative in some cases for funeral homes to meet the rising need for cremation in the City. With limited amounts undeveloped land available in Salt Lake City and land values as high as they have ever been, the probability that someone will build a cemetery in order to be able to build a crematorium (which the code currently would require) is extremely low. The

logical answer to meet the rising demand for cremation is to allow the act of cremation to take place at a funeral home regardless of its proximity to a cemetery.

State of Utah Code

In the State of Utah's Code, Section 58 includes information for occupations and professions. In Chapter 9, Section 102, definitions are set forth regarding the Funeral Service Licensing Act. Under definition (18)(b)(ii); it states: a "Funeral Service Establishment includes: a facility used by the business in which funeral services may be conducted." The Code continues to further define funeral service under definition (22)(a-k), but specifically (22)(e) states: "'Practice of funeral service' means: cremation, calcination, or pulverization of a dead human body or the body's remains;" (See Appendix). The Utah State code acknowledges a funeral service establishment (i.e. a funeral home) as having the right to perform cremation as part of its services. At no point in defining a funeral service establishment does the State of Utah mention a cemetery as a requirement for cremation. Specific cremation procedures are set forth in Section 58, Chapter 9, Section 610 and again a cemetery is never mentioned in conjunction with crematory, but a funeral service establishment (funeral home) is mentioned several times in the document (See Appendix) further establishing the connection between a funeral home and a crematory.

Air Quality & Modern Retorts

In trying to understand why the zoning code would require a crematorium to be located in conjunction with a cemetery, the only logical explanation that could explain a possible connection was environmental/air quality concerns. It would make sense to place a crematorium in the center of what essentially is a park, surrounded by trees, grass and other plants away from homes and people if a crematorium was a crude incinerator that spewed smoke, smells and other undesirable particles into the air. Fortunately, today's modern cremation retorts are not crude incinerators. They provide multi-chambered combustion which allows for exhaust gasses to be refined several times before they are released into the air which in turn reduces emissions to little more than water vapor with virtually no odor or visual emissions. They are fully automated utilizing computer technology to optimize internal temperatures and fuel consumption. They also have pollution monitoring systems that constantly monitor stack emissions and make adjustments automatically to the cremation process to minimize those emissions. Finally, they are designed and constructed to run quietly (See Appendix). Technology has allowed a process that may not have been environmentally friendly in the past to meet and in many cases exceed EPA, State and Local regulations. It is for this reason combined with the increased safety and insulation systems that are built into modern retorts that make a cremation facility compatible with a variety of locations throughout the City and not just on a cemetery.

Thoughts on Zone Applicability

Hopefully, the discussion above has been able to highlight the intrinsic connection between a funeral home and a cremation facility. The rise in cremation rate has moved funeral homes to consider adding this service to their facilities in order to meet the demand. The State of Utah recognizes that cremation is a service that is provided by a Funeral Director at a Funeral Service Establishment. Modern technology has progressed to a point where emission and safety concerns are less about concern and more about the need for public education. Taking all these factors into account we hope you will conclude, as we have, that because of their undeniable connection, cremation facilities should be allowed wherever a funeral home is permitted in the City of Salt Lake.

Proposed Text Changes

In Chapter 21A.62.040 of the Salt Lake City zoning code the definition of a funeral home is: “an establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held”. It is proposed that the definition be changed to: “an establishment where the activities necessary for the care and custody of the dead, including: refrigeration; embalming; cremation; other necessary care; viewings; wakes; funerals; and other rites and ceremonies consistent with the proper final disposition of the dead, are conducted”. This definition would clarify the specific practices that are and should be taking place at a funeral home.

II. Definition of Animal Cremation Service

Proposed Use and Business Model

The proposed activities that will take place at 1727 S. Major Street include meeting with owners of deceased pets and making arrangements for their cremation. Memorial merchandise such as various types of urns, figurines, ect. will be on display and for sale. The cremation retort will be located in an accessory building that exists on the property behind the main house. It will be upgraded to current building and fire codes as required by the city (See Appendix).

The owner has tried to create an atmosphere like that of a traditional funeral home. The house located on the property was built in 1894 and recently has been beautifully restored inside and out. The yard has wonderful landscaping and provides a quiet, peaceful atmosphere for families should they choose to wait for their pet. The main focus of this business will be to provide a respectful option for owners who don't want to dispose of their beloved family pet in the landfill. Our research indicates that more and more families are dissatisfied with “industrial” disposal of their pets.

The location of the property is perfectly located for this use. It is close enough the freeway and major arterial streets that it is easily accessible to residents throughout the City. However, by being located at the end of a dead end street, it is isolated enough to provide the peaceful atmosphere desired while not being a disturbance to neighbors. The

site is bordered to the east, south and west by an alley, parking lot and street respectively. The neighbor to the north is a café/restaurant whose front doors are on 1700 South. The side adjacent to our property is the back of the building and is separated by a small parking lot. The location is perfect for the proposed Use of an animal cremation service.

Current City Interpretation

As mentioned above the original query that lead to this point was a request to see if a pet crematory would be allowed in a Corridor Commercial (CC) zone. The administrative interpretation stated the determination of the Zoning Administrator to be "that a pet crematory/crematorium is not allowed in a CC Zoning District because the proposed use is most similar to a funeral home, a use that does not include the actual act of cremation, only the preparation of the dead for cremation and a pet cemetery, which is not an allowed use in the CC zoning district" (See Appendix).

Concerns with this Interpretation

The fact that the label of a pet cemetery was again assigned to the proposed Use at 1727 South Major Street even after detailed description of the activities that would take place at the property were given to the City seemed a mystery. In Chapter 21A.62.040 of the Salt Lake City zoning code the definition of a pet cemetery is listed as: "A place designated for the burial of a dead animal where burial rights are sold" (See Appendix). At no time will burial of an animal or the selling of rights to bury an animal take place at the property located at 1727 South Major Street. At no point was that ever offered, discussed or hinted at with the City. Yet the proposed Use was initially classified as a pet cemetery and even after an administrative interpretation it was still being classified as a pet cemetery.

Two reasons for this association became clear after an appeal of the administrative interpretation was filed. The first was the cremation/funeral home issue discussed at length at the beginning of this report. Even though our proposed Use would perform services that are exactly the same as those found in a funeral home (other than those services are offered to pets and their owners), according to the wording of the current zoning code, we could not cremate onsite due to the fact that cremation facilities are only currently allowed in conjunction with a cemetery. Once again, cremation is being linked to a cemetery. Due to the current code, the City is forced to interpret the act of cremation as a cemetery. Thus we are classified as a pet cemetery even though we do not comply with the City's own definition of a pet cemetery which is: "A place designated for the burial of a dead animal where burial rights are sold".

The second reason was evident upon receiving the City's Staff Report for the Board of Adjustment; included as "Attachment C" of that report was a previous ruling on a business that functioned similarly to the Use proposed at the Major Street Property. Precedent was set at that time by the Zoning Administrator, Kevin LoPiccolo, when he stated that "I find that a pet crematorium is not significantly different that a cemetery with the exception that burial is not being performed at a crematorium" (See Appendix).

This statement is fundamentally flawed. It may be accurate in relation to current zoning code, but in reality, there is no direct connection between a cemetery and crematory. Land on which burial takes place, on the other hand, is the very definition of a cemetery. The statement that “a pet crematorium is not significantly different than a cemetery” seems like a very loose interpretation when considering the actual activities and services provided by a crematory.

As can be seen, liberal interpretation has been required to try and address issues relating to the Use of pet/animal cremation. We are proposing the addition of a new definition to Chapter 21A.62.040 of the zoning code for the purpose of eliminating ambiguous interpretation and clearly defining the Use for future reference.

Discussion on Zone Applicability

The most similar Use to that proposed at Major Street is a funeral home, more so if the definition of a funeral home is amended to include cremation as proposed above. The only difference is that its services are provided for animals instead of humans. In order to address issues over concerns of where a business focused on animals should be located, a Use dedicated solely to the treatment of animals was used for comparison. A veterinary office provides service for animals at the request of their owners just as an animal cremation service would. It would therefore be logical to look at the permitted locations of a funeral home and a veterinary office to see if there are any zones in which they are both permitted, thus identifying a location where the proposed Use (cremation) is allowed as well as activities for the individuals that will be served by the Use (animals). According to Chapter 21A.26.080 which is the table of permitted and conditional uses for commercial districts there are four (4) zones in which both a funeral home and a veterinary office are permitted. They are the Corridor Commercial District (CC), Community Shopping District (CS1), Sugarhouse Business District (CSHBD1), and the General Commercial District (CG) (See Appendix). It is therefore proposed that an animal cremation service be permitted in these four commercial zones and any other zone which permits both a funeral home and a veterinary office within its boundaries.

Proposed Text Addition

It is proposed that the term “Animal Cremation Service” be added to Chapter 21A.62.040 of the Salt Lake City zoning code and the definition of the term is to be: “a facility dedicated to the disposition of dead animal remains by means of cremation that may also provide necessary goods and services for memorialization of the animal if requested”.

III. Summary

This report proposes two changes to the definitions found in Chapter 21A.62.040 of the Salt Lake City Zoning Code. The first is to update the definition of a funeral home from its current wording of “An establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held” to a definition more in line with current practices found throughout the nation of “an establishment where the activities

necessary for the care and custody of the dead, including: refrigeration; embalming; cremation; other necessary care; viewings; wakes; funerals; and other rites and ceremonies consistent with the proper final disposition of the dead, are conducted". The second is the addition of a new term to the zoning code that would clarify the use dedicated to the cremation of animals for their owners which is not currently found in the code. The proposed text would read: "Animal Cremation Services – a facility dedicated to the disposition of dead animal remains by means of cremation that may also provide necessary goods and services for memorialization of the animal if requested".

APPENDIX

Salt Lake City Zoning Code
Chapter 21A.62.040:
Definition of a Funeral Home

farmers' market may provide space for one or more vendors.

FEE SCHEDULE: A schedule of fees in connection with applications for a zoning amendment, a special exception, a conditional use, a zoning certificate, a certificate of occupancy, sign certificate, or any other type of approval required by the provisions of this title which is established by the city council and revised from time to time upon recommendation by the zoning administrator. The fee schedule is available from the zoning administrator.

FENCE: A structure erected to provide privacy or security which defines a private space and may enhance the design of individual sites. A wall or similar barrier shall be deemed a fence.

FENCE, OPAQUE OR SOLID: An artificially constructed solid or opaque barrier that blocks the transmission of at least ninety five percent (95%) of light and visibility through the fence, and is erected to screen areas from public streets and abutting properties.

FENCE, OPEN: An artificially constructed barrier that blocks the transmission of a maximum of fifty percent (50%) of light and visibility through the fence, and is erected to separate private property from public rights of way and abutting properties.

FINANCIAL INSTITUTION: A building, property or activity, the principal use or purpose of which is the provision of financial services, including, but not limited to, banks, facilities for automated teller machines (ATMs), credit unions, savings and loan institutions, stock brokerages and mortgage companies. "Financial institution" shall not include any use or other type of institution which is otherwise listed in the table of permitted and conditional uses for each category of zoning district or districts under this title.

FIXED DIMENSIONAL STANDARDS: Numerical maximum or minimum conditions which govern the development on a site.

FLAG LOT: A lot of irregular configuration in which an access strip (a strip of land of a width less than the required lot width) connects the main body of the lot to the street frontage. (See illustration in section 21A.62.050 of this chapter.)

FLAMMABLE LIQUIDS OR GASES, HEATING FUEL DISTRIBUTION: A type of wholesale distributor engaged in supplying flammable liquids, gases and/or heating fuel. This use does not include the accessory storage of such substances on site.

