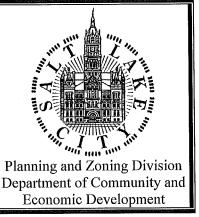
PLANNING COMMISSION STAFF REPORT

USE TABLE AMENDMENTS SUSTAINABILITY REGULATIONS Case #PLNPCM2009-01337 June 23, 2010



Applicant

Mayor Ralph Becker

Staff

Ray Milliner ray.milliner@slcgov.com (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, throughout 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

This petition is part of the Sustainable Code Amendment project initiated by Mayor Becker on November 18, 2009; the purpose of the project is to amend the Salt Lake City Zoning Ordinance to create a series of regulations promoting sustainability throughout the City. The initial petition established 10 key components of sustainability including:

- Recycling and waste reduction
- Climate change and air quality
- Energy conservation and renewable energy
- Mobility and transportation
- Open space, parks and trails
- Urban forestry
- Water Quality and conservation
- Food production and nutrition
- Community health and safety
- Housing accessibility and diversity

The City hired Clarion Associates as a consultant on the project, with the goal of creating appropriate zoning, subdivision and site development regulations that will make Salt Lake City one of the most sustainable communities in the Country. Ordinance amendments for each of the above components will be prepared and presented to the Planning Commission and City Council in phases over the next months. The proposals discussed herein are part of the first phase of the project.

Included in this staff report are draft amendments relating to the use tables for the regulation of urban agriculture, and large renewable energy systems. The proposed uses may be allowed, in some form, in most zoning districts throughout the City.

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 numerous verbal comments from citizens who are interested in these amendments. Comments have been nearly unanimously in favor of the proposal. Written comments are included in attachment C of this report.

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 food 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 her produce to restaurants or other people. Hence, the staff recommendation is to allow this use in all residential zones.

Nonetheless, the potential impacts of these farms could be significant. Concerns raised center on employees on site, parking, sensory impacts such as noise and smell, and water usage. The Commission may consider adding qualifying provisions for these or other issues:

- Limit the size of the parcel on which the farm is placed
- Limit the zones where the use is allowed
- In some zones, make the use conditional
- Further limit the hours of operation

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. <u>Disposal Requirements</u>: 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.
- 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. An irrigation only meter will be required by the Public Utilities Department. 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 one patron is on site at a time.
- 9. Parking: 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 from 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 of this ordinance. Signs must be removed immediately following the sale.</u>
- c) If the stand is located within the public Right-Of-Way a revocable lease agreement from the City is required.
- d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
- e) All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.
- 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. <u>License:</u> 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.

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>

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's 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. Size: In residential zones, community gardens less than ½ acre size shall be permitted. Community gardens greater than ½ acre in size shall be reviewed by the Planning Commission as a conditional use, pursuant to the requirements in Section 21A.54 of this ordinance.
- 5. Hours of Operation: In residential zones, community gardens shall operate during daylight hours.
- 6. 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.
- 7. Irrigation: Sufficient irrigation shall be provided to cover all needs of the community garden. An irrigation only meter will be required by the Public Utilities Division. Irrigation systems designed for water conservation such as, but not limited to, hand watering, and drip irrigation are strongly encouraged.
- 8. Parking: 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.
- 9. On Site Sales and Events: Products from 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.
 - e) Sales stands shall be located only along City streets designated as "collector" or "arterial" by the cities major streets plan. If the stand is located within the public Right-Of-Way a revocable lease agreement from the City is required.
 - d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street.

- e) <u>All garbage and refuse shall be stored and disposed of in accordance with established</u> Health Department standards.
- f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.
- 10. Fencing: Fencing of community gardens will comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.

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 in single family residential zones, as a result, the impacts will be centered only on neighborhood commercial zones, downtown zones, and mixed use zones. 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. <u>Location</u>: 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: 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. <u>Setback</u>: 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. <u>Setbacks</u>: 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. <u>Landscape Buffer: No landscaped buffer yards shall be required on a site with a solar array as a principal use.</u>
- 4. <u>Code Compliance</u>: Solar arrays are subject to review for compliance with all applicable <u>International Building and Electrical Code requirements by the Salt Lake City Building Services Division.</u>
- 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. <u>Setbacks</u>: 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. <u>Lighting</u>: Lighting of tower(s) and turbine(s) is prohibited except where required by the Federal Aviation Administration.
- 8. <u>Appearance</u>, <u>Color</u>, <u>and Finish</u>: The wind turbine and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- 9. 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.
- 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.

