### PLANNING COMMISSION STAFF REPORT

# USE TABLE AMENDMENTS SUSTAINABILITY REGULATIONS Case #PLNPCM2009-01337 July 28, 2010 CONTINUATION FROM JUNE 23 2010



#### **Applicant**

Mayor Ralph Becker

#### Staff

Ray Milliner <u>.milliner@slcgov.com</u> (801)535-7645

#### **Current Zone:**

N/A

#### **Master Plan Designation:**

City Wide

#### **Council District:**

City Wide

#### **Review Standards**

21A.50.050 Standards for General Amendments

#### **Affected Text Sections**

- 21A.62 Definitions
- Land Use Tables
- 21A.36 Home Occupations

#### **Notification**

- Notice mailed on June 10, 2010
- Published in Deseret News June 10, 2010
- Posted on City & State
   Websites June 10, 2010

#### **Attachments**

- A. Proposed Text Amendments
- B. Petition Initiation Request
- C. Public Comment

#### REQUEST

On November 18, 2009, Mayor Becker initiated a petition to amend the Salt Lake City Zoning Ordinance to create a series of regulations promoting sustainability throughout the City. Included in this staff report are draft amendments relating to the use tables for the regulation of urban agriculture and large renewable energy sites. The proposed uses associated therein, would be allowed, in some form, within the City. Amendments for consideration include:

- A. Urban Farms
- B. Community Gardens
- C. Seasonal Farm Stands
- D. Solar Arrays
- E. Large Wind Energy Systems

#### STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed modifications to The Land Use Tables, Chapters 21A.36.030, 21A.62, and 21A.40 of the Salt Lake City Zoning Ordinance, and based on the findings in this staff report forward a positive recommendation to the City Council.

### Background

The Planning Commission reviewed this petition and conducted a public hearing on June 23, 2010. At the meeting, the Commission directed staff to revise the document and return at a later meeting for further review and a possible recommendation. Staff has incorporated the changes directed by the Commission into the proposed language featured below. Suggested changes included:

- Eliminate the requirement that urban farms and community gardens install irrigation only water meters. This change has been incorporated into the draft language.
- Require that seasonal farm stands be temporary. This change has been incorporated into the draft language.
- Look at making solar easements a requirement for solar arrays. See staff analysis below.
- Provide information regarding limitations of agriculture in the riparian corridor. See staff analysis below.

#### **Solar Easements**

At the June Planning Commission meeting, the Commission debated the possibility of making the creation of a solar easement between adjacent property owners and the applicant a requirement of approval for a solar array. Currently, Chapter 57-13-2 of the Utah State code allows a property owner to grant an adjacent property owner a solar easement as a conveyance of real property.

A solar easement is a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems. A typical solar easement establishes certain land use conditions agreed upon by the property owners involved. Such agreements will normally contain the following elements:

- A description of the dimensions of the easement, including vertical and horizontal angles
  measured in the degrees or the hours of the day, on specified dates, during which direct sunlight
  to a specified surface or structural design feature may not be obstructed;
- Restrictions placed upon vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement, and;
- The terms and conditions, if any, under which the easement may be revised or terminated.

Staff has reviewed available information relating to solar easements and recommends that the Commission not change the proposed qualifying provisions as they relate to solar easements for the following reasons:

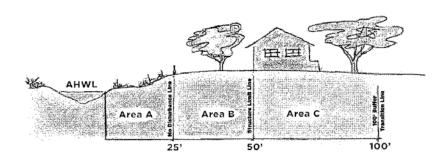
- The purpose of this language is to encourage solar arrays. Adding a requirement that an applicant receive solar easements from adjacent property owners may discourage the use, as it is sometimes difficult to obtain the easements.
- Leaving the language as is makes the applicant aware of the need for an easement but does not make it a requirement. At that point, the applicant can decide what if anything they would like to do about it.

#### **Riparian Corridor**

The requirements of the riparian corridor apply to all uses or developments within 100 feet of the high water line of City Creek, Red Butte Creek, Emigration Creek, Parleys Creek and the Jordan River. Any development within this area is required to receive a riparian protection permit prior to the commencement of any construction, subject to review by the Public Utilities Department.

The riparian corridor is divided into three distinct areas, each with its own requirements.

- Area A: A "no disturbance area" located between the annual high water line and twenty five feet (25') from the approximate high water line (AHWL);
- Area B: A "structure limit area" located between twenty five (25) and fifty feet (50') from the AHWL; and
- Area C: A "buffer transition area" located between fifty (50) and one hundred feet (100') from the AHWL.



Development within each area of the corridor is delineated by a use table wherein specific uses are called out as permitted or requiring a riparian permits process. Urban farms and community gardens are not a featured use on the table. Approval of an urban farm or community garden in these areas would be permitted as grading and planting of non-invasive plants (which are allowed uses in the table).

### **Public Participation**

The proposed amendments were reviewed at an open house on December 17, 2010 and again on April 15, 2010. Public comments received are attached as exhibit C.

Between January and May of 2010, staff met with representatives from Wasatch Community Gardens, the Federal Department of Agriculture, the Business Advisory Board (BAB), the County Health Department and the Historic Landmark Commission to discuss the amendments. They have provided technical input regarding appropriate practice to regulate these uses while mitigating any undesired impacts on residents and local businesses.

Staff has received a number of substantive and thoughtful citizen comments regarding the proposed text amendments. Suggestions have been very helpful, and have provided a good basis for the qualifying provisions of the amendment. Staff has incorporated many of the suggestions into the language, and has attached the written comments to this report as exhibit C.

### Issue Analysis

If adopted, the proposed changes would be located in various sections of the Zoning Ordinance. A definition for each use is being proposed, along with qualifying provisions and an amendment to the table of permitted and conditional uses in the various chapters of the Ordinance. Below is a summary of the changes proposed along with analysis and rationale for the amendments.

#### **URBAN FARM**

#### **Definition:**

"An Urban Farm" is a farm where food is cultivated, processed and distributed in or around a residential or commercial area. Urban farming is generally practiced for income earning or food producing activities."

Urban farms are proposed as a permitted use in most zones including residential and commercial zones. The size of these farms ranges from being located in large rear yards of single family homes, or on vacant lots to large multi-acre operations. Owners grow vegetables, herbs, and flowers that are then sold to consumers. The most common type of urban farm is Community Supported Agriculture, wherein individuals purchase shares of the farm produce prior to the growing season, then receive allotments of the harvest throughout the summer. Produce from urban farms may also be sold at farm stands and farmers markets.

**Issue:** As proposed, these urban farms would be allowed within both commercial and residential zoning Districts. Concerns raised with regard to this use generally revolve around the commercial aspect of the farm in residential zones. Although commercial in nature, urban farms can be very small in size. It is not uncommon to see an urban farm operated in the rear yard of a single family residence. Though small, this use can be a significant source of revenue for an individual selling produce to restaurants or other people. Hence, the staff recommendation is to allow this use in all residential zones.

#### Affected Code Sections:

Section 21A.36 Qualifying Provisions; Section 21A.62 Definitions; Section 21A.36.030 amendment to home occupation requirements; and all permitted and conditional use tables.

#### **Permitted Zones:**

#### Residential

Foothill Residential (FR-1), Foothill Residential (FR-2), Foothill Residential (FR-3), Residential (R-1/12,000), Residential (R-1/7,000), Residential (R-1/5,000), Special Development Pattern Residential (SR-1), Special Development Pattern Residential (SR-3), Single and Two Family Residential (R-2), Low Density Residential (RMF-30), Moderate Density Residential (RMF-35), Moderate/High Density Residential (RMF-45), High Density (RMF-75), Residential/Business (RB), Residential Mixed Use (RMU-35), Residential Mixed Use (RMU-45), Residential Mixed Use (RMU), Residential Office (RO).