FLEA MARKET (INDOOR): "Indoor flea market" means a building devoted to the indoor sales of new and used merchandise by independent vendors with individual stalls, tables, or other spaces.

FLEA MARKET (OUTDOOR): "Outdoor flea market" means an outdoor area devoted to the periodic outdoor sales of new and used merchandise by independent vendors with individual stalls, tables, or other spaces.

FLOOR: See definition of Story (Floor).

FLOOR AREA, GROSS: "Gross floor area" (for determining floor area ratio and size of establishment) means the sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. The floor area of covered accessory buildings, including parking structures, shall be included in the calculation of floor area ratio. Space devoted to open air off street parking or loading shall not be included in floor area.

The floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet (i.e., 10 feet in height shall equal one floor).

FLOOR AREA RATIO: The number obtained by dividing the gross floor area of a building or other structure by the area of the lot on which the building or structure is located. When more than one building or structure is located on a lot, the floor area ratio is determined by dividing the total floor area of all the buildings or structures by the area of the site.

FLOOR AREA, USABLE: "Usable floor area" (for determining off street parking and loading requirements) means the sum of the gross horizontal areas of all floors of the building, as measured from the outside of the exterior walls, devoted to the principal use, including accessory storage areas located within selling or working space such as counters, racks, or closets, and any floor area devoted to retailing activities, to the production or processing of goods or to business or professional offices. Floor area for the purposes of measurement for off street parking spaces shall not include:

- A. Floor area devoted primarily to mechanical equipment or unfinished storage areas;
- B. Floor area devoted to off street parking or loading facilities, including aisles, ramps, and maneuvering space.

FRATERNITY/SORORITY HOUSE: A building which is occupied only by a group of university or college students who are associated together in a fraternity/sorority that is officially recognized by the university or college and who receive from the fraternity/sorority lodging and/or meals on the premises for compensation.

FRONT YARD: See definition of Yard, Front.

FUEL CENTER: A subordinate building site located on the same site as a principal building/use for the sale and dispensing of motor fuels or other petroleum products and the sale of convenience retail.

FUNERAL HOME: An establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held.

GARAGE: A building, or portion thereof, used to store or keep a motor vehicle.

GARAGE, ATTACHED: "Attached garage" means an accessory building which has a roof or wall of which fifty percent (50%) or more is attached and in common with a dwelling. Where the accessory building is attached to a dwelling in this manner, it shall be considered part of the dwelling and shall be subject to all yard requirements of the main building.

Salt Lake City Zoning Code
Chapter 21A.62.040:
Definition of a Cemetery

finished lot grade at each face of the building, to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (See illustration in section 21A.62.050 of this chapter.)

BUILDING LINE: A line dividing a required yard from other portions of a lot.

BUILDING MATERIAL DISTRIBUTOR: A type of wholesale distributor supplying the building materials industry, but excluding retail outlets conducted in a warehouse format.

BUILDING OFFICIAL: The building official of the department of community and economic development.

BUILDING, PRINCIPAL: "Principal building" means a building that is used primarily for the conduct of the principal use.

BUILDING, PUBLIC: "Public building" means a building owned and operated, or owned and intended to be operated by a public agency of the United States of America or the state of Utah, or any of its subdivisions.

BULK: The size and setbacks of the buildings or structures and the location of same with respect to one another, and including: a) height and area of buildings; b) location of exterior walls in relation to lot lines, streets or other buildings; c) gross floor area of buildings in relation to lot areas (floor area ratio); d) all open spaces allocated to buildings; e) amount of lot area required for each dwelling unit; and f) lot coverage.

BUSINESS: Any occupation, employment or enterprise which occupies time, attention, labor and/or materials for compensation whether or not merchandise is exhibited or sold, or services are offered.

BUSINESS, MOBILE: "Mobile business" means a business that conducts all or part of its operations on premises other than its own. The term "mobile business" shall not include any business involved in construction, home or building improvement, landscape construction, surveying or medical related activities, including veterinary services. The simple delivery of goods shall not constitute a mobile business.

BUSINESS PARK: A business district planned and developed as an optimal environment for business occupants while maintaining compatibility with the surrounding community.

CAR POOL: A mode of transportation where two (2) or more persons share a car ride to or from work.

CARPORT: A garage not completely enclosed by walls or doors. For the purpose of this title, a carport shall be subject to all of the regulations prescribed for a garage.

CEMETERY: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

CERTIFICATE OF APPROPRIATENESS: A certification by the historic landmark commission stating that proposed work on historic property is compatible with the historic character of the property and of the historic preservation overlay district in which it is located.

CERTIFICATE OF OCCUPANCY: An official authorization to occupy a structure as issued by the building official.

CERTIFICATE, ZONING: "Zoning certificate" means a written certification that a structure, use or parcel of land is, or will be, in compliance with the requirements of this title.

CHANGE OF USE: The replacement of an existing use by a new use, or a change in the nature of an existing use which does not increase the size, occupancy, or site requirements. A change of ownership, tenancy, name or management, or a change in product or service within the same use classification where the previous nature of the use, line of business, or other function is substantially unchanged is not a change of use. (See also definition of Land Use Type (Similar Land Use Type).)

CHARITY DINING HALL: A sit down dining facility operated by a nonprofit organization to feed, without charge, the needy and the homeless.

CHEMICAL MANUFACTURING: A use engaged in making chemical products from raw or partially finished materials, but excluding chemical wholesale distributors.

CITY COUNCIL: The city council of Salt Lake City, Utah.

COLLEGE OR UNIVERSITY: An institution accredited by the state providing full time or part time education beyond the high school level for a BA, BS or associate degree, including any lodging rooms or housing for students or faculty. (See also definitions of Schools.)

COMMERCIAL DISTRICTS: Those districts listed in subsection 21A.22.010B of this title.

COMMERCIAL INDOOR RECREATION: Public or private recreation facilities, tennis or other racquet courts, swimming pools, bowling alleys, skating rinks, or similar uses which are enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term "commercial indoor recreation" shall include any accessory uses, such as snack bars, pro shops, and locker rooms, which are designed and intended primarily for the use of patrons of the principal recreational use. The term "commercial indoor recreation" shall not include theaters, cultural facilities, commercial recreation centers, massage parlors, or any use which is otherwise listed specifically in the table of permitted and conditional uses found at the end of each chapter in part III of this title for each category of zoning district or districts.

COMMERCIAL LAUNDRY: An establishment primarily engaged in the provision of laundering, dry cleaning, or dyeing services other than retail services establishments. Typical uses include bulk laundry and cleaning plants, diaper services, and linen supply services.

COMMERCIAL OUTDOOR RECREATION: Public or private golf courses, golf driving ranges, swimming pools, tennis courts, ball fields, ball courts, fishing piers, skateboarding courses, water slides, mechanical rides, go-cart or motorcycle courses, raceways, drag strips, stadiums, marinas, overnight camping, or gun firing ranges, which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term "commercial

Salt Lake City Zoning Code
Chapter 21A.32.140:
Table of Permitted and Conditional
Uses for Special Purpose Districts

21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Residential:																	
Assisted living facility (see section 21A.36.050 of this title)																	
Congregate care facility																	
Group home, large (see section 21A.36.070 of this title)														P	P		P
Group home, small (see section 21A.36.070 of this title)				P	P	P											C
Living quarters for caretakers and security guards	P	P									P		P	P			P
Manufactured home				P	P	P											P
Mixed use developments, including residential and other uses allowed in the zoning district																	P
Mobile homes															P		
Multi-family (no maximum density limitation)														P			
Multiple-family dwellings																	P
Nursing care facility														P	P		P
Resident healthcare facility (see section 21A.36.040 of this title)																	P
Rooming (boarding) house																	C
Single-family attached dwellings																	P
Single-family detached dwellings			P	P	P	P											P
Twin home and two-family dwellings																	P
Office and related uses:																	
Accessory offices supporting an institutional use												P		P			
Financial institutions with drive-through facilities	P	P															P ³
Financial institutions without drive-through facilities	P	P															P
Government offices	P	P								P	P	P	P	P			P
Medical and dental offices	P	P											P	P			P
Municipal service uses, including city utility uses and police and fire stations																	C
Offices		P								P		P					C
Offices, research related	P	P										P					P
Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes		P															P
Retail sales and services:																	
Accessory retail sales and services uses when located within a principal building													P				
Accessory retail sales and services uses, when located within the principal building and operated primarily for the convenience of employees	P	P								P	P	P	P	P			P
Commercial service establishments																	C
"Gas station" (may include accessory convenience retail and/or minor repairs) as defined in chapter 21A.62 of this title		C ⁷															C ³

[illegible]

[illegible]

Qualifying Provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of section 21A.54.150 of this title.
8. Kennels, public or private, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional use process.

(Ord. 61-08 § 4 (Exh. C), 2008; Ord. 21-08 § 6 (Exh. E), 2008; Ord. 2-08 § 2, 2008; Ord. 61-06 § 2 (Exh. B), 2006; Ord. 13-06 § 5 (Exh. D), 2006; Ord. 10-06 § 1 (Exh. A), 2006; Ord. 1-06 § 30, 2005; Ord. 71-05 § 1 (Exh. A), 2005; Ord. 18-04 § 4, 2004; Ord. 13-04 § 12 (Exh. F), 2004; Ord. 73-02 § 4 (Exh. A), 2002; Ord. 23-02 § 7 (Exh. E), 2002; Ord. 64-01 § 2, 2001; Ord. 68-00 § 1, 2000; Ord. 14-00 § 4, 2000; Ord. 9-00 § 3, 2000; Ord. 35-99 § 41, 1999; Ord. 12-98 § 4, 1998; amended during 5/96 supplement; Ord. 85-95 § 1 (Exh. A), 1995; Ord. 84-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(16-12), 1995)

Copy of Administrative Interpretation

WILFORD H. SOMMERKORN
PLANNING DIRECTOR

PATRICIA COMARELL
ASSISTANT PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING DIVISION

RALPH BECKER
MAYOR

FRANK B. GRAY
COMMUNITY AND ECONOMIC
DEVELOPMENT DIRECTOR

February 12, 2009

Great Basin Engineering
Attn: Jake Tate
2010 North Redwood Road
Salt Lake City Utah 84116

Re: Administrative Interpretation regarding a pet crematorium in the CC Corridor Commercial Zoning District.

Dear Mr. Tate:

You have requested an administrative determination regarding your proposed Funeral Home/Mortuary for pets located at 1727 South Major Street in a CC Commercial Corridor Zoning District. Staff has reviewed your request and made the following findings:

- The property is zoned CC Commercial Corridor.
- The purpose of the CC zoning district is to provide an environment for efficient and attractive automobile oriented commercial development along arterial and major collector streets.
- There is a single family dwelling on the property that has been converted to an office.
- According to Zoning Ordinance 21A62.040 a Funeral Home is defined as "an establishment where the dead are prepared for burial or cremation and where wakes and funerals may be held."
- According to Zoning Ordinance 21A62.040 a Pet Cemetery is defined as "a place designated for the burial of a dead animal where burial rights are sold."
- Zoning Ordinance 21A.62.040 does not define a crematory or crematorium.
- **A crematorium is a conditional use in the OS Open Space zoning district when associated with a cemetery.**

Zoning Ordinance 21A.12.050 establishes the standards for land use interpretations. Standard A states that any use defined in 21A.62 shall be interpreted as defined. Crematory or Crematoriums are not defined. A Funeral Home is defined and it states that the dead are prepared for burial or cremation, but not actually cremated at the funeral home.

Standard B states that any use listed without a P or a C in the table of permitted and conditional uses for a district shall not be allowed in the zoning district. In this case, a funeral home is listed as a permitted use. A pet cemetery is listed but not allowed in the CC zoning district.

Standard C states that no 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 the district. In this case, the proposed use would comply with the development standards of the CC Corridor Commercial zoning district.