Proposed Amendment

DRAFT USE TABLE URBAN FARM

												Reside	Residential Zones	nes					***************************************								
Use	1-8-1	F.R-2	E6-3	E-яя	R-1/12,000		000,7\1-A	000's/т-ы		T-as	Z-NS		E-¥S	2-8		KMF-30	BWE-32		RMF-45	RMF-75		88	R-MU-35	cc an n	รษ-กพ-ช		บเก-я
URBAN FARM	Ь	-	Ь	۵.	-	۵.	۵		۵		d		Ь		۵.	۵		۵.	4		۵	4		۵		۵	
Definition:											-	Comm	Commercial Zones	ones		-						ŀ		-			
"An Urban Farm" is a farm where food is cultivated, processed and distributed food in or around a residential or commercial area. Urban farming is	ВО	си	L.	CB	,SO		33	сгнво,	೮		LC-75		T-M	Z-W		T-0	D-5		£-0	b-0		NW-9	đଧ		86		43
generally practiced for income earning or food producing activites.	۵.	۵	۵		۵	۵		۵	Δ.			Ф		Ь	۵.		۵.	o.		۵	۵		а		۵	۵	
											S	Special Purpose Zones	urpose	Zones					ļ			-	1				
	ĐV	Z-9¥	אפיד	S-Đ∀	07-9∀		ŞO	SON		٧	lq		Z-7d			ın	HW		[3	NW		AST					
	Q.	۵.	۵		۵.	۵					А	۵		۵	۵		۵			۵	۵.						
	Qualifing:																										
	 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. 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. 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 stored outside of buildings. 	of the Intercept of the	Storage ternation unicipal C Jrban farr ts: All fla any area area. No area.	and tochal Build Code, Kerms properties and where	ol sheds ling Coc eeping / posed it les, pes:	s, greenl de. Struc Animals, n a ripar ticides a ticides a materials	houses, stures, sturests, livests ian corrupt ferti are sto ertilizer.	and hor inch as c ock, and idor, as lizers sh red sha s or oth	op house coops ar Poultry defined all be st Il have a	s, greenhouses, and hoop houses associated with urban farms are subject to the standards in Chapter 21A.40, Accessory Uses, Buil de. Structures, such as coops and pens, associated with the keeping and raising of animals, livestock, and poultry must meet the re Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable. In a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein. sticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Utah State Department of Ay materials are stored shall have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (11 remical fertilizers or other hazardous materials shall be stored outside of buildings.	ated wir associat subject on 21A.3 accordai ious con	th urbai ted with to the r 34.130 c nce witi ncrete fik	n farms of the ker requirer of the Za h the re oor and	are sub eping ai nents o oning O igulatioi lip whii	ject to nd raisii f the ac rdinanc rs of th ch is tal of builc	the staring of an lopted I e shall e Unifo	idards i imals, li suilding be subje m Fire h to coi	n Chapt ivestock Code, v ect to al Code ar Code ar	er 21A., , and potential appropriate and trules and Utah e hundie	40, Acce oultry moultry moultry moultry moultry moultry moultreaple and regularies Described and red and	sssory Us nust mee e. alations t epartme ten perc	ses, Buil st the re therein. ent of A	ldings a equirem	and Str nents o ure or s the vo	ucture of Chap success	s and t oter 8.0 sor of all th	the second