#### Commercial

Neighborhood Commercial (CN), Community Business (CB), Community Shopping (CS), Corridor Commercial (CC), Sugar House Business District (CSHBD), General Commercial (CG), Light Manufacturing (M-1), Heavy Manufacturing (M-2), Central Business (D-1), Downtown Support (D-2), Downtown Warehouse (D-3), Downtown Secondary Central Business (D-4), Gateway Mixed Use (GMU), Research Park (RP), Business Park (BP), Transit Stop Transit Station Area (TSA)

#### **Special Purpose**

Agricultural (AG), Agricultural (AG-2), Agricultural (AG-5), Agricultural (AG-20), Open Space (OS), Public Lands (PL), Public Lands (PL-2), Institutional (I), Urban Institute (UI), Mobile Home Park (MH), Mixed Use (MU), Foothills Protection (FP)

#### **Qualifying provisions:**

- 1. Accessory Buildings: Storage and tool sheds, greenhouses, and hoop houses associated with urban farms are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures and the requirements of the International Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet the requirements of Chapter 8.08 of the Salt Lake City Municipal Code, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable.
- 2. **Riparian Corridor:** Urban farms proposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.
- 3. Storage Requirements: All flammables, pesticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Utah State Department of Agriculture or successor agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.
- 4. **Disposal Requirements**: All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.
- 5. <u>Large Vehicles</u>: No vehicles in excess of five (5) tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.
- 6. **Hours of Operation**: All urban farm related uses shall operate only during daylight hours.
- 7. **Irrigation Systems**. Sufficient irrigation shall be provided to cover all needs of the urban farm. Irrigation systems designed for water conservation such as, but not limited to, hand watering, and drip irrigation are strongly encouraged.
- 8. **Delivery and Pick-up**: In single family and two family zones, delivery and pick-up of products is allowed provided pick-up times are staggered so that only one patron is on site at a time.
- 9. **Parking:** Unless otherwise approved by the Transportation Division, parking for employees, and patrons of the urban farm shall be provided on site, at a rate of two parking stalls per acre with a minimum of one ADA stall, unless within a single family or two family zoning district. All vehicular circulation, staging, and parking shall be on a hard surface.
- 10. On Site Sales and Events: Products produced or grown on urban farms may be donated or sold on site provided the following requirements are met;
  - a) The sales stand may not exceed 100 square feet in size.
  - b) <u>Signs are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55</u> of this ordinance. Signs must be removed immediately following the sale.
  - c) All necessary City business licenses shall be obtained prior to the sale.
  - d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
  - e) The sales stand shall be a non-permanent structure, and must be removed immediately following the sale.

- f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.
- 11. **Fencing:** Fencing of urban farms shall comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.
- 12. **License:** A business license is required for an urban farm. When the urban farm is accessory to a residential use, a home occupation license is required.

In addition to the above referenced changes, in order to allow urban farms as a home occupation, it will be necessary to make the following changes to Chapter 21A.36.030 of the Zoning Ordinance. The changes will allow an individual operating an urban farm as a home occupation to sell produce from the residence. Currently the ordinance does not allow the sale of produce from the residential lot.

**Issue**: Not included in the proposed changes is an amendment to allow hired employees as part of an urban farm home occupation. Staff is requesting that the Planning Commission discuss the option of allowing employees as part of a home occupation, and determine whether or not it would be appropriate. Employees would be allowed at an urban farm that is not part of a home occupation in non residential uses.

Proposed amendments are in red:

#### 21A.36.030: HOME OCCUPATIONS:

- B. Permitted Home Occupations: Subject to compliance with the standards specified in this section, the following occupations, that do not have the client come to the home, shall be permitted as home occupations subject only to approval by the zoning administrator pursuant to subsection H of this section:
  - 1. Artists, illustrators, writers, photographers, editors, drafters, and publishers;
  - 2. Consultants, private investigators, field representatives and other similar activities;
  - 3. Bookkeeping and other similar computer activities;
  - 4. Locksmith;
  - 5. Distribution of products grown or assembled at home for off premises sales (such as garden produce, crafts, etc.);
  - 6. Janitorial services; and
  - 7. Mail order business or sales representative; and
  - 8. <u>Distribution of products grown as part of an urban farm for on or off premise sales (such as garden produce).</u>

#### **COMMUNITY GARDEN**

#### **Definition:**

The proposed definition would replace the current definition found in Chapter 21A.62 of the Zoning Ordinance;

COMMUNITY GARDEN: The exclusive use of a vacant lot for the growing of garden produce by a nonprofit organization in which food produced is consumed by local needy individuals and families.

"Community garden" means an area of land managed and maintained by an individual or group to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, donation, or sale."

Community gardens are a type of garden where the property is owned and managed by an individual or group of individuals where food is grown for personal or group use. These gardens could be housed on a vacant lot, in a person's back yard, or in any open space area. Generally, an individual is assigned a "plot" in the garden for which she is responsible, and receives the benefits of her labors.

Community gardens are very popular it is not uncommon for each to have a waiting list for plots. Further, the gardens are proving to be valuable community gathering spaces as it is not uncommon to find individuals from numerous social and economic backgrounds working side by side toward a common goal.

Each garden is unique in the way it is managed, operated and tended. As a result, staff has worked with various entities, to ensure that the base impacts of the use are mitigated while providing operators with the flexibility necessary to create a vibrant, workable community garden.

**Issue:** The impact of a community garden most likely would be similar to those of an urban farm. Community Gardens would be allowed within most zoning districts in the city. Most issues raised with regard to the gardens are associated with the impacts of the use on adjacent properties. Parking, noise, and activities not relating directly to the gardening use have been notable. Staff is requesting that the Commission review the proposed qualifying provisions and determine whether or not they are sufficient to ensure compliance. Proposed language includes:

#### **Affected Code Sections:**

Section 21A.36 Qualifying Provisions; Section 21A.62 Definitions; and all permitted and conditional use tables.

#### **Permitted Zones:**

#### Residential

Foothill Residential (FR-1), Foothill Residential (FR-2), Foothill Residential (FR-3), Residential (R-1/12,000), Residential (R-1/7,000), Residential (R-1/5,000), Special Development Pattern Residential (SR-1), Special Development Pattern Residential (SR-3), Single and Two Family Residential (R-2), Low Density Residential (RMF-30), Moderate Density Residential (RMF-35), Moderate/High Density Residential (RMF-45), High Density (RMF-75), Residential/Business (RB), Residential Mixed Use (RMU-35), Residential Mixed Use (RMU-45), Residential Mixed Use (RMU), Residential Office (RO).

#### Commercial

Neighborhood Commercial (CN), Community Business (CB), Community Shopping (CS), Corridor Commercial (CC), Sugar House Business District (CSHBD), General Commercial (CG), Light Manufacturing (M-1), Heavy Manufacturing (M-2), Central Business (D-1), Downtown Support (D-2), Downtown Warehouse (D-3), Downtown Secondary Central Business (D-4), Gateway Mixed Use (GMU), Research Park (RP), Business Park (BP), Transit Stop Transit Station Area (TSA)

#### **Special Purpose**

Agricultural (AG), Agricultural (AG-2), Agricultural (AG-5), Agricultural (AG-20), Open Space (OS), Public Lands (PL), Public Lands (PL-2), Institutional (I), Urban Institute (UI), Mobile Home Park (MH), Mixed Use (MU), Foothills Protection (FP)

#### **Qualifying provisions:**

- 1. Accessory Buildings: Storage and tool sheds, greenhouses and hoop houses associated with community gardens are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures and the requirements of the International Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet with the requirements of Chapter 8.08 of the Salt Lake City Municipal Code, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable.
- 2. **Riparian Corridor:** Community gardens proposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.
- 3. <u>Disposal Requirements</u>: All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.
- 4. **Hours of Operation:** In residential zones, community gardens shall operate only during daylight hours.
- 5. Large Vehicles: No vehicles in excess of five (5) tons shall be kept or stored on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.
- 6. **Irrigation:** Sufficient irrigation shall be provided to cover all needs of the community garden. Irrigation systems designed for water conservation such as, but not limited to, hand watering, and drip irrigation are strongly encouraged.
- 7. **Parking:** Unless otherwise required by the Transportation Division, community gardens shall be exempt from the off-street parking requirements of Section 21A.44, Off Street Parking and Loading. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area. Any Onstreet parking is to comply with the existing roadway status.
- 13. On Site Sales and Events: Products produced or grown at community gardens may be donated or sold on site provided the following requirements are met;
  - a) The sales stand may not exceed 100 square feet in size.
  - b) Signs are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs must be removed immediately following the sale.
  - c) All necessary City business licenses shall be obtained prior to the sale.
  - d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
  - e) The sales stand shall be a non-permanent structure, and must be removed immediately following the sale.
  - f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.
- 8. **Fencing**: Fencing of community gardens will comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.

Community garden regulations are currently featured in Chapter 21A.24.010 as well as the Use table in Chapter 21A.24.190. The ordinance amendment discussed above would replace these requirements, and

therefore, staff is requesting that the Commission consider eliminating the following language from the zoning ordinance.

#### **Section 21A.24.010**

- Q. Restrictions On Community Gardens: Community gardens, as specified in section <u>.24.190</u>, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, shall conform to the following regulations:
- 1. The required front yard shall be maintained as a landscape yard consistent with that of residential property in the neighborhood.

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#### SEASONAL FARM STAND

Seasonal farm stands are sales tables or kiosks where food crops are sold away from where the food was grown. Traditionally, they will be seen cropping up along highways during the harvest season. They provide farmers with an alternative revenue source from that of selling to a large broker or market. Seasonal farm stands generally operate during the time of year coinciding with the growing season.

#### **Definition:**

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

"Locally Grown" means food crops and or non-food, ornamental crops, such as flowers that are grown within the state of Utah.

**Issue**: As proposed, seasonal farm stands will not be allowed on smaller residential streets, as a result, the impacts will generally be centered away from residential neighborhoods (not all residential areas will be exempt, as there are residential uses along collector and arterial streets). When reviewed by the Business Advisory Board, concerns were raised with relation to the ability of the farmer to sell a product without first obtaining the necessary permits and approvals from the Department of Agriculture. Staff researched the issue and found that seasonal farm stands are excluded from regulation by the health department provided certain standards are met (mitigating standards are included in the proposed language). See qualifying provisions.