Standard D states that 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. A crematory/crematorium is only listed in the OS Open Space zoning district, which is more restrictive than the CC district. The similar uses listed in the commercial districts include funeral home and pet cemetery. A funeral home and pet cemetery are the most similar use to what is being proposed. A funeral home specifically states that it is a place for the dead to be prepared for burial or cremation, but not actually buried or cremated. A pet cemetery is for the burial of dead animals. Crematoriums are commonly found in cemeteries, if a pet cemetery was listed as an allowed use in the CC zone, than a crematorium may be allowed because it would be a similar use to a pet cemetery. However, pet cemeteries are specifically not allowed in the CC zoning district but are allowed in the less restrictive CG zoning district.

Standard E states that if the proposed use is most similar to another use that requires a conditional use, the proposed use shall require a conditional use. Because the most similar use is a permitted use, a conditional use is not required.

Standard F states that no use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district. The proposed use would occupy an existing structure on a local street, not an arterial or collector as stated in the purpose statement. However, Major Street dead ends in front of the subject property and connects directly to 1700 South, which is designated as an arterial.

Based on the findings above, it is the determination of the Zoning Administrator that ~~a pet crematory/crematorium~~ is not allowed in the CC Zoning District because the proposed use is most similar to a Funeral Home, a use that does not include the actual act of cremation, only the preparation of the dead for cremation and a Pet Cemetery, which is not an allowed use in the CC zoning district.

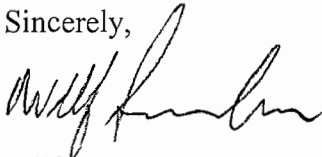
If you have any further questions or issues that you would like to discuss, please contact Nick Norris at (801) 535-6173 or by email nick.norris@slcgov.com

NOTICE:

Please be advised that a use interpretation 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 site plan approval.

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Board of Adjustment. Notice of appeal shall be filed within thirty (30) days of the administrative decision. The appeal shall be filed with the Zoning Administrator and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. A nonrefundable application and hearing fee of \$200.00 is required.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wilf Sommerkorn', written in a cursive style.

Wilf Sommerkorn
Planning Director

cc: Cheri Coffey
Larry Butcher
File

Death Statistics for Salt Lake County from the State of Utah, Dept. of Health, Vital Statistics*

(*Method of Disposition [i.e. # of Cremations] Information was Provided per a Phone
Discussion with: Leisa Finch, State of Utah, Department of Health, Office of Vital
Records, (801) 538-6907)

Table 22. Deaths by local health district and county of residence: Utah, 1990-2007

Health district and county	Year													
	1990	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Total	9,125	10,854	10,974	11,545	11,784	11,981	12,339	12,607	13,042	13,341	13,270	13,325	13,645	13,988
Bear River	561	627	596	683	646	696	737	699	745	755	728	715	708	761
Box Elder	208	250	236	272	258	267	279	297	303	293	295	298	281	314
Cache	340	371	351	394	382	410	447	394	425	450	417	409	410	434
Rich	13	6	9	17	6	19	11	8	17	12	16	8	17	13
Central Utah	424	473	489	495	513	503	508	523	511	587	577	526	560	564
Juab	43	51	51	59	66	56	56	52	50	68	75	71	55	68
Millard	89	91	102	99	99	108	90	114	117	119	110	104	102	99
Piute	12	12	14	17	24	9	15	15	21	18	19	11	17	19
Sanpete	125	143	153	158	130	147	164	165	174	175	180	166	166	159
Sevier	137	145	149	141	169	160	164	157	137	183	173	156	198	195
Wayne	18	31	20	21	25	23	19	20	12	24	20	18	22	24
Davis	667	828	858	912	1,044	1,022	1,094	1,100	1,212	1,204	1,206	1,267	1,284	1,368
Salt Lake	4,583	4,583	4,736	4,802	4,817	4,962	5,144	5,144	5,220	5,312	5,285	5,252	5,291	5,327
Southeastern	347	392	324	404	384	393	379	428	407	479	409	383	414	456
Carbon	158	203	164	205	197	183	185	200	186	238	202	174	189	213
Emery	65	72	54	80	56	78	61	76	79	80	72	83	73	89
Grand	54	53	53	62	63	61	58	71	74	66	58	62	77	67
San Juan	70	64	53	57	68	71	75	81	68	95	77	64	75	87
Southwest	605	776	824	877	983	992	1,000	985	1,094	1,113	1,148	1,212	1,329	1,263
Beaver	47	48	45	63	50	57	62	45	59	65	61	78	51	62
Garfield	32	31	32	32	52	42	49	43	45	41	33	38	35	38
Iron	107	149	144	168	184	170	147	163	199	199	193	216	255	262
Kane	42	43	58	42	60	53	70	54	54	42	62	48	71	80
Washington	377	505	545	572	637	670	672	680	737	766	799	832	917	821
Summit	58	71	82	59	92	94	84	100	89	97	102	105	108	130
Tooele	147	184	164	199	198	215	230	202	235	255	259	252	265	263
TriCounty	193	245	251	270	232	248	271	291	308	316	315	283	309	319
Daggett	4	3	3	6	6	2	0	7	3	6	1	4	4	8
Duchesne	65	95	101	100	90	79	101	114	118	113	126	108	115	115
Uintah	124	147	147	164	136	167	170	170	187	197	188	171	190	196
Utah County	1,104	1,367	1,369	1,422	1,516	1,459	1,546	1,610	1,710	1,736	1,696	1,731	1,836	1,853
Wasatch	63	87	77	80	75	77	79	87	114	87	86	110	92	87
Weber-Morgan	1,109	1,221	1,204	1,342	1,284	1,320	1,392	1,438	1,397	1,400	1,459	1,489	1,449	1,487
Morgan	34	32	31	34	24	29	26	24	34	40	41	29	29	47
Weber	1,075	1,189	1,173	1,308	1,260	1,291	1,366	1,414	1,363	1,360	1,418	1,460	1,420	1,440

National Cremation Rates from
C.A.N.A. (Cremation Association of
North America)

[About CANA](#)[Membership](#)[Publications](#)[Statistics](#)[For Consumers](#)[CANA Showcase](#)

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Who is CANA?

Founded in 1913, the Cremation Association of North America (CANA) is an International organization of over 1,300 members, composed of cremationists, funeral directors, funeral home operators and owners, cemeterians, industry suppliers and consultants. CANA members believe that cremation is preparation for memorialization.

The Cremation Association of North America was originally formed to promote the "modern way" and the "safe and hygienic way" of dealing with a dead human body. It was a form of disposition and had nothing to do with the funeral and memorialization of the deceased.

At that time, and up into the early 1920's, cremation was the choice of the wealthy and the well-educated. All crematories were located on cemetery property and elaborate columbariums were built for the elaborate urns then being used.

After it became apparent, through scientific investigation, that proper in-ground, full body burial was safe, cremation fell out of favor and remained in the 3 % to 5% range. It wasn't until the early 1980's that the rate reached double digits and started to increase on the average of about 8% annually.

In 1985, CANA, which had been monitoring the annual national and state cremation rates, projected the cremation rate for the year 2000 would be a little over 25%. This prediction made a real impact in the death care profession because that projected to over 600,000 cremations in 2000 compared to fewer than 300,000 in 1985.

CANA's projection was actually a little under ~~the actual cremation percentage~~ for 2000 as the rate was 26.19% with 629,362 cremations. Since 2000, CANA has projected the cremation rate to 2010 and 2025, which based on current confirmed figures of 2006 (33.61%) and ~~preliminary 2007 figures~~ (34.89%), stand at 39.03% for 2010 and 58.89% for 2025, which equates to nearly 1,909,802 United States cremations in 2025.

A CANA survey done in 1998 showed that 26% of those cremated were Catholic, and recent survey results from other groups now put that figure at 30%, which would mean that approximately 420,000 Catholic cremations would occur in 2025, with over 250,000 Catholics being cremated in 2006.

- CANA members have recognized this steady growth of cremation and have been active in promoting the importance of memorialization when cremation is chosen.
- CANA is not a 'pro-cremation over burial' association, but is concerned with the proper treatment and respect for those who have chosen cremation and that cremation is preparation for memorialization.

CANA also feels that the word "cremains" should not be used when referring to "human cremated remains." "Cremains" has no real connection with the deceased whereas a loved one's "cremated remains" has a human connection.

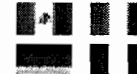
A membership in CANA is the best way for any cremationist, funeral director or cemeterian to stay abreast of what is going on in cremation and how to deal with an aging population that is choosing cremation in greater and greater numbers.

CANA Code of Cremation Practice

In the practice of cremation, we believe:

[Officers](#)[Board](#)[Staff](#)[Committees](#)[By-Laws](#)[For Funeral Homes](#)[CANA Site Map](#)[Request More Info](#)[Disclaimer](#)

Translate:



State of Utah Code
Section 58.9.102(18)(b)(ii):
State's Definition of a Funeral Service
Establishment

58-9-102. Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Authorizing agent" means a person legally entitled to authorize the cremation of human remains.
- (2) "Beneficiary" means the individual who, at the time of the beneficiary's death, is to receive the benefit of the property and services purchased under a preneed funeral arrangement.
- (3) "Board" means the Board of Funeral Service created in Section 58-9-201.
- (4) "Body part" means:
 - (a) a limb or other portion of the anatomy that is removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy, or medical research; or
 - (b) a human body or any portion of a body that has been donated to science for medical research purposes.
- (5) "Buyer" means a person who purchases a preneed funeral arrangement.
- (6) "Calcination" means a process in which a dead human body is reduced by intense heat to a residue that is not as substantive as the residue that follows cremation.
- (7) "Cremated remains" means all the remains of a cremated body recovered after the completion of the cremation process, including pulverization which leaves only bone fragments reduced to unidentifiable dimensions and may possibly include the residue of foreign matter including casket material, bridgework, or eyeglasses that were cremated with the human remains.
- (8) "Cremation" means the technical process, using direct flame and heat, that reduces human remains to bone fragments through heat and evaporation and includes the processing and usually the pulverization of the bone fragments.
- (9) "Cremation chamber" means the enclosed space within which the cremation process takes place and which is used exclusively for the cremation of human remains.
- (10) "Cremation container" means the container:
 - (a) in which the human remains are transported to the crematory and placed in the cremation chamber for cremation; and
 - (b) that meets substantially all of the following standards:
 - (i) composed of readily combustible materials suitable for cremation;
 - (ii) able to be closed in order to provide a complete covering for the human remains;
 - (iii) resistant to leakage or spillage;
 - (iv) rigid enough for handling with ease; and
 - (v) able to provide protection for the health, safety, and personal integrity of crematory personnel.
- (11) "Crematory" means the building or portion of a building that houses the cremation chamber and the holding facility.
- (12) "Direct disposition" means the disposition of a dead human body:
 - (a) as quickly as law allows;
 - (b) without preparation of the body by embalming; and
 - (c) without an attendant funeral service or graveside service.
- (13) "Disposition" means the final disposal of a dead human body by:
 - (a) earth interment;
 - (b) above ground burial;
 - (c) cremation;
 - (d) calcination;
 - (e) burial at sea;
 - (f) delivery to a medical institution; or
 - (g) other lawful means.
- (14) "Embalming" means replacing body fluids in a dead human body with preserving and disinfecting chemicals.
- (15) (a) "Funeral merchandise" means any of the following into which a dead human body is placed in

connection with the transportation or disposition of the body:

- (i) a vault;
- (ii) a casket; or
- (iii) other personal property.

(b) "Funeral merchandise" does not include:

- (i) a mausoleum crypt;
- (ii) an interment receptacle preset in a cemetery; or
- (iii) a columbarium niche.