	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	quireme. les: No v	nts: All f. ehicles in	flammal 1 excess	bles, pe s of five	esticides (5) tons	; fertiliz ; shall b	ers and e kept, :	other hi	azardous r parked	s wastes on the	s should propert	l be disp .y, excep	oosed of pt that	f accord such vel	ing to F hicles n	ederal	and Stat	e requi	rements as nece	s. essary for	rcompl	letion o	of gradi	ng per	formed	d 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 Inrigation only meter will be required by the Public Utilities Department. Irrigation systems designed for a Inrigation systems designed for	ith a grac veration:	ling perm All urba	nit issue ın farm irrigativ	ed by th related on shall	ie City B. uses sh he pro	uilding : all oper aded to	Services ate only	Division / during	٦. daylight of the u	hours. Irban far	rm. An i	rrigatio	n only n	neter w	rill be re	quired	by the F	ublic U	tilities [Departm	ent. Irr	igation	syster	ns desi	igned f	jo.
	We conservation to the control of th	ation suc d Pick-up	th as, but	t not lin de famil	nited to ly and t	, hand v wo fami	vatering ily zone:	5, and di 5, delive	rip irriga iry and p	tion are jick-up o	strongly f produc	y encour cts is all.	raged. lowed p	rovided	pick-ug	o times	are stag with a	ggered s minimu	o that o	one patr se ADA s	ron is on	site at ess with	a time. Jin a sir	ngle fai	mily or	two	
	family zoning district. All vehicular circulation, staging, and parking shall be on a hard surface. 10. On Site Sales and Events: Products from urban farms may be donated or sold on site provided the following requirements are met:	district.	All vehicu	ular circ	ulation from t	, staging Irban fai	z, and pi	arking s y be dor	hall be c	on a hard sold on	site pro	e. vided th	ne follov	wing rec	ųuirem€	ents 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. 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.	and may lowed as	not exce tempora	ed 100 ary port	square able sig	feet in : ;ns subje	size. ect to th	ie regul:	ations in	Chapter	r 21A.46	5.55 of th	his ordi	nance.	Signs m	nust be	remove	d imme	diately	followir	ng the sa	le - 	6.00	idency	9000		
	c) Sales stands shall be located only along Lity streets designated as collector of afrendal by the Littes linguistices, agreement from the City is required. d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street. e) All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.	s shall be om the Ci s must be and refu:	ty is requeses setback se shall b	only ald uired. <a minii<br="">se store	ong city mum o' d and c	/ streets f 10 feet iisposed	designa t from the of in ac	ared as he edge cordan	of pave	ment of establish	a City si ed Heal	by une t. treet. Ith Depa	artment	ajoi sur : standa	rds.			0.000				5	5				
	f) Perishable foods must be stored in a vermi	oods mu	st be stor	red in a	vermir	-proof a	area or t	containe	er when	n-proof area or container when the facility is closed.	ity is clc	sed.		;		1	,										
	 rencing: Fencing of urban farms shall comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges. License: A business license is required for an urban farm. When the urban farm is accessory to a residential use, a home occupation. 	Fencing o business	of urban fa license it	farms st. is requir		nply witl an urbar	h the st. n farm.	andards When t	in Secti the urba	nply with the standards in Section 21A-40.120, Regulation of Fences, Walls, and Hedges. an urban farm. When the urban farm is accessory to a residential use, a home occupation license is required.	10.120, I	Regulati ory to a	ion of Fr residen	ences, \ rtial use	valis, a , a hom	nd Hed	ges. pation li	icense is	requir	ed.							