#### **Affected Code Sections:**

Section 21A.36 Qualifying Provisions; Section 21A.62 Definitions; and all permitted and conditional use tables.

#### **Permitted Zones:**

#### Residential

Residential/Business (RB), Residential Mixed Use (RMU-35), Residential Mixed Use (RMU-45), Residential Mixed Use (RMU).

#### **Commercial**

Residential Office (RO), Neighborhood Commercial (CN), Community Business (CB), Community Shopping (CS), Corridor Commercial (CC), Sugar House Business District (CSHBD), General Commercial (CG), Light Manufacturing (M-1), Heavy Manufacturing (M-2), Central Business (D-1), Downtown Support (D-2), Downtown Warehouse (D-3), Downtown Secondary Central Business (D-4), Gateway Mixed Use (GMU),

#### **Special Purpose**

Agricultural (AG), Agricultural (AG-2), Agricultural (AG-5), Agricultural (AG-20), Open Space (OS), Public Lands (PL), Public Lands (PL-2), Institutional (I), Urban Institute (UI), Mobile Home Park (MH), Mixed Use (MU), Foothills Protection (FP), Transit Stop Area (TSA)

#### **Qualifying Provisions:**

- 1. **Location**: A seasonal farm stand shall be located only along City streets designated as "collector" or "arterial" by the city's major street plan. If the stand is located within the public Right-Of-Way a revocable lease agreement from the City is required.
- 2. Parking: Unless approved by the Transportation Division, if the seasonal farm stand is located within an existing parking lot, it shall not remove or encroach upon required parking or loading areas for other uses on the site or impede access to parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area, any On-street parking shall comply with the existing roadway status.

- 3. **Duration**: Seasonal farm stands shall operate only during the intermountain region harvest season.
- 4. **Setback**: Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
- 5. **Size**: A seasonal farm stand may not exceed 100 square feet in size.
- 6. Food Preparation: Food preparation is prohibited at farm stands, including food samples.
- 7. Signs: Signs for a seasonal farm stand are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs are not allowed to be placed more than 50 feet from the stand location
- 8. **Sales:** Food crops and/or non-food, ornamental crops, such as flowers grown locally are allowed to be sold at a seasonal food stand. Prepackaged "shelf stable" foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah State Department of Agriculture facility.
- 9. **Animals**: No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.
- 10. **Garbage**: All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.
- 11. **Storage:** Perishable foods must be stored in a vermin-proof area or container when the facility is closed.

#### **SOLAR ARRAY**

#### **Definition:**

A "solar array" is a principal use of a packaged interconnected assembly of solar cells used to transform solar energy into thermal, chemical, or electrical energy. A solar array uses solar energy for any or all of the following purposes: (1) water heating, (2) space heating or cooling, and (3) power generation.

A solar array is a linked collection of solar panels and cells that in turn are used to generate electric power. These arrays are larger in size and scope to the solar panels used to generate energy for a single family home or small use (They will be addressed in future phases of the sustainability review). Arrays are used to transform solar energy into thermal, chemical and electrical power, are generally attached to the overall electric grid, and power generated by the use is sold to the electric company (Rocky Mountain Power), as part of a net metering agreement.

**Issue**: At issue with solar arrays are the impacts of the solar panels on adjacent properties. Solar arrays are most effective when placed in a large area with direct sunlight. The effectiveness of the arrays diminishes significantly when shaded. Therefore, screening, and other common techniques for mitigating visual impacts are not viable for the arrays. As a result, staff is proposing that they be allowed only in zones where they can be built on large expanses of land, with limited shading and the impacts adjacent uses are limited by distance, scale and type of use.

#### **Affected Code Sections:**

Section 21A.36 Qualifying Provisions; Section 21A.62 Definitions; and all permitted and conditional use tables except residential zones.

#### **Permitted Zones:**

#### Residential

None

#### Commercial

(CG), Light Manufacturing (M-1), Heavy Manufacturing (M-2), Central Business, Research Park (RP), Business Park (BP)

#### **Special Purpose**

Agricultural (AG), Agricultural (AG-2), Agricultural (AG-5), Agricultural (AG-20), Public Lands (PL)

#### **Qualifying Provisions:**

- 1. **Setbacks**: A solar array shall meet all minimum setback requirements for the zone in which it is located. In no case shall a solar array be located less than 6 feet from a property line or other structure.
- 2. **Height**: A solar array shall not exceed 20 feet in height measured from established grade.
- 3. Landscape Buffer: No landscaped buffer yards shall be required on a site with a solar array as a principal use.
- 4. Code Compliance: Solar arrays are subject to review for compliance with all applicable International Building and Electrical Code requirements by the Salt Lake City Building Services Division.
- 5. Solar Easements: Solar easements are not a requirement for City approval; nonetheless, a property owner who has installed or intends to install a solar array may negotiate a solar easement with adjacent property owners to ensure perpetual sun on the property. Any easement agreed upon must be recorded by the County Recorder.
- 6. **Electrical Wires**: All electrical wires associated with a solar array, shall be located underground.
- 7. Nonmaintained Or Abandoned Arrays: The building official may require each nonmaintained or abandoned solar array to be removed from the premises when such a system has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure. The city may require a performance bond or other means of financial assurance to guarantee removal of abandoned structures.
- 8. <u>Utility Inter-Connection</u>: No solar array shall be installed that does not meet the requirements of Rocky Mountain Power for an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- 9. Off-Street Parking and Loading: No additional parking is required for a solar array; however, a solar array may not replace or hinder existing required parking and loading.

#### LARGE WIND ENERGY SYSTEM

#### **Definition:**

A "Large Wind Energy System" is a wind energy conversion system consisting of a wind turbine or group of wind turbines, tower, and associated control or conversion electronics, which has rated capacity of more than 100 kW.

A large wind energy system is one that has a capacity to generate more than 100 Kilowatts of power (The average annual electrical energy consumption of a household in the United States is about 8,900 kilowatt-hours, equivalent to a steady power consumption of about 1 kilowatt, for an entire year). The height of the structures ranges from approximately 60 meters to 90 meters (approximately 200 – 300 feet tall) and the blades range from 20 to 40 meters (65 to 130 ft) in length and rotate at approximately 10 to 22 rotations per minute (at 22 rotations per minute, the tip of the blade is travelling approximately 200 miles per hour).

**Issue**: The primary issue with large wind energy systems is the size and location. In order to operate efficiently, large wind turbines must be located in windy areas. Salt Lake City has very few locations where there is sufficient wind to warrant installation of a turbine, and these locations are generally in residential neighborhoods where the impacts of the towers would be significant. Nonetheless, staff is proposing that they be allowed in zones with no residential uses, and large lot areas that would provide a buffer between uses. As a result, it is unlikely that there will be many large wind energy systems built in the near future, but with the increasing emphasis on finding alternative power sources and the likelihood that technological advances will make windmills viable in less windy areas, it is anticipated that there will be a market for wind energy systems in the proposed zones.

In zones where the impacts are more pronounced, staff is recommending that large wind energy systems be reviewed by the Planning Commission as a conditional use. This will provide policy makers with an opportunity to review and impose conditions of approval to mitigate harmful impacts on adjacent properties.

#### **Affected Code Sections:**

Section 21A.36 Qualifying Provisions; Section 21A.62 Definitions; and all permitted and conditional use tables.

#### Permitted/Conditional Use Zones:

#### Residential

None

#### **Commercial**

#### **Permitted**

Light Manufacturing (M-1), Heavy Manufacturing (M-2)

#### **Conditional**

Research Park (RP), Business Park (BP)

#### Miscellaneous

#### **Permitted**

Institutional (I), Urban Institute (UI) Permitted

#### **Conditional**

Agricultural (AG), Agricultural (AG-2), Agricultural (AG-5), Agricultural (AG-20), Public Lands (PL) Open Space (OS), A, Public Land (PL)

#### **Qualifying Provisions:**

- 1. **Total Height**: The total height of the large wind energy system shall be limited to 90 meters above existing grade or by FAA regulations, whichever dictates a lower height.
- 2. Minimum Lot Size: 2 Acres
- 3. Setbacks: A tower in a large wind energy system must be set back at least 1.25 times its total height from any property boundary, must be within the buildable area of the lot and at least 1.25 times its total height from any overhead utility power line;
- 4. **Noise**: Noise emitted from the large wind energy system shall not exceed maximum sound levels set forth in section 9.28 of the *Salt Lake City Code* (Health and Safety: Noise Control).
- 5. **Blade Clearance**: The vertical distance from existing grade to the tip of a wind generator blade when the blade is at its lowest point must be at least 15 feet.
- 6. **Electrical Wires**: All electrical wires associated with a large wind energy system, other than wires necessary to connect the wind turbine to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
- 7. **Lighting**: Lighting of tower(s) and turbine(s) is prohibited except where required by the Federal Aviation Administration.
- 8. **Appearance, Color, and Finish**: The wind turbine and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- 9. <u>Signs: All signs are prohibited, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind turbine, tower, building, or other associated structure.</u>
- 10. <u>Utility Inter-Connection</u>: No large wind energy system shall be installed that does not meet the requirements of Rocky Mountain Power for an interconnected customer-owned generator. Offgrid systems shall be exempt from this requirement.
- 11. Nonmaintained Or Abandoned Facilities: The building official may require each nonmaintained or abandoned large wind energy system to be removed from the premises at the cost of the owner when such a system has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure. The city may require a performance bond or other means of financial assurance to guarantee removal of abandoned structures.
- 12. Off-Street Parking or Loading Requirements: None. A large wind energy system shall not remove or encroach upon required parking or loading areas for other uses on the site or access to such parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surface.