(16) "Funeral service" means a service, rite, or ceremony performed:

- (a) with respect to the death of a human; and
- (b) with the body of the deceased present.

(17) "Funeral service director" means an individual licensed under this chapter who may engage in all lawful professional activities regulated and defined under the practice of funeral service.

(18) (a) "Funeral service establishment" means a place of business at a specific street address or location licensed under this chapter that is devoted to:

(i) the embalming, care, custody, shelter, preparation for burial, and final disposition of dead human bodies; and

(ii) the furnishing of services, merchandise, and products purchased from the establishment as a preneed provider under a preneed funeral arrangement.

(b) "Funeral service establishment" includes:

(i) all portions of the business premises and all tools, instruments, and supplies used in the preparation and embalming of dead human bodies for burial, cremation, and final disposition as defined by division rule; and

(ii) a facility used by the business in which funeral services may be conducted.

(19) "Funeral service intern" means an individual licensed under this chapter who is permitted to:

(a) assist a funeral service director in the embalming or other preparation of a dead human body for disposition;

(b) assist a funeral service director in the cremation, calcination, or pulverization of a dead human body or its remains; and

(c) perform other funeral service activities under the supervision of a funeral service director.

(20) "Graveside service" means a funeral service held at the location of disposition.

(21) "Memorial service" means a service, rite, or ceremony performed:

- (a) with respect to the death of a human; and
- (b) without the body of the deceased present.

(22) "Practice of funeral service" means:

(a) supervising the receipt of custody and transportation of a dead human body to prepare

the body for:

- (i) disposition; or
- (ii) shipment to another location;
- (b) entering into a contract with a person to provide professional services regulated under this chapter;
- (c) embalming or otherwise preparing a dead human body for disposition;
- (d) supervising the arrangement or conduct of:
 - (i) a funeral service;
 - (ii) a graveside service; or
 - (iii) a memorial service;
- (e) cremation, calcination, or pulverization of a dead human body or the body's remains;
- (f) supervising the arrangement of:
 - (i) a disposition; or
 - (ii) a direct disposition;
- (g) facilitating:
 - (i) a disposition; or
 - (ii) a direct disposition;
- (h) supervising the sale of funeral merchandise by a funeral establishment;

(i) managing or otherwise being responsible for the practice of funeral service in a licensed funeral service establishment;

(j) supervising the sale of a preneed funeral arrangement; and

(k) contracting with or employing individuals to sell a preneed funeral arrangement.

(23) (a) "Preneed funeral arrangement" means a written or oral agreement sold in advance of the death of the beneficiary under which a person agrees with a buyer to provide at the death of the beneficiary any of the following as are typically provided in connection with a disposition:

(i) goods;

(ii) services, including:

(A) embalming services; and

(B) funeral directing services;

(iii) real property; or

(iv) personal property, including:

(A) a casket;

(B) another primary container;

(C) a cremation or transportation container;

(D) an outer burial container;

(E) a vault;

(F) a grave liner;

(G) funeral clothing and accessories;

(H) a monument;

(I) a grave marker; and

(J) a cremation urn.

(b) "Preneed funeral arrangement" does not include a policy or product of life insurance providing a death benefit cash payment upon the death of the beneficiary which is not limited to providing the products or services described in Subsection (23)(a).

(24) "Processing" means the reduction of identifiable bone fragments after the completion of the cremation process to unidentifiable bone fragments by manual means.

(25) "Pulverization" means the reduction of identifiable bone fragments after the completion of the cremation and processing to granulated particles by manual or mechanical means.

(26) "Sales agent" means an individual licensed under this chapter as a preneed funeral arrangement sales agent.

(27) "Temporary container" means a receptacle for cremated remains usually made of cardboard, plastic, or similar material designed to hold the cremated remains until an urn or other permanent container is acquired.

(28) "Unlawful conduct" is as defined in Sections **58-1-501** and **58-9-501**.

(29) "Unprofessional conduct" is as defined in Sections **58-1-501** and **58-9-502**.

(30) "Urn" means a receptacle designed to permanently encase the cremated remains.

Amended by Chapter 353, 2008 General Session

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Last revised: Friday, December 12, 2008

State of Utah Code
Section 58.9.102(22)(e):
State's Definition of Funeral Service

58-9-102. Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Authorizing agent" means a person legally entitled to authorize the cremation of human remains.
- (2) "Beneficiary" means the individual who, at the time of the beneficiary's death, is to receive the benefit of the property and services purchased under a preneed funeral arrangement.
- (3) "Board" means the Board of Funeral Service created in Section 58-9-201.
- (4) "Body part" means:
 - (a) a limb or other portion of the anatomy that is removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy, or medical research; or
 - (b) a human body or any portion of a body that has been donated to science for medical research purposes.
- (5) "Buyer" means a person who purchases a preneed funeral arrangement.
- (6) "Calcination" means a process in which a dead human body is reduced by intense heat to a residue that is not as substantive as the residue that follows cremation.
- (7) "Cremated remains" means all the remains of a cremated body recovered after the completion of the cremation process, including pulverization which leaves only bone fragments reduced to unidentifiable dimensions and may possibly include the residue of foreign matter including casket material, bridgework, or eyeglasses that were cremated with the human remains.
- (8) "Cremation" means the technical process, using direct flame and heat, that reduces human remains to bone fragments through heat and evaporation and includes the processing and usually the pulverization of the bone fragments.
- (9) "Cremation chamber" means the enclosed space within which the cremation process takes place and which is used exclusively for the cremation of human remains.
- (10) "Cremation container" means the container:
 - (a) in which the human remains are transported to the crematory and placed in the cremation chamber for cremation; and
 - (b) that meets substantially all of the following standards:
 - (i) composed of readily combustible materials suitable for cremation;
 - (ii) able to be closed in order to provide a complete covering for the human remains;
 - (iii) resistant to leakage or spillage;
 - (iv) rigid enough for handling with ease; and
 - (v) able to provide protection for the health, safety, and personal integrity of crematory personnel.
- (11) "Crematory" means the building or portion of a building that houses the cremation chamber and the holding facility.
- (12) "Direct disposition" means the disposition of a dead human body:
 - (a) as quickly as law allows;
 - (b) without preparation of the body by embalming; and
 - (c) without an attendant funeral service or graveside service.
- (13) "Disposition" means the final disposal of a dead human body by:
 - (a) earth interment;
 - (b) above ground burial;
 - (c) cremation;
 - (d) calcination;
 - (e) burial at sea;
 - (f) delivery to a medical institution; or
 - (g) other lawful means.
- (14) "Embalming" means replacing body fluids in a dead human body with preserving and disinfecting chemicals.
- (15) (a) "Funeral merchandise" means any of the following into which a dead human body is placed in

connection with the transportation or disposition of the body:

- (i) a vault;
- (ii) a casket; or
- (iii) other personal property.

(b) "Funeral merchandise" does not include:

- (i) a mausoleum crypt;
- (ii) an interment receptacle preset in a cemetery; or
- (iii) a columbarium niche.

(16) "Funeral service" means a service, rite, or ceremony performed:

- (a) with respect to the death of a human; and
- (b) with the body of the deceased present.

(17) "Funeral service director" means an individual licensed under this chapter who may engage in all lawful professional activities regulated and defined under the practice of funeral service.

(18) (a) "Funeral service establishment" means a place of business at a specific street address or location licensed under this chapter that is devoted to:

(i) the embalming, care, custody, shelter, preparation for burial, and final disposition of dead human bodies; and

(ii) the furnishing of services, merchandise, and products purchased from the establishment as a preneed provider under a preneed funeral arrangement.

(b) "Funeral service establishment" includes:

(i) all portions of the business premises and all tools, instruments, and supplies used in the preparation and embalming of dead human bodies for burial, cremation, and final disposition as defined by division rule; and

(ii) a facility used by the business in which funeral services may be conducted.

(19) "Funeral service intern" means an individual licensed under this chapter who is permitted to:

(a) assist a funeral service director in the embalming or other preparation of a dead human body for disposition;

(b) assist a funeral service director in the cremation, calcination, or pulverization of a dead human body or its remains; and

(c) perform other funeral service activities under the supervision of a funeral service director.

(20) "Graveside service" means a funeral service held at the location of disposition.

(21) "Memorial service" means a service, rite, or ceremony performed:

- (a) with respect to the death of a human; and
- (b) without the body of the deceased present.

~~(22)~~ "Practice of funeral service" means:

(a) supervising the receipt of custody and transportation of a dead human body to prepare

the body for:

(i) disposition; or

(ii) shipment to another location;

(b) entering into a contract with a person to provide professional services regulated under this chapter;

(c) embalming or otherwise preparing a dead human body for disposition;

(d) supervising the arrangement or conduct of:

(i) a funeral service;

(ii) a graveside service; or

(iii) a memorial service;

~~(e)~~ cremation, calcination, or pulverization of a dead human body or the body's remains;

(f) supervising the arrangement of:

(i) a disposition; or

(ii) a direct disposition;

(g) facilitating:

(i) a disposition; or

(ii) a direct disposition;

(h) supervising the sale of funeral merchandise by a funeral establishment;

(i) managing or otherwise being responsible for the practice of funeral service in a licensed funeral service establishment;

(j) supervising the sale of a preneed funeral arrangement; and

(k) contracting with or employing individuals to sell a preneed funeral arrangement.

(23) (a) "Preneed funeral arrangement" means a written or oral agreement sold in advance of the death of the beneficiary under which a person agrees with a buyer to provide at the death of the beneficiary any of the following as are typically provided in connection with a disposition:

(i) goods;

(ii) services, including:

(A) embalming services; and

(B) funeral directing services;

(iii) real property; or

(iv) personal property, including:

(A) a casket;

(B) another primary container;

(C) a cremation or transportation container;

(D) an outer burial container;

(E) a vault;

(F) a grave liner;

(G) funeral clothing and accessories;

(H) a monument;

(I) a grave marker; and

(J) a cremation urn.

(b) "Preneed funeral arrangement" does not include a policy or product of life insurance providing a death benefit cash payment upon the death of the beneficiary which is not limited to providing the products or services described in Subsection (23)(a).

(24) "Processing" means the reduction of identifiable bone fragments after the completion of the cremation process to unidentifiable bone fragments by manual means.

(25) "Pulverization" means the reduction of identifiable bone fragments after the completion of the cremation and processing to granulated particles by manual or mechanical means.

(26) "Sales agent" means an individual licensed under this chapter as a preneed funeral arrangement sales agent.

(27) "Temporary container" means a receptacle for cremated remains usually made of cardboard, plastic, or similar material designed to hold the cremated remains until an urn or other permanent container is acquired.

(28) "Unlawful conduct" is as defined in Sections **58-1-501** and **58-9-501**.

(29) "Unprofessional conduct" is as defined in Sections **58-1-501** and **58-9-502**.

(30) "Urn" means a receptacle designed to permanently encase the cremated remains.

Amended by Chapter 353, 2008 General Session

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Last revised: Friday, December 12, 2008

State of Utah Code
Section 58.9.610:
State Sets Forth Cremation
Procedures

58-9-610. Cremation procedures.

(1) A funeral service establishment may not cremate human remains until a death certificate is completed and filed with the office of vital statistics and the county health department as indicated on the regular medical certificate of death or the coroner's certificate.

(2) (a) A funeral service establishment may not cremate human remains with a pacemaker or other battery powered potentially hazardous implant in place.

(b) (i) An authorizing agent for the cremation of human remains is responsible for informing the funeral service establishment in writing on the cremation authorization form about the presence of a pacemaker or other battery powered potentially hazardous implant in the human remains to be cremated.

(ii) (A) The authorizing agent is ultimately responsible to ensure that a pacemaker or other implant is removed prior to cremation.