DRAFT USE TABLE Community Garden

											Residenti	Residential Zones												
Use	T-83	FR-2		F8-3	R-1/12,000	000,7\z-A	000'S/T-8	1.735	Ţ- u s	Z-35	E-AS		Z-X	8MF-30	RMF-35		RMF-45	RMF-75	88		ระ-กพ-ม	8-MU-45		ОМ-Я
COMMUNITY GARDEN	۵	۵	۵.	۵.	_	۵	d.	d			Ь	А	<u>م</u>		Ь	۵	-	а.	۵	۵		۵		۵.
Definition:											Commerc	Commercial Zones						-					-	
"Community garden" means an area of land managed and maintained by an individual or group to grow and bravest food cross and/or non-food	Ok	N3		80	,so	20	сгнво,	ഉ		SC - ⊃I	T-W		7-W	ī- 0	7-0		D-3	t -0	6-Wn	2	qя	98		d∃
ornamental crops, such as flowers,	۵	۵	۵	۵			۵	۵	۵		Ь	۵.		۵.	Ь	۵.		۵	а.	Ь		٩		۵.
for personal or group use,										ß	ecial Pur	Special Purpose Zones	es											
consumption, donation, or sale.	9٧	7-9∀		5-9∀	0Z-59A	SO	SON	Y	A	Jd	Z-7d			ln	нм		13	nw						
	۵	a.	۵.	۵		а			α.	Ь	Ь	ď	-	Ь	۵			а.						
	Qualifing: 1. Accessor and the req Chapter 8.0 2. Riparian 3. Disposal	ry Building quirements)8 of the S. Corridor: Requirem	ss: Storagr s of the In alt Lake Ci Commun	Qualifing: 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 an investor, and poultry must meet with the requirements of the requirements of the International Building Code. Structures, such as coops and pens, associated with the keeping and raising of 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. Disposal Requirements: All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.	heds, gree Building (al Code, K proposec ;, pesticid	enhouses Code. Strr ceeping A 1 in a ripa	s and hoc uctures, nimals, L irian corr	greenhouses and hoop houses associated with community gardens are subject to the standards in Chapter 21A.40, Accessory Uses, Buildings and Structures, goods and pens, associated with the keeping and raising of animals, livestock, and poultry must meet with the requirements of a, Keeping Animals, Livestock, and Poultry and are subject to the requirements of the adopted Building Code, when applicable. sed in a riparian corridor, as defined in Section 21A.34.130 of the Zoning Ordinance shall be subject to all rules and regulations therein.	s associat oops and and Pou lefined ir	ted with I pens, a litry and I Sectior wastes si	commur issociatec are subji 7.12.1A.34.	nity garde J with the ect to the 130 of th disposed	is are su keeping requirer e Zoning of accor	ubject to and rais nents of Ordinan	the stan ing of ar the ado ice shall	dards in nimals, lin bted Buil be subjected Cartes on the State	Chapter restock, ding Coding C	and pou and pou de, wher rules and ments.	Accesso Iltry musi n applical d regulati	ry Uses, E t meet wi ble. ions ther	Building ith the r	ss and S require	tructur ments c	S do
	4. Size: In r pursuant to	esidential the requi	zones, co irements i	4. Size: In residential zones, community gardens less train is acre size small be permitted. Community gardens greater trian is acre in size small be community gardens by some in size small be community gardens and the requirements in Section 21A.54 of this ordinance.	ardens les 1A.54 of t	s than 22 this ordin	acre size ance.	snall be	annulad		municy go	a nei s	בסובו וווע	וו עז מרו ב	3176			6	٥					·
•	5. Hours of 6. Large Ve	f Operatio	n: In resid vehicles i	5. Hours of Operation: In residential zones, community gardens shall operate during daylight hours. 6. 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	ss, commi five (5) to	unity gan ons shall l	dens sha be kept c	ll operate or stored	e during c on the pi	daylight roperty,	hours. except ti	hat such \	/ehicles r	nay be o	in the pr	operty as	s necess:	ary for c	ompletio	ın of grad	ding per	formed	<u>.</u> <u>.</u>	