#### STANDARDS FOR GENERAL AMENDMENTS

A decision to amend the text of the Zoning Ordinance or the Zoning Map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

**Discussion:** The promoting sustainability is a priority in Salt Lake City, and is addressed, or is scheduled to be addressed in all master plan documents in the City. The proposed Ordinance amendments are written to mitigate issues in potentially high-impact districts, while enabling sustainable uses in the various zones throughout the City.

**Finding:** The proposed text change is consistent with adopted master plans.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.

**Analysis**: Chapter 21A.02.030: of the Zoning Ordinance states:

#### "PURPOSE AND INTENT:

The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes. This title is, in addition, intended to:

- a. Lessen congestion in the streets or roads;
- b. Secure safety from fire and other dangers;
- c. Provide adequate light and air;
- d. Classify land uses and distribute land development and utilization;
- e. Protect the tax base:
- f. Secure economy in governmental expenditures;
- g. Foster the city's industrial, business and residential development; and
- h. Protect the environment. (Ord. 26-95 § 2(1-3), 1995)"

The proposed changes to the ordinance will further the purpose statement of the Zoning Ordinance by enabling urban agriculture and alternative energy systems in various zones throughout the City. Specifically these uses are consistent with intent statements c, d, e, g and h. By enabling the uses, individuals will be able to work more efficiently in community gardens and sell locally grown foods and products thereby lessening the need for imported foods and reducing the environmental impacts from transportation, air pollution etc. Amendments allowing renewable energy sources will enable citizens to create new sources of energy while lessening overall dependence on fossil fuels, which also decreases air pollution.

The qualifying provisions for each use are designed to protect citizens from harmful impacts and to further foster responsible application of the uses while providing decision makers with an opportunity to mitigate impacts through the conditional use process (large wind energy systems). These modifications create qualifying provisions that will facilitate mitigation of adverse impacts on neighboring property owners and will clarify sections of the ordinance that were not clear or concise.

**Finding**: Staff finds that the proposed changes to the Zoning Ordinance are consistent with the overall purpose of the Zoning Ordinance as stated in Chapter 21A.02.030.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.

**Discussion:** The proposed text amendment is not site specific, and is not associated with any overlay zoning districts. Where a particular installation is within an overlay zoning district, any applicable regulations must be met.

**Finding:** The proposed text amendment meets this standard.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

**Discussion**: The proposed text amendments mirror current trends in community sustainability, by providing alternatives for renewable energy and food production systems. These amendments will update planning practices that create and maintain efficient infrastructure, foster close-knit neighborhoods, a sense of community, and preserve natural habitat.

**Finding**: The proposed text amendment implements the best current practices in urban planning and design.

## DRAFT USE TABLE URBAN FARM

												Reside	Residential Zones	nes											
Use	T-843	AND LINE STORY	FR-2	F.83	R-1/12,000		000,7\r-A	8-1\2'000		r-us	Z-8S	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	E-8S	7-8		0E-4MR	8MF-35		8MF-45	RMF-75	88		SE-UM-9	R-MU-45	R-MU
URBAN FARM	_	۵	۵	٩		ď	٥		۵۰	_	6		۵		۵	۵		۵	۵			۵	۵	a.	
Definition:												Commi	Commercial Zones	Sauc		-			ŀ					-	
"An Urban Farm" is a farm where agricultural products are cultivated, processed and distributed in or around a residential or commercial area. Urban	OR		СИ		cei		20	CZHBDi	9	THE WEST	2C-2T		T-W	Z-W		I-a	Z-Q	ATRICAGO ATR	€-0	<b>\$</b> -0	G-MU		48	Вр	£6
farming includes income earning or food producing activites for profit.	۵	۵		α.	۵.		۵.	۵	۵.			۵.		۵	۵.		۵	_		۵.	۵	۵.			اء
											S	Special Purpose Zones	urpose	Zones		1									and the second
	9∀	Control of	Z-9A	<b>₹-9</b> ∀	02-9∀		so so	SON		<b>V</b>	Πd		br-5			ın	HW	Tally solds Transports Transports	<b>[3</b> ]	UM	AST			CHESTON CHESTON	
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	Oualifing																								
	Quanting.  1. Accessory Buildings: Storage and tool sheds, greenhouses, and hoop houses associated with urban farms are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures and the requirements of Chapter 8.08 requirements and Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet the requirements of Chapter 8.08 and the subject of the subject of the adopted Building Code, when applicable.	ry Buildii nts of the	ngs: Stor e Interna	rage and itional B	tool she uilding C	ds, gre ode. St	enhous ructure	es, and h	oop hous s coops a	nd pens,	iated wir associat	th urban ted with to the p	farms the kee	are suk sping a	ect to nd raisi f the a	the sta ng of a dopted	ndards nimals, Buildin	in Chapt livestod 5 Code, 1	er 21A.4 , and po	0, Access ultry mu plicable.	ony Uses, st meet th	Buildings e require	and Stru ments of	ctures a Chapte	nd the r 8.08
	2. Riparian Corridors and responses in many as defined in Section 214.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.  2. Riparian Corridors protosed in a manables, pesticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Urah State Department of Agriculture or successor agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings. All chemical application should be applied by a licensed sprayer.	Corrido Ibles, Pes agency. A	or: Urbar sticides a At a mini stored in	n farms g and Ferti mum, ar	proposed ilizers: Al ny area w	Jin a ri Il flamr vhere s sticide	parian c nables, uch mat	orridor, i pesticide terials an ical fertil	as define se and fer e stored izers or o	d in Sect tilizers s shall hav	ion 21A.: hall be si e a conti ardous n	34.130 c tored in inuous c naterials	of the Za accordi concrete s shall b	ance w floor a	ordinan ith the and lip	ce shal regulat which i de of b	be subjours of stall en	the Unification	i rules a orm Fire contain mical a	nd regula Code and one hund	n Cordination Design and the proposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.  Location Designation or inputs and pertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Urah State Department of Agriculture or agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contrain one hundred and ten percent (110%) of the volume materials are stored shall have a continuous concrete floor and lip which is tall enough to contrain one hundred and ten percent (110%) of the volume materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings. All chemical application should be applied by a licensed sprayer.	ein. te Depart en percen e applied	ment of t (110%) by a licen	Agriculti of the v sed spra	ure or olume ayer.
	4. Disposal Requirements: All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.  5. Large Vehicles: No vehicles in excess of five (5) tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.	I Require ehicles: P e with a g	ements: Vo vehici grading p	All flam les in ext permit is	mables, cess of fir	pestici ve (5) t the City	des, fert ons shal , Buildir	ilizers ar II be kepi ig Service	nd other I t, stored es Divisio	hazardou or parkei n.	s wastes d on the	s should propert	be disp y, excep	osed o	faccon such ve	ding to	Federal may be	and Sta on the p	te requii roperty	ements. as necess	ary for co	mpletion	of gradin	g perfor	med in
	6. Hours of Operation: All urban farm related uses shall operate only during daylight hours. 7. Irrigation Systems. Sufficient irrigation shall be provided to cover all needs of the urban farm. Irrigation systems dissigned for water conservation such as, but not limited to, hand watering, and drip 7. Irrigation Systems. Sufficient irrigation shall be provided to cover all needs of the urban farm. Irrigation systems dissigned for water conservation such as, but not limited to, hand watering, and drip	f Operat in Systen	ion: All ns. Suffic	urban fa tient irri	irm relati gation sh	ed use	shall o	perate or i to cove	nly durinį r all need	g dayligh Is of the	t hours. urban fa	ım. Iri	gation s	ystems	design	ed for	watero	onservat	ion such	as, but r	ot limited	to, hand	watering	, and dr	<u>o</u> .
	irrigation are strongly encouraged.  8. Delinery and Pick-up: In single family and two family zones, delivery and pick-up of products is allowed provided pick-up times are staggered so that one patron is on site at a time.  9. Parking uses otherwise required by the Transportation Division, parking for employees, and patrons of the urban farm shall be provided on site, at a rate of two parking stalls per acre with a minimum of one ADA stall, unless within a single family or two family zoning district. All vehicular circulation, staging, and parking shall be on a hard surface.  10. On Site Sales and Events: Products produced or grown on urban farms may be donated or sold on site provided the following requirements are met;	y and Pic y and Pic :: Unless A stail, ur	gly enco k-up: In otherwi. nless wit nd Event	uraged. single fi se requit hin a sin s: Produ	amily and red by th igle famil ucts proc	d two fine Trans Iy or tw Juced o	amily zo sportatii o family r grown	on Division on Division or zoning	very and on, parkii district.	pick-up ng for en All vehict nay be d	of produ aployees alar circu	icts is all s, and parallation, s or sold o	owed p trons of staging,	rovider f the ur and pa	d pick-u ban far irking si d the fc	p time m shal hall be slowing	s are sta l be pro on a ha g requir	iggered vided on rd surfac	so that c site, at e. are met;	ne patro a rate of	n is on site two parkir	e at a time ig stalls p	er acre w	ith a mi	nimum
	a) The sales stand may not exceed 100 square feet in size.  (b) Signs are allowed as temporary portable signs subject to the regulations in Chapter 2.1A.46.55 of this ordinance. Signs must be removed immediately following the sale.  (c) All necessary City business licenses shall be obtained prior to the sale.  (d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.	es stand i re allowe issary Citi ands mus	may not id as tem y busine st be set	exceed: porary f ss licens back a m	100 squa portable: es shail k	signs si be obta	in size. abject to ined pri eet fron	o the reg or to the n the ede	ulations i sale. ge of pav	in Chapte	er 21A-46	6.55 of t	his ordi	nance.	Signs	nust be	remov	ed imme	diately	following	the sale.				
	<ul> <li>e) The sales stand shall be a non-permanent structure, and must be removed inmediately following the sale.</li> <li>f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.</li> </ul>	es stand.	shall be must be	a non-pt	ermanen. In a verm	t struct nin-pro	ure, an of area	or contai	ner wher	the faci	lifty is clo	ollowing osed.	ne sa	กั											
	11. Fending: Fencing of urban farms shall comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges. 12. Licence: A business license is required for an urban farm. When the urban farm is accessory to a residential use, a home occupation license is required.	ig: Fenci e: A busir	ing of urt	ban farm nse is re	s shall co	omply v	with the ban fan	standar m. When	ds in Seci	tion 21A. an farm	40.120, is access	Regulati ory to a	ion of Fu	ences, ttial use	Walls, 2	and Het	iges. Ipation	license i	s require	ý					