(B) If the authorizing agent informs the funeral service establishment of the presence of a pacemaker or other battery powered implant under Subsection (2)(b)(i) and the funeral service establishment fails to have it removed prior to cremation, then the funeral service establishment and the authorizing agent are jointly liable for all resulting damages.

(3) Only authorized persons are permitted in the crematory while human remains are in the crematory area awaiting cremation, being cremated, or being removed from the cremation chamber.

(4) (a) Simultaneous cremation of the human remains of more than one person within the same cremation chamber or processor is not allowed, unless the funeral service establishment has received specific written authorization to do so from the authorizing agent of each person to be cremated.

(b) The written authorization exempts the funeral license establishment from liability for co-mingling of the cremated remains during the cremation process.

(5) A funeral service establishment shall:

(a) verify the identification of human remains as indicated on a cremation container immediately before placing them in the cremation chamber and attach a metal identification tag to the container; and

(b) remove the identification tag from the cremation container and place the identification tag near the cremation chamber control where it shall remain until the cremation process is complete.

(6) Upon completion of a cremation, the funeral service establishment shall:

(a) in so far as is possible, remove all of the recoverable residue of the cremation process from the cremation chamber;

(b) separate all other residue from the cremation process from remaining bone fragments, in so far as possible, and process the bone fragments so as to reduce them to unidentifiable particles; and

(c) remove anything other than the unidentifiable bone particles from the cremated residuals, as far as is possible, and dispose of that material.

(7) (a) A funeral service establishment shall pack cremated remains, including the identification tag referred to in Subsection (5)(a), in a temporary container or urn ordered by the authorizing agent.

(b) The container or urn shall be packed in clean packing materials and not be contaminated with any other object unless otherwise directed by the authorizing agent.

(c) If the cremated remains cannot fit within the designated temporary container or urn, the funeral service establishment shall:

(i) return the excess to the authorizing agent or the agent's representative in a separate container; and

(ii) mark both containers or urns on the outside with the name of the deceased person and an indication that the cremated remains of the named decedent are in both containers or urns.

(8) (a) If the cremated remains are to be shipped, then the funeral services establishment shall pack the designated temporary container or urn in a suitable, sturdy container.

(b) The funeral service establishment shall have the remains shipped only by a method that:

(i) has an available internal tracing system; and

(ii) provides a receipt signed by the person accepting delivery.

Enacted by Chapter 353, 2008 General Session

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Last revised: Friday, December 12, 2008

B&L Cremation Systems Retort
Information – Independent Test,
Technical Information and Emission
Comparison Table



Cremation Systems, Inc.

7205 - 114th Avenue North Largo, Florida 33773 USA
1-800-622-5411 727-541-4666 Facsimile 727-547-0669
e-mail: sales@blcremationsystems.com www.blcremationsystems.com

May 23, 2008

TO WHOM IT MAY CONCERN:

B & L Cremation Systems, Inc. has had all of its cremation models tested by independent laboratories to show compliance with the Federal EPA, State and Local Regulations.

Under normal operations, our equipment has met or exceeded the regulations. (See enclosed results for Model BPL-500/150)

As you will see from the results, the amount of particulate emission is 0.03 LBS/ HR. The CO emission rate was 4.3ppm. The visible emissions were zero as were detectable odors.

I hope this information is adequate to allow our customers to place this system at the intended facility.

Sincerely,


Steve Looker
President

SL/jah

World's Largest Independent Cremation Equipment Manufacturer

1.0 INTRODUCTION

Southern Environmental Sciences, Inc. conducted emissions testing of the Foster's Pet Cremation Service animal crematory on March 9, 2004. This facility is located at 15204 County Line Road, Spring Hill, Florida. Testing was conducted for particulates, carbon monoxide and visible emissions. Oxygen (O_2) concentrations were measured to correct emission rates to 7% O_2 . Testing was performed to determine if the plant was operating in compliance with requirements of the Florida Department of Environmental Protection (FDEP).

2.0 SUMMARY OF RESULTS

The facility was found to be in compliance with all applicable emission limiting standards. Results of the particulate and carbon monoxide testing are summarized in Table 1. Particulate emissions from this source are limited to a maximum allowable concentration of 0.080 grains per dry standard cubic foot (corrected to 7% O_2), and 0.30 pounds per hour. The average measured particulate concentration was 0.009 grains per dry standard cubic foot (corrected to 7% O_2), and 0.031 pounds per hour, well within the limit. The maximum allowable carbon monoxide emissions concentration from this source is 100 parts per million, dry basis (corrected to 7% O_2), and 0.17 pounds per hour. The average measured carbon monoxide emission concentration was 4.3 parts per million, dry basis (corrected to 7% O_2), and 0.01 pounds per hour, well within the allowable limit.

A visible emissions evaluation was performed over a one hour period. The average

SOUTHERN ENVIRONMENTAL SCIENCES, INC.

1204 North Wheeler Street, Plant City, Florida 33566 (813)752-5014

VISIBLE EMISSIONS EVALUATION

COMPANY	Foster's Pet Cremation Service
UNIT	Animal Crematory Incinerator
ADDRESS	15204 County Line Rd Spring Hill, FL

PERMIT NO. 1010377-002-A0	COMPLIANCE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
AIRS NO. 1010377	EU NO. 003
PROCESS RATE 497 lb Batch 124 lbs/hr	PERMITTED RATE 500 lb Batch 150 lbs/hr
PROCESS EQUIPMENT Batch 500/150 Crematory	
CONTROL EQUIPMENT Afterburner	
OPERATING MODE Nat. Gas Fired	AMBIENT TEMP. (°F) START 70 STOP 75
HEIGHT ABOVE GROUND LEVEL START ~20' STOP same	HEIGHT REL. TO OBSERVER START ~20' STOP same
DISTANCE FROM OBSERVER START ~80' STOP same	DIRECTION FROM OBSERVER START 350° STOP 350°
EMISSION COLOR NONE	PLUME TYPE CONTIN. <input type="checkbox"/> INTERMITTENT <input type="checkbox"/>
WATER DROPLETS PRESENT NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>	IS WATER DROPLET PLUME ATTACHED <input type="checkbox"/> DETACHED <input checked="" type="checkbox"/>
POINT IN THE PLUME AT WHICH OPACITY WAS DETERMINED START Stack Exit STOP same	
DESCRIBE BACKGROUND START Sky STOP same	
BACKGROUND COLOR START Gray w/ white STOP same	SKY CONDITIONS START Scat. STOP same
WIND SPEED (MPH) START 3-10 STOP same	WIND DIRECTION START S STOP S
AVERAGE OPACITY FOR HIGHEST PERIOD 0%	RANGE OF OPAC. READINGS MIN. 0 MAX. 0

SOURCE LAYOUT SKETCH DRAW NORTH ARROW

Sun * Wind
Plume and
Stack

140°
Sun Location Line

COMMENTS	Serial # 203-17-93
#3 Incinerator	

OBSERVATION DATE				START TIME		STOP TIME			
3/9/04				1135		1235			
SEC	0	15	30	45	SEC	0	15	30	45
MIN					MIN				
0					30				
1					31				
2					32				
3					33				
4					34				
5					35				
6					36				
7					37				
8					38				
9					39				
10					40				
11					41				
12					42				
13					43				
14					44				
15					45				
16					46				
17					47				
18					48				
19					49				
20					50				
21					51				
22					52				
23					53				
24					54				
25					55				
26					56				
27					57				
28					58				
29					59				

Observer: Mark Gierke	
Certified by: FNA P	Certified at: T4 MP9
Date Certified: 3/04	Exp. Date: 8/04
I certify that all data provided to the person conducting the test was true and correct to the best of my knowledge	
Signature: See Process w/ Statement	
Title:	

TABLE 1. EMISSIONS TEST SUMMARY

Company: FOSTER'S PET CREMATION SERVICE

Source: Animal Crematory Incinerator

	Run 1	Run 2	Run 3
Date of Run	3/9/04	3/9/04	3/9/04
Process Rate (lbs/hr)	124	124	124
Start Time (24-hr. clock)	1135	1302	1425
End Time (24-hr. clock)	1238	1403	1526
Vol. Dry Gas Sampled Meter Cond. (DCF)	35.293	36.308	37.298
Gas Meter Calibration Factor	0.986	0.986	0.986
Barometric Pressure at Barom. (in. Hg.)	30.14	30.14	30.14
Elev. Diff. Manom. to Barom. (ft.)	0	0	0
Vol. Gas Sampled Std. Cond. (DSCF)	34.324	34.476	35.476
Vol. Liquid Collected Std. Cond. (SCF)	8.020	6.794	5.913
Moisture in Stack Gas (% Vol.)	18.9	16.5	14.3
Molecular Weight Dry Stack Gas	29.04	29.12	29.30
Molecular Weight Wet Stack Gas	26.95	27.29	27.69
Stack Gas Static Press. (in. H ₂ O gauge)	-0.01	-0.01	-0.01
Stack Gas Static Press. (in. Hg. abs.)	30.14	30.14	30.14
Average Square Root Velocity Head	0.164	0.175	0.178
Average Orifice Differential (in. H ₂ O)	1.049	1.041	1.118
Average Gas Meter Temperature (°F)	80.6	93.7	92.9
Average Stack Gas Temperature (°F)	1240.3	1367.1	1359.6
Pitot Tube Coefficient	0.84	0.84	0.84
Stack Gas Vel. Stack Cond. (ft./sec.)	17.01	18.68	18.85
Effective Stack Area (sq. ft.)	1.77	1.77	1.77
Stack Gas Flow Rate Std. Cond. (DSCFM)	457	482	501
Stack Gas Flow Rate Stack Cond. (ACFM)	1,803	1,981	1,999
Net Time of Run (min.)	60	60	60
Nozzle Diameter (in.)	0.611	0.611	0.611
Percent Isokinetic	108.7	103.6	102.5

TABLE 1. EMISSIONS TEST SUMMARY (con't)

Company: FOSTER'S PET CREMATION SERVICE

Source: Animal Crematory Incinerator

	Run 1	Run 2	Run 3	
Date of Run	3/9/04	3/9/04	3/9/04	
Process Rate (lbs/hr)	124	124	124	
Start Time (24-hr. clock)	1135	1302	1425	
End Time (24-hr. clock)	1238	1403	1526	
Oxygen (%)	8.0	10.0	10.5	
				<u>Average</u>
Particulate Collected (mg.)	34.0	11.1	7.4	
Particulate Emissions (gr./DSCF)	0.015	0.005	0.003	0.008
Particulate Emissions (gr./DSCF @ 7% O ₂)	0.016	0.006	0.004	0.009
Allowable Part. Emissions (gr./DSCF @ 7% O ₂)				0.080
Particulate Emissions (lb./hr.)	0.060	0.021	0.014	0.031
Allowable Part. Emissions (lb./hr.)				0.30
CO Emissions (PPM)	3.08	2.25	5.00	4.3
CO Emissions (PPM @ 7% O ₂)	3.3	2.9	6.7	4.3
Allowable CO Emissions (PPM @ 7% O ₂)				100
CO Emissions (lb./hr.)	0.006	0.005	0.011	0.007
Allowable CO Emissions (lb./hr.)				0.12

Note: Standard conditions 68°F, 29.92 in. Hg

maximum six minute opacity was zero percent, well within the allowable limit of 5 percent.

3.0 PROCESS DESCRIPTION

The B & L Systems, Inc. Model BLP 500/150 Series crematory incinerator cremates animal remains in an environmentally acceptable manner. Emissions are controlled by an afterburner. The afterburner is preheated and maintained at a minimum operating temperature of 1600°F prior to ignition of the primary chamber. The unit is designed to be charged with a maximum of 500 pounds of animal remains and incinerate at a maximum rate of 150 pounds per hour with a maximum heat input of 1.35 MMBTU per hour (primary chamber 0.35 MMBTU per hour, secondary chamber 1.0 MMBTU/hr), each chamber fired exclusively on propane gas only. The time required for complete incineration depends upon the total weight of the waste. Process operational data was provided by facility personnel and is included in the appendix.