	accordance 7. Irrigation	e with a gr. n: Sufficier	ading pen ıt irrigatic	accordance with a grading permit issued by the City Building Services Division. 7. Irrigation: Sufficient irrigation shall be provided to cover all needs of the community garden. An irrigation only meter will be required by the Public Utilities Division. Irrigation systems designed for water	y the City rovided t	r Building o cover a	Services Ill needs	S Division. of the co	mmunity	r garden.	. An irriga	ation only	' meter v	vill be re	quired b	y the Puk	olic Utilit	ties Divis	ion. Irrig	gation sys	stems d	esigned	l for wa	ater
	conservatic 8. Parking: a hard surf: 9. On Site S	on such as, Commun aced area. Sales and E	but not I wity garder Any on-s Events: P	conservation such as, but not limited to, hand watering, and drip irrigation are strongly encouraged. 8. Parking: Community gardens shall be exempt from the off-street parking requirements of Section 21A.44, Off Street Parking and Loading. A a hard surfaced area. Any on-street parking is to comply with the existing roadway status. 9. On Site Sales and Events: Products from community gardens may be donated or sold on site provided the following requirements are met:	and wate xempt fro ng is to co m commu	ring, and om the of imply wit inity gard	drip irri F-street h the exi lens may	stering, and drip irrigation are strongly encouraged. 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 comply with the existing roadway status. munity gardens may be donated or sold on site provided the following requirements are met;	e strongh equireme dway sta ted or so	y encour ents of S rtus.	raged. ection 21 e provide	LA.44, Off	Street P	arking ar ≀quirem∈	nd Loadi	ng. All ve met;	ehicular	circulati	on, stagir	ൂ, and p	arking p	provide	d shall t	be on
	a) The sales stand may no b) Signs are allowed as te c) Sales stands shall be lo from the City is required.	s stand mह e allowed र nds shall b ity is requii	ay not exc as tempor oe located red.	 a) The sales stand may not exceed 100 square feet in size. b) Signs are allowed as temporary portable signs subject to Sales stands shall be located only along City streets desifrom the City is required. 	uare feet i e signs su City stree	in size. bject to t :ts design	he regul ated as '	et in size. subject to the regulations in Chapter 21A.46.55 of this ordinance. Signs must be removed immediately following the sale. reets designated as "collector" or "arterial" by the cities major streets plan. If the stand is located within the public Right-Of-Way a revocable lease agreement	Chapter " or "art	21A.46. [£] erial" by	55 of this rthe citie	s ordinant s major s	e. Signs treets pla	must be 3n. If the	remove stand is	d immed located '	liately fo within ti	llowing the public	the sale. c Right-O	f-Way a r	revocab	ole lease	e agreer	ment
	d) Sales sta e) All garba f) Perishabl	ands must age and rei le foods m	be setbac fuse shall ust be stc	d) Sales stands must be setback a minimum of 10 feet from the edge of pavement of a City street. e) All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards. f) Perishable foods must be stored in a vermin-proof area or container when the facility is closed.		set from sed of in a	the edge accordan containe) feet from the edge of pavement of a City street. sosed of in accordance with established Health Di oof area or container when the facility is closed.	nent of a stablishe he facilit	City stre ed Health y is close	eet. h Departr ed.	ment star	dards.											
	10. Fencing	g: Fencing	s of comm	10. Fencing: Fencing of community gardens will		mply wit	h the sta	comply with the standards in Section 21A.40.120, Regulation of Fences, Walls, and Hedges.	Section	21A.40.	120, Reg	ulation of	Fences,	Walls, ar	nd Hedg	χį								
									Ĺ															