# DRAFT USE TABLE Community Garden

									Resident	Residential Zones								
Use	1-8-1	Z-134	FR-3	R-1/12,000	000,7\t-A	000'S/T-8	T-us	z-us	E-8S	Z-8	RMF-30	RMF-35	KMF-45	RMF-75	ВВ	se-nw-8	R-WU-45	R-MU
COMMUNITY GARDEN	۵	۵	۵	۵	۵	Ь	۵		Ь	а	Ь	۵	۵	۵	۵	d.	۵	Д
Definition:									Commer	Commercial Zones								
"Community garden" means an area of land managed and maintained by an individual or group to grow and harvest fond cross and/or non-food	ОЯ	CA	СВ	CZĮ	55	сгнвр,	90	ZC-72	T-W	Z-W	Ţ- <b>0</b>	Z- <b>G</b>	€-d	<b>b-0</b>	nw-9	В	ВР	d∃
ornamental crops, such as flowers,	_	۵.	۵	۵	۵	Ь	۵	۵	۵	۵	۵	۵	۵	۵	۵	۵	۵	۵
for personal or group use,									Special Pur	Special Purpose Zones	16							
consumption, donation, or sale.	ЭV	7-9∀	¥6-5	VG-50	SO	SON	٧	7d	Z-1d		in	HW	13	NW				
	۵	۵	۵.	a.	۵			Ь	А	а	۵	۵.		Ь				
	1. Accessory Buildings: Storage and tool sheds, greenhouses and hoop houses associated with community gardens are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures and the requirements of the International Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet with the requirements of the latestock, and poultry must meet with the requirements of the adopted Building Code, when applicable.  2. Riparian Corridor: Community gardens proposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.  3. Disposal Requirements:  4. Hours of Operation: In residential zones, community gardens shall be eated on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City Building Services Division.  5. Irage Vehicles irrigation shall be provided to cover all needs of the community gardens shall be exempt from the off-street parking requirements of Section 21A.44, Off Street Parking and Loading. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area. Any on-street parking is to comply with the existing roadway status.  8. On Site Sales and Events: Products from community gardens may be donated or sold on site provided the following requirements are met;	Puildings uirements of the Sal Soft the Sal Corridor: (Corridor: Coperation: Operation: victes: No v. victes: No v	Storage ar of the Intern the Lake City I Community ints: All flat in residen rehicles in er ling permit irrigation sl ancouraged erwise requ raging, and I	nd tool shed: national Buil Municipal C gardens pro mmables, pe tial zones, cx ccess of five issued by th hall be provi ired by the?	sds, greenhouses and hoop houses uniding Code. Structures, such as α Code, Keeping Animals, Livestock, roposed in a riparian corridor, as d pesticides, fertilizers and other haz community gardens shall operate ve (5) tons shall be kept or stored the City Building Services Division. And the City Building Services Division, owided to cover all needs of the core Transportation Division, community gardens may be donat community gardens may be donat	ses and ho structures, s Animals, l Animals, liparian cor piparian cor tilizers and ardens sha ardens sha argens cor all needs on Division on Division e on a harmurdens may	op houses : such as cox Livestock, a ridor, as de ridor, as de other haze other haze ill operate c or stored on stored on of the com	ds, greenhouses and hoop houses associated with commilding Code. Structures, such as coops and pens, associat Code, Keeping Animals, Livestock, and Poultry and are su coposed in a riparian corridor, as defined in Section 21As sesticities, fertilizers and other hazardous wastes should community gardizers shall operate during daylight hours. (5) tons shall be kept or stored on the property, except the City Building Services Division.  The City Building Services Division.  Trigared to cover all needs of the community gardens. Irrigare Transportation Division, community gardens shall be expovided shall be on a hard surfaced area. Any on-street povided shall be on a hard surfaced area. Any on-street provided shall be on a hard surfaced area.	ith commu s, associate and are subj tion 21A.34 as should be th hours. ty, except t len. Irrigati anall be exei	nity garden d with the I act to the rect to the rect to the rect to the ridsposed it disposed to no systems on systems in pt from the riding is to color at the folloned the folloned with the rection and the folloned with the rection rections and the folloned with the rection rections and the folloned with the rections with the rections and the rections with the rection with	tiding Code. Structures, such as associated with community gardens are subject to the standards in Chapte uilding Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock Code, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Croposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State require community gardens shall operate during daylight hours.  (e) Inon shall be kept or stored on the property, except that such vehicles may be on the property as neces the City Building Services Division.  En Transportation Division, community gardens. Irrigation systems designed for water conservation such as e Transportation Division, community gardens shall be exempt from the off-street parking requirements of Serviced shall be on a hard surfaced area. Any on-street parking is to comply with the existing roadway status, community gardens may be donated or sold on site provided the following requirements are met:	to the stain raising of a softhe add nance shall to Federal to Federal reaction the pure parking recomparking recomparking recomparking recomparking recomparking recomparking recomparking recomparking recomparking recompared to the existing recompared to the existence of the existing recompared to the existence of the exis	ndands in Cl nimals, live ppted Buildi be subject and State rr roperty as r servation s quirements roadway st met;	1. Accessory Buildings: Storage and tool sheds, greenhouses and hoop houses associated with community gardens are subject to the standards in Chapter 21A.40, Accessory and the requirements of the international Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must man the requirements of the international Building Code. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must man chapter 8.08 of the Salt Lake City Municipal Code, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable.  2. Riparian Corridor: Community gardens proposed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations.  3. Disposal Requirements: All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.  4. Hours of Operation: In residential zones, community gardens shall operate during daylight hours.  5. Large Vehicles: No vehicles in excess of five (5) tons shall be kept or stored on the property, except that such vehicles may be on the property as necessary for completion of accordance with a grading permit issued by the City Building Services Division.  6. Irrigation strongly encouraged.  7. Parking: Unless otherwise required by the Transportation Division, community gardens shall be exempt from the off-street parking requirements of Section 21A.44, Off Stree vehicular circulation, staging, and parking provided shall be on a hard surfaced area. Any on-street parking is to comply with the existing roadway status.	10, Accessor oultry must ten applicab and regulatic	y Uses, Builk meet with t le. ons therein. of grading   o, hand wat	lings and St. he requirent performed i ering, and d	n n n rip rip All
	a) The sales stand may not exceed 100 square feet in size. b) Signs are allowed as temporary portable signs subject to the regulation of All necessary City business licenses shall be obtained prior to the sale. d) Sales stands must be setback a minimum of 10 feet from the edge of fe) The sales stands shall be a non-permanent structure, and must be remit) Perishable foods must be stored in a vermin-proof area or container with Perishable foods must be stored in a vermin-proof area or container with Perishable foods must be stored in a vermin-proof area or container with Perishable foods must be stored in a vermin-proof area or container with Perishable foods must be stored in a vermin-proof area or container with Periong of community gardens will comply with the standar	stand may allowed as sary City br nds must b stand shal e foods mu	r not exceed stemporary stemporary usiness licen e setback a l be a non-p st be stored community.	1100 square portable signess shall be minimum of minimum of remanent si in a vermin fina vermin figardens wi	feet in size. gns subject t obtained pr f 10 feet froi tructure, ani r-proof area	the reguion to the sion to the sion to the sion the edge of must be or contain the star	aale. sof paveme removed in er when thi	a) The sales stand may not exceed 100 square feet in size. b) Signs are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordin c) All necessary City business licenses shall be obtained prior to the sale. d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street. d) The sales stand shall be a non-permanent structure, and must be removed immediately following the sale. f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed. 9. Fencing: Fencing of community gardens will comply with the standards in Section 21A.40.120, Regulation	46.55 of thii street. 'ollowing th losed. 0.120, Regu	s ordinance e sale. lation of Fe	<ul> <li>a) The sales stand may not exceed 100 square feet in size.</li> <li>b) Signs are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs must be removed All necessary City business licenses shall be obtained prior to the sale.</li> <li>d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.</li> <li>e) The sales stand shall be a non-permanent structure, and must be removed immediately following the sale.</li> <li>f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.</li> <li>g. Fencing of community gardens will comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.</li> </ul>	t be remove and Hedge	ed immedia	a) The sales stand may not exceed 100 square feet in size. b) Signs are allowed as temporary portable signs subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs must be removed immediately following the sale. c) All necessary City business itenses shall be obtained prior to the sale. c) All necessary City business itenses shall be obtained prior to the sale. e) The sales stands must be setback a minimum of 10 feet from the edge of pavement of City street. e) The sales stands shall be a non-permanent structure, and must be removed immediately following the sale. f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed. 9. Fencing: Fencing of community gardens will comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.	g the sale.			