4.0 SAMPLING PROCEDURES

4.1 Methods

All sampling was performed using methods currently acceptable to the FDEP. Particulate sampling and analyses were conducted in accordance with EPA Method 5 - Determination of Particulate Emissions from Stationary Sources, 40 CFR 60, Appendix A-3. Carbon monoxide emissions were conducted in accordance with EPA Method 10 - Determination of Carbon Monoxide Emissions from Stationary Sources, 40 CFR 60, Appendix A-4. The oxygen content of the stack gas was determined in accordance with EPA Method 3B - Gas

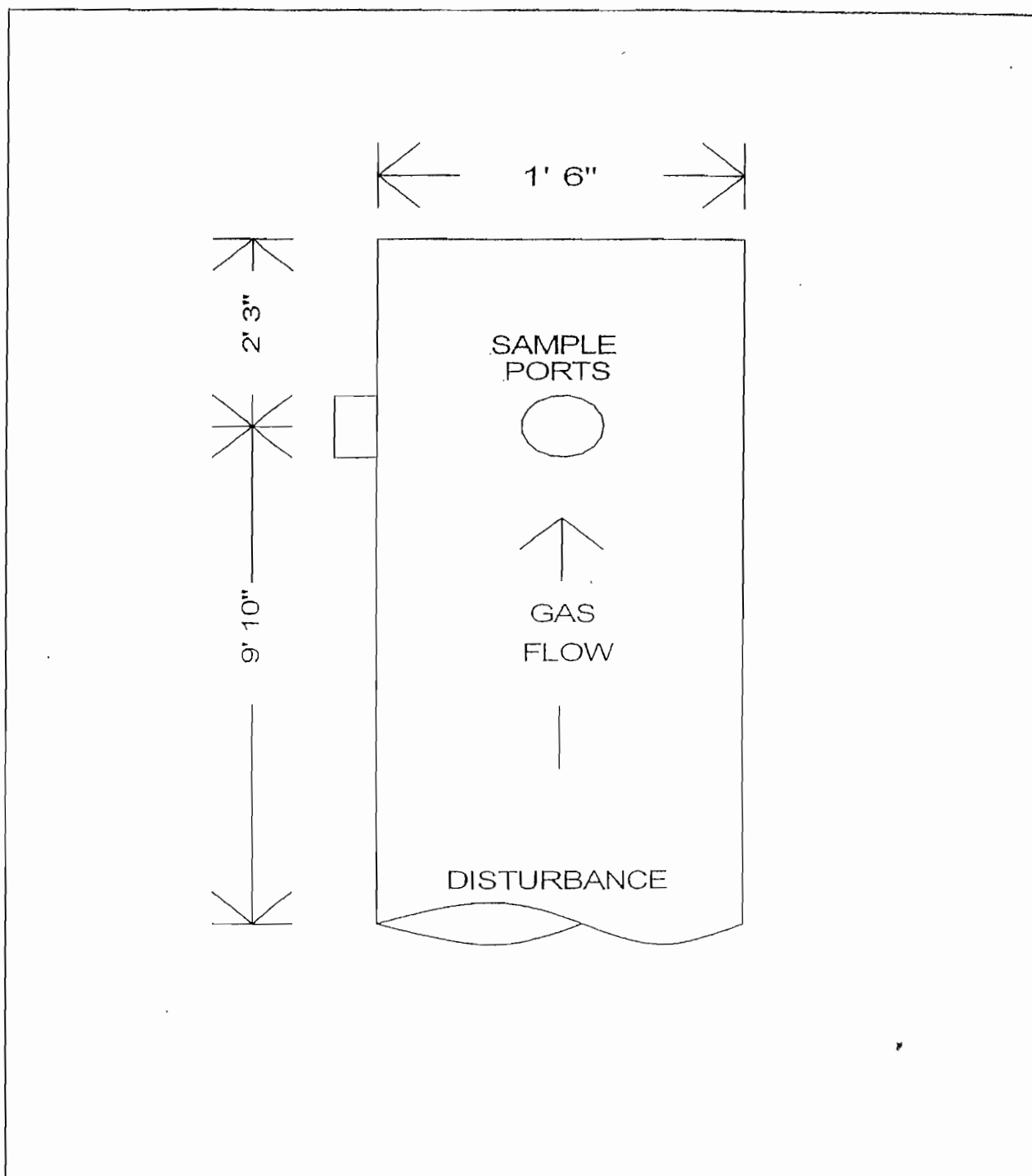


Figure 1. Stack Dimensions and Sample Port Locations, Foster's Pet Cremation Service, Animal Crematory Incinerator, Spring Hill, Florida.

CO / VOC / NOX / PM

VOC (Volatile Organic Compounds) - Any organic compound that participates in atmospheric photochemical reactions, except those designated by the EPA as having negligible photochemical reactivity

PM (Particulates) – Fine liquid or solid particles such as dust, smoke, mist, fumes or soot found in air or emissions

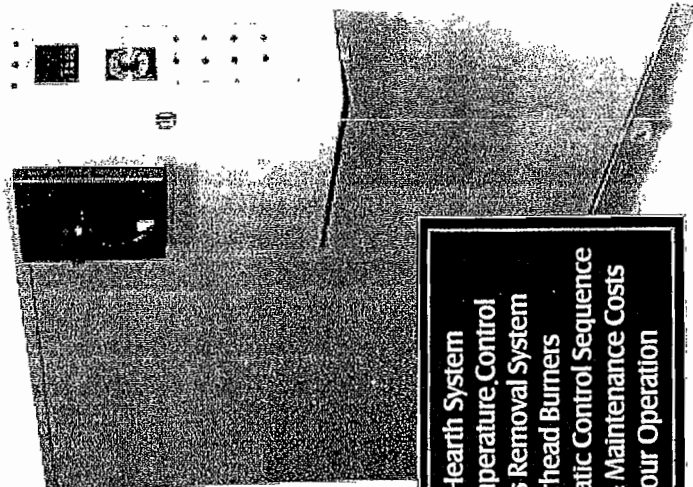
NOX (Nitrogen Oxide) – Product of combustion from transportation and stationary sources as well as being a major contributor to the formation of ozone in the atmosphere and acid rain deposition.

CO (Carbon Monoxide) – Product of incomplete combustion, gas without smell or color.

BLP 500 Animal Cremation Retort



Cremation Systems, Inc.



- Hot Hearth System
- Full Temperature Control
- Remains Removal System
- Overhead Burners
- Fully Automatic Control Sequence
- Low Fuel & Maintenance Costs
- 24 Hour Operation

All dimensions are approximate

FULLY AUTOMATIC CONTROL SEQUENCE

Operation is made simple by the fully automatic control sequence. A microprocessor temperature controller with a digital readout, ensures optimum control while providing the lowest fuel consumption. Visual verification of each stage is provided on the control panel. Operator override is achieved at a turn of a switch for semi-manual control

HOT HEARTH DESIGN

First introduced by B & L, this design allows for wasted afterburning heat to be recycled through the floor eliminating fluid problems, lowering fuel consumption and extending the hearth life

MULTI-CHAMBER AIR CONTROLLED DESIGN

The entire combustion process is completed within the air controlled chambers eliminating burning in the stack, allowing for 24 hour operation and providing for greater fuel efficiency over excess air designs.

POLLUTION MONITORING & CONTROL SYSTEM

This system constantly monitors the stack gases to prevent visible emissions. Integrated with the automatic system this feature enables the unit to make all necessary adjustments automatically.

REFRACTORY LINED STACK

A three inch insulating liner is provided as a safety feature. While gases seldom exceed 1000° F the liner reduces heat penetration under every condition, preventing the possibility of fire.

LOW NOISE

The secondan combustion blower has been manufactured and installed to allow for low noise operation. The BLP series retorts are the quietest units available



SPECIFICATIONS

BLP 500

Dimensions:	Height 90" Width 62" Length 95"
Weight	15,000 lbs
Power Requirements:	220 volts, 1-phase, 30 AMPS
Gas Pressure:	Natural Gas 7" W.C. Propane Gas 11" W.C.
Cremation Rate:	75 Pounds per Hour
Burner Output:	1,100,000 BTU's per Hour
Maximum Input Rating:	300,000 BTU's per Hour
Afterburner Maximum:	100,000 BTU's per Hour
Modulation Minimum:	300,000 BTU's per Hour
Cremation Burner:	Outside air inlet louvers in the room located at or below burner height, capable of passing 2,500 CFM of free air.

BLP 200

Dimensions:	Height 90" Width 62" Length 95"
Weight	15,000 lbs
Power Requirements:	220 volts, 1-phase, 30 AMPS
Gas Pressure:	Natural Gas 7" W.C. Propane Gas 11" W.C.
Cremation Rate:	75 Pounds per Hour
Burner Output:	1,100,000 BTU's per Hour
Maximum Input Rating:	300,000 BTU's per Hour
Afterburner Maximum:	100,000 BTU's per Hour
Modulation Minimum:	300,000 BTU's per Hour
Cremation Burner:	Outside air inlet louvers in the room located at or below burner height, capable of passing 2,500 CFM of free air.

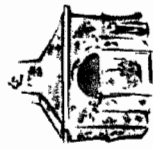
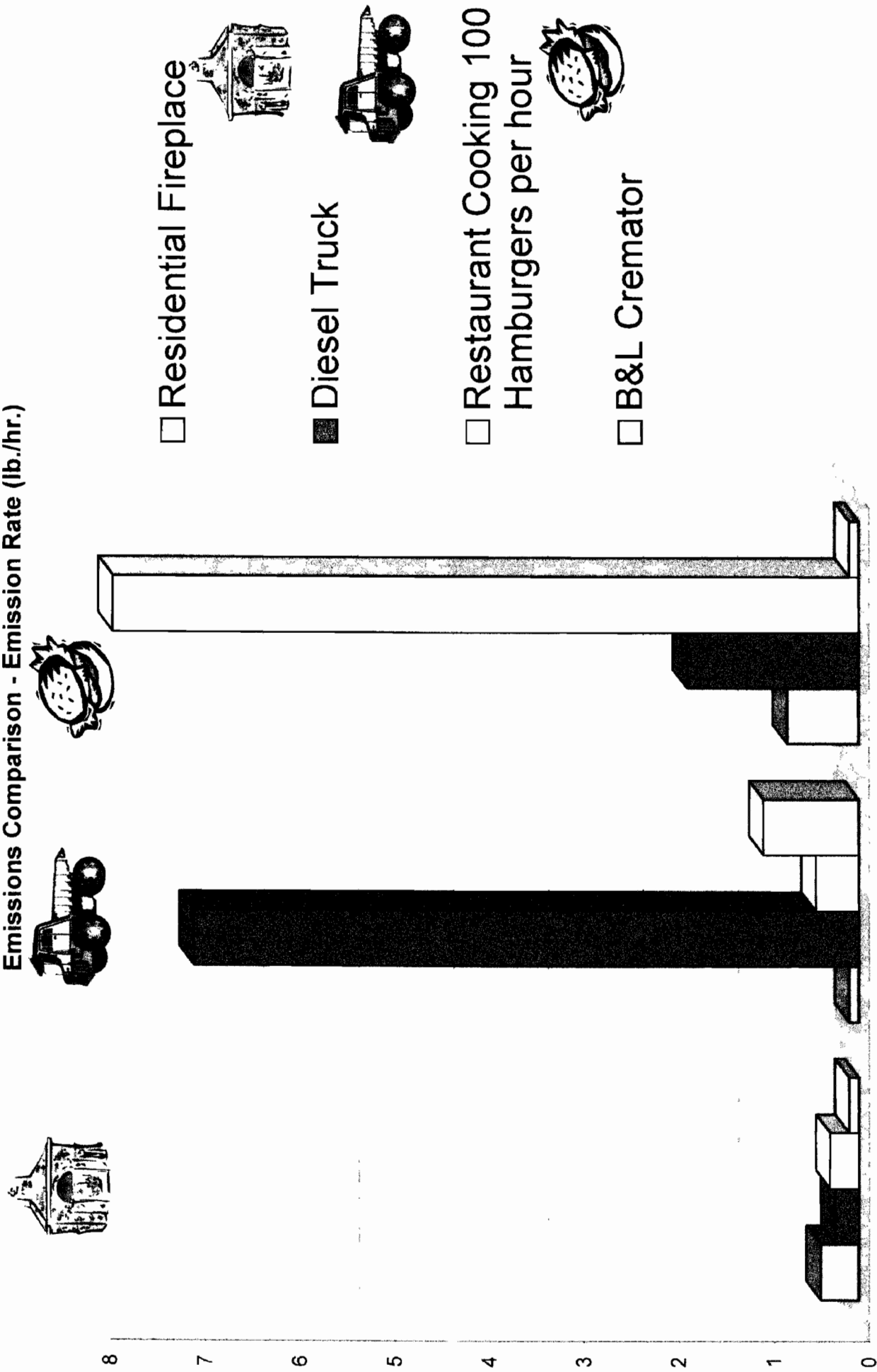
BLP 750