# DRAFT USE TABLE Seasonal Farm Stand

z- <b>ม</b> ร t-มร	Commercial Zones	M-17 LC-22 CCHBD,	d d	Special Purpose Zones	Z-1d	д д д	Qualifing:  1. Location: A seasonal farm stand shall be located only along City streets designated as "collector" or "arterial" by the city's major street plan. If the stand is located within the public Right-Of-Way a	revocable lease agreement from the City is required.  2. Parking: Unless approved by the Transportation Division, if the seasonal farm stand is located within an existing parking lot, it shall not remove or encroach upon required parking or loading areas for other uses on the site or impede access to parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area, any On-street parking shall comply with the	3. Duration: Seasonal farm stands shall operate only during the intermountain region harvest season.	4. Setback: Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.	5. Size: A seasonal rarm stand may not exceed too squale neet in size. C East Bosonantion: End preparation is prohibited at farm stands including food samples	o. Food reparation: Took preparation is promotived at family seniors, measuring the regulations in Chapter 21A,46.55 of this ordinance. Signs are not allowed to be placed more than 50 feet.		8. Sales: Food crops and/or non-food, ornamental crops, such as flowers grown locally are allowed to be sold at a seasonal food stand. Prepackaged "shelf stable" foods produced in close proximity to the	are fully labeled and produced in an approved health department or Utah State Department of Agriculture facility	9. Animals: No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service
R-1/12,000		cz,	۵		OZ-9V	Ь	all be located only	rty is required. Insportation Divisio is to parking or load	Il operate only dur	4. Setback: Seasonal farm stands must be setback a minimum of 10 fe	t exceed 100 squar	nd are allowed as t		ornamental crops,	led they are fully la	owl shall be kept or
E-8-3		СВ	۵		\$-9∀	۵	nal farm stand sha	revocable lease agreement from the City is required.  2. Parking: Unless approved by the Transportation D other uses on the site or impede access to parking or	al farm stands sha	farm stands mus	arm stand may no	seasonal farm star	ion	and/or non-food,	farm stand may be sold as well, provided they	9. Animals: No live animals, birds, or fowl shal
FR-1		CN	۵		Z-9∀ 9V	d	Qualifing: 1. Location: A seasor	cable lease agre irking: Unless ap r uses on the situ	uration: Season:	tback: Seasona	ze: A seasonal r.	ou rreparation ens: Signs for a s	from the stand location	les: Food crops	stand may be su	nimals: No live a

# DRAFT USE TABLE Solar Array

										Resid	Residential Zones	sauc									
Use	T-8:	FR-2	E-84	R-1/12,000		000'L/T-8	000'S/T-8	T-88	Z-AS		SR-3	Z-8	RMF-30	RMF-35		KMF-42	ги-эмя	88	R-MU-35	R-MU-45	
SOLAR ARRAY																	_				
Definition:										Comu	Commercial Zones	ones									
A "solar array" is a principal use of a packaged interconnected assembly of solar cells used to transform solar energy into thermal, chemical, or electrical	ON	NO.	CB	,so		ဘ	санвр,		52-01		T-W	Z-W	T-O		D-5	D-3	<b>t</b> -d	e-Mu	ВР	8b	
energy. A solar array uses solar energy								۵.		۵.		۵.						۵.	Ь	Д	
for any or all of the following purposes:										Special	Special Purpose Zones	Zones									
(1) water heating (2) space heating or cooling, and (3) power generation.	ĐΨ	Z-9 <b>A</b>	S-9A	0Z-99∀	CORE MERCOLE MINIORET CON MARKETON CONTROL	so	SON	¥	br.		Z-7d	Open and Use	in		нм	is is	UM	AST			
	a	_						۵	۵			۵.			_		_				
·	Qualifing Provisions:  1. Setbacks: A solar array shall meet all minimum setback requirements for the zone in which it is located. In no case shall a solar array be located less than 6 feet from a property line or other structure.  2. Height: A solar array shall meet all minimum setback requirements for the zone in which it is located. In no case shall a solar array be located less than 6 feet from a property line or other structure.  3. Landscape Buffer: No landscaped buffer yards shall be required on a site with a solar array as a principal use.  4. Code Compliance: Solar arrays are subject or compliance with a solar array as a principal use.  5. Solar Easements: Solar array may negutienent for City approval; nonetheless, a property owner who has installed or intends to install a solar array may negotiate a solar easement with adjacent property owners to ensure perpetual sun on the property. Any easement agreed upon must be recorded by the County Recorder.  6. Electrical Wires: All electrical wires associated with a solar array, shall be located underground.  7. Nonmaintained Or Abandoned Arrays: The building official may require each nonmaintained or abandoned solar array to be removed from the premises when such a system has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure. The City may require a performance bond or other means of financial assurance to guarantee removal of abandoned structures. Control or person receiving benefit of such structure and performance bond or other means of financial assurance to guarantee removal of abandoned structures.  8. Utility Inter-Connection: No solar array shall be installed that does not meet the requirements of Rocky Mountain Power for an interconnected customer-owned generator. Off-grid systems shall be exempt.	ons:  larary sh fer: No la fer: No la fer: Solar ts: Solar ts: Solar ts: Solar do Abal wher, per receiving	shall me all not e a seme e a seme e seme e perpetu : perpetu rirical wii rirical wii son havii s the ben ii No sols ii No sols ii no sols ii no sols ii sun sala ii sun sols ii sun soli sun	xceed 201 do buffer y do buffe	minimum setback requirements for the zone in whit 20 feet in height measured from established grade. Feryards shall be required on a site with a solar arrabilector review for compilance with all applicable in end a requirement for City approval; nonetheless, no on the property. Any easement agreed upon must sociared with a solar array, shall be located undergres. The building official may require each nonmainta nitrol or person receiving benefit of such structure. The City may require a performancy shall be installed that does not meet the requiren	ack requi	rements red from a self on a self of the self of t	for the ze in establish in establish in establish in establish or roval; not ragreed in be locate be locate ire each not of such se quire a pet the timeet the contract in the contract in the establish in or such se in each not the establish in each the the establish in each the establi	none in wh hed grade solar arrivation to policable in netheless, upon mus ed underg sonmainta structure v erforman	ich it is lo e ay as a pr ay as a pr riternatio e a proper st be reco round. ained or a within thii ce bond or	incated. Ir incipal u nal Build ty owner inded by i handone ty (30) c or other r	n no case se. se. ing and E rwho has the Couri all all all all all all all all all al	shall a so shall a so lectrical C installed ty Record rray to be lays after financial ower for	iar array bode requi ode requi or intend ar. removed notice of notice of an intercc	e located le located le control by to install from the pronomainte to guaraminnected connected c	ess than 6 ess than 6 rthe Salt L a solar arri remises w nance or a ce remov	feet fron ake City E sy may no hen such bandonn al of abar wned ger	n a prope Suilding S egotiate 2 egotiate 2 n a system nent is giv idoned st	rty line or rty line or solar eas solar eas has not l	other struvision.  wision.  eement wit  eement cepai  cowner, pe	icture.  h adjacer red or pur rrson havi
	from this requirement.  9. Off-Street Parking and Loading: No additional parking is required for a solar array; however, a solar array may not replace or hinder existing required parking and loading.	ment. üng and l	oading	No addit	ional parki	ng is regu	ired for	a solar ar	rray; howe	ever, a so	lar array	may not	replace o	- hinder e	dsting requ	ired parki	ol pue gu	ading.			