Dimensions:	Height 96" Width 66" Length 144"
Weight	26,000 lbs
Power Requirements:	220 volts, 1-phase, 30 AMPS
Gas Pressure:	Natural Gas 7" W.C. Propane Gas 11" W.C.
Cremation Rate:	150 Pounds per Hour
Burner Output:	1,500,000 BTU's per Hour
Maximum Input Rating:	1,000,000 BTU's per Hour
Afterburner Maximum:	100,000 BTU's per Hour
Modulation Minimum:	500,000 BTU's per Hour
Cremation Burner:	Outside air inlet louvers in the room located at or below burner height, capable of passing 2,500 CFM of free air.

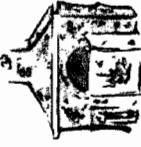
BLP 1000

Dimensions:	Height 110" Width 70" Length 144"
Weight	32,000 lbs
Power Requirements:	220 volts, 1-phase, 30 AMPS
Gas Pressure:	Natural Gas 7" W.C. Propane Gas 11" W.C.
Cremation Rate:	250 Pounds per Hour
Burner Output:	2,000,000 BTU's per Hour
Maximum Input Rating:	1,200,000 BTU's per Hour
Afterburner Maximum:	100,000 BTU's per Hour
Modulation Minimum:	800,000 BTU's per Hour
Cremation Burner:	Outside air inlet louvers in the room located at or below burner height, capable of passing 2,500 CFM of free air.

Emissions Comparison - Emission Rate (lb./hr.)



□ Residential Fireplace



■ Diesel Truck



□ Restaurant Cooking 100 Hamburgers per hour



□ B&L Cremator

Site Plan and Photos

No Scale

<div>Overall Site Plan</div> <div>Major Street Pet Services 1727 South Major Street Salt Lake City, Salt Lake County, Utah</div>	<div><div>GREAT BASIN ENGINEERING - SOUTH CONSULTING ENGINEERS and LAND SURVEYORS 2010 North Redwood Road, P.O. Box 16747 Salt Lake City, Utah 84116 Salt Lake City (801)521-4529 Ogden (801)354-7288 Fax (801)521-0601</div></div>	<div>MAJOR STREET</div>				<div>Designed by: <i>JF</i></div> <div>Drafted by: <i>JF</i></div> <div>Client Name: <i>Rural Investment Company</i></div>	<div>REV</div> <div>DATE</div> <div>DESCRIPTION</div>
		<div>17 Jun, 2009</div> <div>SHEET NO.</div> <div>SP</div>					





Salt Lake City Zoning Code
Chapter 21A.62.040:
Definition of a Pet Cemetery

PARKING, SHARED: "Shared parking" means off street parking facilities on one lot shared by multiple uses because the total demand for parking spaces is reduced due to the differences in parking demand for each use during specific periods of the day.

PARKING SPACE: Space within a parking area of certain dimensions as defined in chapter 21A.44 of this title, exclusive of access drives, aisles, ramps, columns, for the storage of one passenger automobile or commercial vehicle under two (2) ton capacity.

PARKING STUDY-ALTERNATIVE PARKING: "Parking study-alternative parking" means a study prepared by a licensed professional traffic engineer specifically addressing the parking demand generated by a use for which an alternative parking requirement is sought and which provides the city information necessary to determine whether the requested alternative parking requirement will have a material negative impact to adjacent or neighboring properties and be in the best interests of the city.

PATIO: A paved surface on an earthen/stone base that is not more than two feet (2') above established grade, designed for pedestrian use.

PAWNSHOP: A commercial establishment which lends money at interest in exchange for valuable personal property left with it as security.

PEDESTRIAN CONNECTION: A right of way intended for pedestrian movement/activity, including, but not limited to, sidewalks, internal walkways, external and internal arcades, and plazas.

PERENNIAL: A plant having a life span more than two (2) years.

PERFORMANCE STANDARDS: Standards which establish certain criteria which must be met on a site, but allow flexibility as to how those criteria can be met.

PERFORMING ARTS PRODUCTION FACILITY: A mixed use facility housing the elements needed to support a performing arts organization. Such facility should include space for the design and construction of stage components; costume and prop design and construction, administrative support, rehearsal space, storage space, and other functions associated either with an on site or off site live performance theater.

PERSON: A firm, association, authority, organization, partnership, company or corporation as well as an individual.

PERSONS WITH DISABILITIES: The city adopts the definition of "disabled" from the Americans with disabilities act, the rehabilitation act, title 8 of the civil rights act and all other applicable federal and state laws.

PET CEMETERY: A place designated for the burial of a dead animal where burial rights are sold.

PHILANTHROPIC USE: An office or meeting hall used exclusively by a nonprofit public service organization.

PLACE OF WORSHIP: A church, synagogue, temple, mosque or other place of religious worship, including any accessory use or structure used for religious worship.

PLANNED DEVELOPMENT: A lot or contiguous lots of a size sufficient to create its own character where there are multiple principal buildings on a single lot, where not otherwise authorized by this title, or where not all of the principal buildings have frontage on a public street. A planned development is controlled by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the character of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located.

PLANNING COMMISSION: The planning commission of Salt Lake City, Utah.

PLANNING OFFICIAL: The director of the planning division of the department of community and economic development, or his/her designee.

PLANTING SEASON: That period during which a particular species of vegetation may be planted for maximum survivability and healthy growth.

PLAZA: An open area which is available to the public for walking, seating and eating.

PRECISION INSTRUMENT REPAIR SHOP: A shop that provides repair services for industrial, commercial, research, and similar establishments. Precision instrument repair does not include consumer repair services for individuals and households for items such as watches or jewelry, household appliances, musical instruments, cameras, and household electronic equipment.

PREPARED FOOD, TAKEOUT: "Takeout prepared food" means a retail sales establishment which prepares food for consumption off site only.

PRINTING PLANT: A commercial establishment which contracts with persons for the printing and binding of written works. The term "printing plant" shall not include a publishing company or a retail copy or reproduction shop.

PRIVATE RECREATIONAL FACILITY: A golf course, swimming pool, tennis club or other recreational facility under private control, operation or management which functions as the principal use of the property.

PUBLIC/PRIVATE UTILITY BUILDINGS AND STRUCTURES: Buildings or structures used in conjunction with the provision of public or private utilities.

PUBLIC TRANSPORTATION, EMPLOYER SPONSORED: "Employer sponsored public transportation" means a program offering free or substantially discounted passes on the Utah transit authority to employees.

PUBLISHING COMPANY: A company whose business is the editing and publishing of works of authors. The term "publishing company" shall not include a printing plant, unless it is only accessory to the publishing business.

Attachment “C” from the Staff Report
for the Board of Adjustment Meeting

BOARD OF ADJUSTMENT STAFF REPORT



Planning and Zoning Division
Department of Community and
Economic Development

PLNAPP2009-00304
Major Street Pet Mortuary
Appeal of Administrative Decision
1727 South Major Street
April 20, 2009

Applicant

Jake Tate, representing property owner Even Properties, LLC

Master Plan Designation

Central City Master Plan
Medium Residential/Mixed Use
(10-50 dwelling units per acre)

Council District

Council District 5, Jill
Remington Love

Lot Size

13,503 square feet

Land Use Regulations

Salt Lake City Code:
Section 21A.12.050
Section 21A.26.080
Section 21A.62

Notice

The agenda was published on April 6, 2009 and posted on the City and State's websites. The agenda was mailed to property owners within 450 feet on April 6, 2009. The property was posted on April 6, 2009.

Attachments

- A. Application Materials
- B. Zoning Administrator Interpretation Letter
- C. Previous Administrative Interpretation relating to a pet funeral home

Request

The applicant is appealing the Zoning Administrator's decision that a crematory is not an allowed use in the CC Corridor Commercial zoning district. The Board of Adjustment is the appeal authority for this type of administrative decision.

Potential Motions

Uphold the Administrative Interpretation

From the evidence and testimony presented and pursuant to the information submitted, I move that the Board uphold the Zoning Administrator interpretation that a funeral home does not include the act of cremation and that a pet funeral home with a pet crematory is prohibited in the CC Zoning District because:

1. The use interpretation does not comply with standard A: Any use defined in part VI, chapter 21A.62 of this title, shall be interpreted as defined;
2. The use interpretation does not comply with standard 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.

Overturn the Administrative Interpretation

From the evidence and testimony presented and pursuant to the information submitted, I move that the Board overturn the Zoning Administrator interpretation that a funeral home does not include the act of cremation and that a pet funeral home with a pet crematory is prohibited in the CC Zoning District because:

1. The use interpretation complies with standard A: Any use defined in part VI, chapter 21A.62 of this title, shall be interpreted as defined;
2. The use interpretation complies with standard 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.
3. The use interpretation complies with standard 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.
4. The use interpretation complies with standard 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.
5. The use interpretation complies with standard 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 part V, chapter 21A.54 of this title.
6. The use interpretation complies with standard F: No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district.

Attachment C
Previous Administrative Interpretation
Relating to a pet funeral home

September 27, 2004

Koefran Services for Pets
Brian Bagley
589 West 220 South #1
Pleasant Grove, Utah 84062

Subject: 238 West Paramount Avenue, Salt Lake City (Pet Crematorium)

Dear Mr. Bagley:

This letter is in response to your request for a zoning interpretation for a pet crematorium at 238 West Paramount Avenue, located in the General Commercial (CG) District. Pet crematorium has not been defined in Chapter 21A.62 of the Salt Lake City Zoning Ordinance. The Zoning Ordinance permits pet cemeteries in the General Commercial District, subject to Salt Lake City/County Health Department approval. The Code is silent in terms of defining cremation for pets, and does not associate between cremation and a pet cemetery. The Code does define cremation, but only in conjunction with cemetery use.

The following are definitions found in Chapter 21A.62 of the Salt Lake City Zoning Ordinance:

Pet cemetery "means a place designated for the burial of a dead animal where burial rights are sold".

Cemetery " means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium's, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery".

The following information summarizes the results of my research:

Koefran intends to construct a 6,000 square-foot, pre-fabricated steel building for the use of a pet crematorium in the General Commercial District. The proposal will include the use of two incinerators and be completely enclosed within the proposed structure. The business operator has contracts with local veterinarian clinics and the Salt Lake City Humane Society to take care of their pet cremation needs.