# DRAFT USE TABLE Wind Energy System

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											Resid	Residential Zones	ies					ŀ			-		-	-	
Use	т-83	F8-2		F-83	000,21\1-A	000,7\£-Я		000's/t-a	T-88	Z-8S		E-HS	Z-8	RMF-30		RMF-35	RMF-45	RMF-75	88		R-MU-35	R-MU-45	CF-OW-V	R-MU	2471-224-2779
LARGE WIND ENERGY SYSTEM																					-		_	ĺ	
Definition:											Comu	Commercial Zones	nes			100						2000			
A "Large Wind Energy System" is a wind energy conversion system consisting of a wind turbine or group	ОЯ	СИ		СВ	C2i		30	санвр	90	SZ-OT		T-W	Z-W	T-O		z-a	D-3	<b>b</b> -0	e-wn		ЯЯ		48	Łb	755 C 1597 <b></b>
of wind turbines, tower, and associated control or conversion													۵							U		U			
electronics, which has rated capacity				1							Special	Special Purpose Zones	Zones												
of more than 100 kW.	ĐΨ	Z-9∀		⊊-5∀	0Z-9∀	Television (constitution (cons	SO	SON	٧	Jd	74.74.44.11.11.11.11.11.11.11	Z-1d	-025 02-1223 -025 02-1223 -025 02-1223 -025 02-1223	In		нМ	: (	UM	AST				State Control		35, 010581
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	Qualifing Provisions:	rovisions:																							
	Total He     Minimus     Setback     total heigh     Noise: Noise:	<ol> <li>Total Height: The total height of the large wind energy system shall be limited to 90 meters above existing grade or by FAA regulations, whichever dictates a lower height.</li> <li>Minimum Lot Size: 2 Acres</li> <li>Setbacks: A tower in a large wind energy system must be set back at least 1.25 times its total height from any property boundary, must be within the buildable area of the lot and at least 1.25 times its total height from any overhead utility power line.</li> <li>Noise emitted from the large wind energy system shall not exceed maximum sound levels set forth in section 9.28 of the Salt Lake City Code (Health and Safety: Noise Control).</li> </ol>	otal he 2 Acre in a larg overhe ed fron	ight of s ge wing ad util	the large d energy s lity power arge wind	wind ener system mu: line.	gy system st be set ba	shall be ack at le not exc	limited t	to 90 me times it	ters abov s total hei und level	ve existing ight from is set forth	rgrade o any prop	r by FAA serty bor on 9.28	regulatio undary, m of the Salt	ns, whiche ust be witl Lake City	wer dict nin the b Code (H	ates a lov vuildable ealth and	wer heigl area of t d Safety:	ht. the lot a Noise C	nd at le ontrol).	ast 1.2	5 time	žī	
	5. Blade Cl 6. Electrica	5. Blade Clearance: The vertical distance from existing grade to the tip of a wind generator blade when the blade is at its lowest point must be at least 15 feet. 6. Electrical Wires: All electrical wires associated with a large wind energy system, other than wires necessary to connect the wind turbine to the tower wiring, the tower wiring to the disconnect junction has and the grounding wires shall be located underground.	he vert I electri	ical dis ical wir	stance fro res associ be locate	im existing ated with a	grade to the large wine	ne tip of d energ	f a wind { ;y system	generato , other t	or blade w .han wires	vhen the b s necessar	olade is a ry to con	it its low	est point	nust be at ine to the	least 15 tower v	feet. viring, th	e tower	wiring t	o the di	sconne	ct junc	tion	
	7. Lighting 8. Appeara 10. Utility	7. Lighting: Lighting of tower(s) and turbine(s) is prohibited except where required by the Federal Aviation Administration. 8. Appearance, Color, and Finish: The wind turbine and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer. 10. Utility Inter-Connection: No large wind energy system shall be installed that does not meet the requirements of Rocky Mountain Power for an interconnected customer-owned generator. Off-grid	f towe and F ection	r(s) an inish: : No la	d turbine The wind	(s) is prohil turbine an energy syst	bited excer d tower sh tem shall b	ot where all rema e instal	e require sin paint led that	ed by the ed or fin does not	Federal A ished the meet the	Aviation A color or fi e requiren	dministr inish tha nents of	ation. It was or Rocky M	iginally ap Iountain P	plied by th	ie manu' in interc	facturer. onnecte	d custom	ier-own	ed gene	rator. (	Off-gri	73	
	11. Nonma shouth a syst abandonm removal of	11. Nonmaintained Or Abandoned Facilities: The building official may require each nonmaintained or abandoned large wind energy system to be removed from the premises at the cost of the owner when such a system has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or such a system has not been repaired or put into use by the owner, person having control or person receiving the benefit of such structure. The City may require a performance bond or other means of financial assurance to guarantee removal of abandoned structures.	npt fro  Or Abar  t been  n to the  d struc	m this ndone repair cowne	requirem d Facilitie ed or put er, person	ient. s:: The buili into use by having cor	ding officia / the owne ntrol or per	l may re r, perso rson rec	equire ea n having æiving th	ach nonn control	naintaine or persor it of such	d or aband n receiving structure.	doned la g benefit . The City	rge wind of such y may re	d energy s structure quire a pe	stem to b within thir rformance	e remov ty (30) c bond o	ed from alendar r other n	the pren days afte neans of	nises at er notice financia	the cos of non al assura	t of the mainte ince to	owne nance guara	r wher or ntee	
	12. Off-Str or loading	12. Off-Street Parking or Loading Requirements: None. A large wind energy system shall not remove or encroach upon required parking or loading areas for other uses on the site or access to such parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surface.	g or Lo ehicula	ading I	Requirem Ilation, sta	nents: Non aging, and	e. A large	wind en	ergy syst	tem sha	I not rem	ove or end	croach u	pon req	uired park	ing or load	ling area	is for oth	sec nses o	on the s	ite or a	cess to	such	parkin	60

## Attachment B

**Public Comment** 

From: Bentley, Alene [mailto:Alene.Bentley@PacifiCorp.com]

Sent: Monday, May 17, 2010 5:37 PM

To: Coffey, Cheri

Cc: Milliner, Ray; Stewart, Casey

Subject: RE: Sustainability Code Revisions

#### Cheri,

Thanks for giving Rocky Mountain Power an opportunity to offer input. It's critical for customers to understand the requirements of a generation project up-front so it's designed and installed properly.

We suggest that the wind spec should include the same code compliance provision as the solar array spec. It would also be helpful to specifically state that installations must meet electric utility clearance requirements (even though it's implied through state law and National Electric Safety Code requirements), especially since these installations, which generate electric power, could be interpreted as synonymous with electric utility facilities.

Alene

Alene E. Bentley Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, UT 84111 801.220.4437 (office) 801.910.6527 (cell) 801.220.3116 (fax)

From: James Bennett [mailto:JBennett@slco.org]

Sent: Tuesday, May 11, 2010 12:11 PM

To: Coffey, Cheri; Milliner, Ray

Subject: RE: Sustainability Code Revisions

I have read through the tables as have been sent, we do have some recommended changes. At this time we are gathering the correct information from our contacts and will forward that information to you shortly. In many of the references that you refer back to the Health Department, the appropriate agency should be the State Department of Agriculture. We do also have some concerns relating to the noise standards and believe it would be more prudent to make these references back to the specific City noise code section rather than listing a specific measurement. If it is left as a specific measurement, it would make it a mess to have to go back at a later date to change each specific standard if the noise code is amended, as our Department is currently considering.

#### **Thanks**

James F. Bennett, LEHS
Environmental Health Compliance Officer
Salt Lake Valley Health Department
788 E Woodoak Lane
Murray, UT 84107
Voice:801-313-6668
Fax: 801-313-6669

Email: jbennett@slco.org

www.slvhealth.org

From: Williams, Jeff - Salt Lake City, UT [jeff.williams@ut.usda.gov]

Sent: Monday, December 21, 2009 10:30 AM

To: Coffey, Cheri

Subject: Sustainability Code Revision: Urban Agricutlre

Name: Jeff Williams

Address: 125 South State St., Ste 4402, Salt Lake City, UT 84138

Phone: 801-524-4254

E-Mail: jeff.williams@ut.usda.gov

Comments: Urban Agriculture: General Questions:

- 1. All zoning districts consistent with such uses
- a. Applied through out city with priority areas identified through community input. Consider a pledge of participation from majority of citizens impacted.
- b. Should be allowed and encouraged on public properties as supported by local community.
- c. Should be allowed and encouraged on institutional spaces, consider providing incentives to reward such behavior.
- 2. Difinitions: CSA should include food and non-food products grown locally.
- 3. Sale of products grown from each individual garden should be allowed and encouraged.

#### 4. Impacts:

- a. Traffic should be mitigated through creative partnerships with local businesse or residents, again with input from impacted locals residents.
  - b. ibid.
- c. Noise should be carefully monitored and strictly enforced. Urban agriclture should produce limited, localized and seasonal noise impacts that can be mitigated effectively.
- d. Fugitive dust may be an impact of short duration. Chemical application should be applied by a licensed sprayer. Compost may be most acceptable to neighbors in self-contained barrels.

Thanks for allowing me to provide feedback on this important subject. Please let me know if I can provide further assistance.

Jeff Williams, RC&D Coordinator NRCS Wallace F. Bennett Federal Building 125 South State Street, Room 4402 Salt Lake City, UT 84138-1100

phone: (801)524-4254 fax: (801)524-4593 cell: (801)557-0521

www.greatsaltlakercd.org and now

www.csautah.org

"Money often costs too much". Emerson Mayor's Office and Planning Commission:

As a resident of Salt Lake City, I am privileged to comment on a proposed "Urban Farming" ordinance from two perspectives. First, as a grower of vegetables for market. And second, as the organizer of People's Market, a local artisan & farmer's market who specializes in featuring small, urban growers.

Though urban farming has been popular for several thousand years, the recent media focus on the topic makes it a natural target for increased regulation. But frankly, there aren't very many urban farmers out there to be regulated. My fear is that by creating the unnecessary regulations, you will scare away any potential urban growers before they even get started. So my strong recommendation is to wait a year before doing anything to see if this fad blows over or becomes an important part of our way of life.

Outlining "Urban Farming" as a permitted use is good for neighborhoods and good for people considering farming as an occupation or for supplemental income. However, the proposed "Urban Farming" ordinance in its current form (from staff report #PLNPCM2009-01337 dated

6/23/2010) contains both good and bad regulation. The following is a list of points to consider when drafting a better ordinance.

- The definition of "Urban Farming" the proposed ordinance is overly broad and could potentially be applied to anyone with a vegetable garden. It would be better to constrain the ordinance to only "farming" on empty lots without a house, "farms" with a house but with growing space greater than 0.33 acre and commercial farmfood processing operations.
- The processing of farm products is substantially regulated by the Utah Department of Agriculture and Food. According to the UDAF, processing includes such techniques as washing, cutting, and drying.

  The UDAF requires any such activity to occur in a "commercial kitchen"

or in a home kitchen certified for food processing. Codifying the commercial processing of food as an acceptable use in a variety of permitted zones is a very good thing.

- "Urban Farming" should be considered as the production of any agricultural product: vegetables, ornamentals & perennial plants, cut flowers, herbs & medicinals, trees, fruits & nuts, animals & animal products, and plants grown for their ornamental fruits (gourds and the like). A comprehensive list of agricultural products would be quite extensive. It's probably best to leave the definition vague and not name particular classes of products.
- The code should provide for a regulatory incentive for Certified Organic operations. Certified Organic farming practices greatly reduce the negative environmental externalities associated with farming. Also, the organic planning process is a good exercise to create a more sustainable supply of urban farmers. In the near future, other agricultural certifications will be recognized by the federal government such as GAP: Good Agricultural Practices and GPP:Good Processing Practices. Leaving the ordinance open to incentivize these other certifications would be a positive benefit for increased food safety.
- Qualifying Provision 1 Accessory Buildings, with regards to hoop-houses, is ridiculous over-regulation. Hoop houses are temporary structures with limited to no value. Hoop houses should not be regulated alongside other structures or subject to the International Building Code. A hoop house is an extremely minimal & temporary structure.
- Qualifying Provision 3 Storage Requirements, with regards to

pesticides and fertilizers is well-intentioned. However, the hazard of contamination is mitigated by the quantity of pesticides and fertilizers needed on-hand. Change this provision to limit the total volume of pesticides and fertilizers kept on-premise to be a sufficiently small amount. Storage requirements for an urban farm are no different from that of a community garden of similar size.

- Qualifying Provision 5 Large Vehicles, I'm not sure how much a large tractor with implements like a tiller, disc, or harvester weighs but it is unreasonable to ban the parking of such large vehicles on the property.
- Qualifying Provision 7 Irrigation Systems, it is onerous to require an expensive, separate metering system for irrigation.
- Qualifying Provision 9 Parking requirements are too much unless the urban farm is also used for demonstration & educational purposes. If the farm is used for education or other ancillary purpose, other codes & ordinances will apply.

Thank you for your time and consideration. Recognition of Urban Farming is a positive development for the food security of Salt Lake City.

Kyle LaMalfa

**Attachment C:** Department Comments

From: Duer, Stephanie

Sent: Friday, May 21, 2010 6:56 AM

To: Niermeyer, Jeff; Briefer, Laura; Stewart, Brad

Subject: commnets on draft use tables

Seasonal Farmstand: Will they be using 1) water for washing or 2) coolers with ice/water for storing? Could there be residues in that water we don't want down the stormdrain? This doesn't address this type of dispoal in any way.

And why June 1 (thre are crops produced earlier than that...just a notion.

#### Community Gardens:

- 1) require specific water efficiencies
- 2) require irrigation-only meter
- 3) are there issues with properties adjacent to riparian corridor protection areas? Not addressed at all.
- 4) are there issues with stormwater run-off pertaining to pesticide use that we want to address?
- 5) "hours of operation" missing language
- 6)"sales" references urban farms, not community gardens

#### **Urban Farms:**

- 1) are there issues pertaining to properties adjacent to riparian corridor? Pesticide use and run-off? invasive species?
- 2) do we want to address stormwater quality issues and pesticide run-off?
- 3) I didn't see reference to size...do we want to require irrigation-only meters? Require irrigation efficiencies as defined in landscape code if the farm is commercial?

#### Stephanie

May 12, 2010

Ray Milliner, Planning

Re: Sustainability Code revisions – Use Tables

The division of transportation review comments and recommendations are as follows:

#### Solar Array.

The last sentence, "Off-Street Parking and Loading: No additional parking is required for a solar array; however, a solar array may not replace or hinder existing parking and loading." We suggest, "Off-Street Parking and Loading: No additional parking is required for a solar array; however, a solar array may not replace or hinder existing required parking and loading."

In the chart the "P" permitted use is not noted in many of the areas. Is solar array different from solar panels? (residential roof top applications etc.).

#### Large Wind Energy System.

No parking required; All vehicular circulation, staging, and parking provided is to be on a hard surface.

#### Urban Farm.

Parking: Parking for employees, and patrons of the urban farm shall be provided on site, at the rate of two parking stalls per acre, with a minimum of one ADA stall. All vehicular circulation, staging, and parking is to be on a hard surface.

#### Community Garden.

Parking: Community gardens shall be exempt from off-street parking requirements of section 21A.44, Off Street Parking and Loading. All vehicular circulation, staging, and parking provided is to be on a hard surfaced area, any On-street parking is to comply with the existing roadway status.

#### Seasonal Farm Stand.

Location: Residential zoning districts, Seasonal Farm Stands shall be located only along streets designated as "collector" or "arterial" on the adopted City Street Classification Map. In some areas there is "no stopping, standing, or parking" along the roadway.

in some areas there is no stopping, standing, or parking along the roadway.

Setback: Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.

This would indicate that it is possible located within the public ROW and will require a revocable lease agreement and DRT review. It may also be located within an existing parking lot etc. and needs to be subject to: Shall not remove or encroach upon required parking or loading areas for other uses on the site or access to such parking or loading areas. All vehicular circulation, staging, and parking provided is to be on a hard surfaced area, any On-street parking is to comply with the existing roadway status.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E. Randy Drummond, P.E.

Peggy Garcia, Public Utilities Ted Itchon, Fire Larry Butcher, Permits John Spencer, Property Management File.

From: McCandless, Allen

Sent: Monday, May 24, 2010 1:34 PM

To: Coffey, Cheri

Subject: RE: Sustainability Regulations

#### Cheri,

I reviewed the attached use tables for the various zones that included the A-airport district. I do not observe any impacts to the airport or to airport operations and have no additional corrections. Thank you for including our comments from last October regarding these ordinance changes. —Allen McCandless

We don't have any comments on the proposed changes to the Zoning Ordinance Use Tables.

Justin

Justin D. Stoker, PE, LEED® AP, CFM
Salt Lake City Public Utilities
1530 S. West Temple, SLC, UT 84115
ph. (801) 483-6786 - justin.stoker@slcgov.com

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