~~I find~~ that a pet crematorium is not significantly different than a cemetery with the exception that a burial is not being performed at a crematorium. Since crematoriums are a permitted use when in conjunction with a cemetery, the relationship between crematorium and cemetery become incidental to the operation. The intent of the Zoning Ordinance is to classify appropriate land uses, and to consider if a specified land uses promote the health, safety, and general welfare of the public. The proposed pet crematorium meets the general intent of the zone, and does not materially harm the District. Based on the submitted information, I conclude that the proposed pet crematorium does not create any unnecessary nuisances, and is consistent with upholding the intent of the zoning district. Based on these conclusions, I find that the pet crematorium is permitted at 238 West Paramount Avenue.

This zoning interpretation is for use only. The proposed pet crematorium will require Health and Fire Department approval. Your request to construct a pre-fabricated building will be subject to the General Commercial (CG) District zoning guidelines and be subject to a Building Permit.

If I may be of further assistance on this matter, please contact me at (801) 535-6003 or by email kevin.lopiccolo@slcgov.com

NOTICE:

Please be advised that a use interpretation 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 site plan approval.

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Board of Adjustment. Notice of appeal shall be filed within thirty (30) days of the administrative decision. The appeal shall be filed with the Zoning Administrator and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. A nonrefundable application and hearing fee of \$100.00 is required.

Sincerely,

Kevin LoPiccolo
Zoning Administrator

cc: Louis Zunguze, Planning Director
Brent Wilde, Deputy Planning Director
Larry Butcher, Development Review Supervisor
Jeff Davis, Chair, Glendale Community Council

Salt Lake City Zoning Code
Chapter 21A.26.080:
Table of Permitted and Conditional
Uses for Commercial Districts

This section has been affected by a recently passed ordinance, 2009-02 - Community Correctional Facilities. [Go to new ordinance.](#)

This section has been affected by a recently passed ordinance, 2009-07 - Check Cashing/Payday Loan Businesses. [Go to new ordinance.](#)

21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend: C = Conditional P = Permitted

Use	Permitted And Conditional Uses By District						
	CN	CB	CC	CD	CE	CF	TC-75
Residential:							
Assisted living center, large		P		P		P	P
Assisted living center, small		P		P		P	P
Dwelling, single room occupancy ⁶							P
Group home, large (see section 21A.36.070 of this title)				C		C	P
Group home, small (see section 21A.36.070 of this title) above or below first story office, retail and commercial uses or on the first story, as defined in the adopted building code where the unit is not located adjacent to the street frontage	P	P	P	P	P	P	P
Halfway homes (see section 21A.36.110 of this title)						C	
Living quarters for caretaker or security guard	P	P	P	P	P	P	P
Mixed use developments including residential and other uses allowed in the zoning district	P	P	P	P	P	P	P
Multiple-family dwellings	P	P	P	P	P	P	P
Nursing home		P		P		P	P
Residential substance abuse treatment home, large (see section 21A.36.100 of this title)				C		C	C
Residential substance abuse treatment home, small (see section 21A.36.100 of this title)				C		C	C
Rooming (boarding) house	C	C	C	C	C	C	C
Transitional treatment home, large (see section 21A.36.090 of this title)				C		C	C
Transitional treatment home, small (see section 21A.36.090 of this title)				C		C	C
Transitional victim home, large (see section 21A.36.080 of this title)				C		C	C
Transitional victim home, small (see section 21A.36.080 of this title)				C		C	C
Office and related uses:							
Financial institutions with drive-through facilities		P	P	P	P	P	C
Financial institutions without drive-through facilities	P	P	P	P	P	P	P
Medical and dental clinics and offices	P	P	P	P	P	P	P
Offices	P	P	P	P	P	P	P
Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes	C	P	P	P	P	P	C
Retail sales and services:							
Auction sales				P		P	
Automobile repair, major			C	P		P	C
Automobile repair, minor	C	P	P	P	P	P	P
Automobile sales/rental and service				P		P	
Boat/recreational vehicle sales and service				P		P	
Car wash as accessory use to gas station or convenience store that sells gas		P	P	P	P	P	C
Car wash, with or without gasoline sales			P	P		P	C
Conventional department store			P		P		
Equipment rental, indoor and outdoor				P		P	C
Furniture repair shop	C	P	P	P	P	P	P
"Gas station" (may include accessory convenience retail and/or minor repairs) as defined in chapter 21A.62 of this title	C	C	P	P	P	P	
Health and fitness facility		P	P	P	P	C	P
Liquor store		C	C	C	C	C	C
Manufactured/mobile home sales and service						P	
Mass merchandising store			P		P	P	
Pawnshop						P	

Restaurants with drive-through facilities	C	P	P	P	P	P	C
Restaurants without drive-through facilities	P	P	P	P	P	P	P
Retail goods establishments with drive-through facilities	C	P	P	P	P	P	C
Retail goods establishments without drive-through facilities	P	P	P	P	P	P	P
Retail services establishments with drive-through facilities	C	P	P	P	P	P	C
Retail services establishments without drive-through facilities	P	P	P	P	P	P	P
Specialty store			P	P	P	P	
Superstore and hypermarket store			P			P	
Truck repair, large						P	
Truck sales and rental, large				P		P	
Upholstery shop	C	P	P	P	P	P	P
Value retail/membership wholesale						P	
Warehouse club store						P	
Institutional (sites <2 acres):							
Adult daycare center	P	P	P	P	P	P	P
Child daycare center	P	P	P	P	P	P	P
Colleges and universities with nonresidential campuses						P	P
Community recreation centers on lots less than 4 acres in size	P	P	P	P	P	P	P
Government facilities (excluding those of an industrial nature and prisons)	P	P	P	P	P	P	P
Libraries	C	C	C	C	C	C	C
Medical/dental research facilities							P
Museum		P	P	P	P	P	P
Music conservatory		P	P	P	P	P	P
Places of worship on lots less than 4 acres in size	C	P	P	P	P	P	P
Research, commercial, scientific, educational							P
Schools, professional and vocational		P	P	P	P	P	P
Seminaries and religious institutes	C	P	P	P	P	P	P
Commercial and manufacturing:							
Bakery, commercial						P	
Blacksmith shop						P	
Blood donation centers, commercial and not accessory to a hospital or medical clinic				C		P	
Cabinet and woodworking mills						P	
Commercial laundries, linen service and dry cleaning						P	
Industrial assembly						P	
Laboratory, medical, dental, optical	P	P	P	P	P	P	P
Laboratory, testing			C	C		P	C
Miniwarehouse				P		P	C
Motion picture studio			P		P	P	P
Photo finishing lab			P	P	P	P	P
Plant and garden shop, with outdoor retail sales area	C	C	C	C	C	P	P
Sign painting/fabrication						P	
Warehouse				P		P	
Welding shop						P	
Wholesale distributors				P		P	
Recreation, cultural and entertainment:							
Amusement park			P			P	
Art gallery	P	P	P	P	P	P	P
Art studio	P	P	P	P	P	P	P
Commercial indoor recreation			P	P	P	P	P
Commercial outdoor recreation			C			P	C
Commercial video arcade				P	P	P	P
Community gardens	P	P	P	P	P	P	P
Dance studio	P	P	P	P	P	P	P
Live performance theaters		C	P	P	P	P	P
Miniature golf			P	P		P	P
Movie theaters		C	P	P	P	P	P
Natural open space and conservation areas	C	C	C	C	C	C	C

Parks and playgrounds, public and private, on lots less than 4 acres in size	P	P	P	P	P	P	P
Pedestrian pathways, trails, and greenways	P	P	P	P	P	P	P
Private club		C	P	C	P	P	C
Sexually oriented businesses						P ⁶	
Squares and plazas on lots less than 4 acres in size	P	P	P	P	P	P	C
Tavern/lounge/brewpub, 2,500 square feet or less in floor area			P	P	P	P	P
Tavern/lounge/brewpub, more than 2,500 square feet in floor area			C	C	P	P	C
Miscellaneous:							
Accessory uses, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P	P
Ambulance services, dispatching, staging and maintenance conducted entirely within an enclosed building		P	P	P	P	P	P
Ambulance services, dispatching, staging and maintenance utilizing outdoor operations		P ⁷	P ⁷	P ⁷	P ⁷	P	
Auditorium			P	P	P	P	P
Auto salvage (indoor)						P	
Bed and breakfast	P	P	P	P	P	P	P
Bed and breakfast inn	P	P	P	P	P	P	P
Bed and breakfast manor	C ³	C ³		P	P	P	P
Bus line terminals				P		P	C
Bus line yards and repair facilities						P	
Commercial parking garage or lot				C	P	P	C
Communication towers		P	P	P	P	P	P
Communication towers, exceeding the maximum building height		C	C	C	C	C	C
Contractor's yard/office (including outdoor storage)				C		P	
Farmers' market			C	C		P	C
Flea market (indoor)			P	P	P	P	C
Flea market (outdoor)						P	
Funeral home			P	P	P	P	C
Homeless shelter						C	
Hotel or motel				P	P	P	C
House museum in landmark sites (see subsection 21A.24.010T of this title)	C	C	C	C	C	C	C ⁸
Impound lot						C	
Intermodal transit passenger hub						C	
Kennels						P	
Limousine service utilizing 4 or more limousines						P	
Limousine service utilizing not more than 3 limousines		C		C		P	
Microbrewery						P	
Off site parking, as per chapter 21A.44 of this title	C	P	P	P	P	P	C
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)	P	P	P	P	P	P	P
Outdoor sales and display		C	C	P	P	P	C
Outdoor storage				C		P	
Outdoor storage, public				C		P	
Park and ride lots		C	C	C	P	P	C
Park and ride, parking shared with existing use		P	P	P	P	P	P
Pet cemeteries ⁴						P	
Precision equipment repair shops				P		P	
Public/private utility buildings and structures ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Public/private utility transmission wires, lines, pipes and poles ²	P	P	P	P	P	P	P
Radio, television station			C		P	P	P
Recreational vehicle park (minimum 1 acre)				C			
Recycling collection station	P	P	P	P	P	P	
Reverse vending machines	P	P	P	P	P	P	P
Taxicab facilities, dispatching, staging and maintenance						P	
Temporary labor hiring office						P	
Vehicle auction use						P	
Vending carts on private property as per title 5, chapter 5.65 of this code					P		
Wireless telecommunications facility (see table 21A.40.090E of this title)							

Qualifying Provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of section 21A.54.150 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D of this chapter and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsection 21A.24.010T of this title and subsection 21A.26.010K of this chapter).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. Subject to location restrictions as per section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional uses process.

(Ord. 61-08 § 4 (Exh. C), 2008; Ord. 60-08 § 10 (Exh. D), 2008; Ord. 21-08 § 3 (Exh. B), 2008; Ord. 2-08 § 2, 2008; Ord. 61-06 § 3 (Exh. C), 2006; Ord. 13-06 § 2 (Exh. A), 2006; Ord. 1-06 § 30, 2005; Ord. 89-05 § 6 (Exh. F), 2005; Ord. 76-05 § 8 (Exh. C), 2005; Ord. 68-05 § 1 (Exh. A), 2005; Ord. 18-04 § 2, 2004; Ord. 17-04 § 6 (Exh. E), 2004; Ord. 13-04 § 7 (Exh. B), 2004; Ord. 6-03 § 1 (Exh. A), 2003; Ord. 23-02 § 3 (Exh. A), 2002; Ord. 2-02 § 1, 2002; Ord. 38-99 § 6, 1999; Ord. 35-99 § 29, 1999; Ord. 19-98 § 2, 1998; amended during 5/96 supplement; Ord. 88-95 § 1 (Exh. A), 1995; Ord. 84-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(13-7), 1995)