DRAFT USE TABLE Seasonal Farm Stand

										1	Resid	Residential Zones	səri								-		
Use	F.8-1	FR-2	FR-3		N-1/15,000	000'L/T-8		000'S/T-8	Ţ-88	٥	Z- \ S	£-A2	Z-A	KWE-30		8MF-35	RMF-45	RMF-75	88		85-UM-8	₹₽-UM-Я	им-я
SEASONAL FARM STAND																			Ь	Ь	Ь		Ь
Definitions:											Comn	Commercial Zones	ones						***************************************			1	
"Seasonal farm stand" means a sales table, area, or kiosk of food crops and/or non-food, ornamental crops, surh as flowers that is located off-	Oλ	NΩ	80		,so))		ළ сгнвр,		JL JL	2C-21	t-W	Z-W	T-0		Z-O	D-3	⊅ -0	e-wn		as	Вр	ŁЬ
premise from the location where the	۵	Ь	۵	۵	-	۵.	۵.		۵	۵	۵.	-	۵.	۵	۵.	Δ.	_	۵	a.				
food was grown, or when located in any								-			Special	Special Purpose Zones	Zones										
agricultural district, and operates during the time of year coinciding with the growing season.	99	7-9∀	S-9V		∀@-50	SO		SON	V		па	Z-14		ın		нм	13	nw	AST				
	۵	Ь	۵	۵.	-	۵				۵.	۵		۵.	۵				Ь	Ь				
"Locally Grown" means food crops and	Qualifing:																						
or non-food, ornamental crops, such as	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	: A seasons	al farm sta	nd shall b	e locate	e donly a	long Cit	y street	ts design	rated as	'collector"	or "arte	rial" by 1	he city's	major str	eet plan.	If the sta.	nd is loca	ited withir	ithe public	c Right-O	f-Way a	
flowers that are grown within the state	revocable lease agreement from the City is required.	ase agreer	ment from	the City is	s requir	.eq.																	
of Utah.	2. Parking: 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.	If the season reas. All ve	onal farm s thicular cin	stand is loo culation, s	cated w	vithin an and parl	existing king pro	g parking vided sl	g lot, it : hall be c	shall not on a hard	remove or surfaced a	encroac area, any	h upon I On-stre	equired et parkir	parking or ig shall co	loading a mply with	reas for the exis	other use ting road	es on the s way statu	ite or impe s.	ede acces	ss to par	king
	3. Duration: Seasonal farm stands shall operate only during the intermountain region harvest season.	: Seasonal	farm stan	ds shall og	perate c	only duri	ng the in	ntermo	untain r	egion har	vest seasc	'n.											
	4. Setback: Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.	Seasonal t	Farm stand.	s must be	setbac	k a minir	num of	10 feet	from th	e edge o:	f pavemen	nt of a Cit	y street										
	5. Size: A seasonal farm stand may not exceed 100 square feet in size.	easonal far	m stand m	nay not ex	ceed 10	0 square	e feet in	size.															
	6. Food Preparation: Food preparation is prohibited at farm stands, including food samples.	paration:	Food prepa	aration is	prohibi	ted at fa	rm stan	ds, inclι	uding fo.	od sampl	es.												-
	7. Signs: Signs for a seasonal farm stand are a	gns for a se	asonal far.	m stand a	re allov	ved as te	mporar	y porta	ble sign:	s subject	to the reg	ulations	in Chapt	er 21A.4.	6.55 of thi	s ordinan	ce. Signs	are not	allowed to	illowed 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	d more th	ıan 50 fe	et
	from the stand location	and locatio	Ē																				
	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	od crops a	nd/or non-	-food, orn	amenta	I crops,	such as	flowers	grown :	locally an	e allowed	to be sol	d at a se	asonal fo	ood stand.	Prepack	aged "sh	elf stable	" foods pr	oduced in	close pro	ximity t	o the
	farm stand may be sold as well, provided they	may be sol	d as well, I	provided t	hey are	tully lat	veled an	d produ	uced in a	an approv	are fully labeled and produced in an approved health department or Utah State Department of Agriculture facility.	departn	nent or L	Itah Stat	e Departn	nent of Ag	riculture	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	No live an	imals, bird	s, or fowl	shall be	kept or	allowed	y within	, 20 feet	of any a	rea where	food is s	tored or	held for	sale. This	requiren	ent does	not app	ly to guide	e dogs, sign	ral dogs,	or servic	9
	10. Garbage: All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.	e: All garba	ige and ref	use shall t	be store	ed and di	sposed	of in ac	cordanc	e with es	stablished	Health D	epartme	ent stand	lards.	,							
	11. Storage: Perishable foods must be stored in a vermin-proof area or container when the facility is closed.	: Perishable	e foods mu	ust be stor	red in a	vermin-	proof ar	ea or cu	ontainer	r when th	e facility i:	s closed.											

DRAFT USE TABLE Solar Array

				_	Residential Zones	Zones								
Use	FR-1	000'5/T-8	T÷8S	2-88	£-8S	Z-8	KMF-30	KMF-35	8MF-45	RMF-75	ยม	R-MU-35	SÞ-NW-8	R-MU
SOLAR ARRAY														
Definition:				0	Commercial Zones	Zones								
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	C2, CB CA	сс	90	1C-75	T-M	Z-M	t-o	Z-G	D-3	<i>1</i> 7-d	ОМ-9	ay	ВЬ	dd
energy. A solar array uses solar energy			Q.		Ь	Ь					Д.	Ы	۵	
tor any or all of the following purposes:				Spe	Special Purpose Zones	e Zones								
(1) water heating, (2) space heating or cooling, and (3) power generation.	YG-50 YG-2 YG-5	SON	V	Jd	Z-1d		Ō	нм	В	nw	AST			
	d		Ь	۵.		Ω.								
	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 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. 5. Solar Easements: Solar easements are not a requirement agreed upon must be recorded by the County Recorder. 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 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. Utility Inter-Connection: No solar array shall be installed that does not meet the requirements of Rocky Mountain Power for an interconnected customer custom.	I setback requirem height measured o shall be required o sview for complian quirement for City property. Any ease with a solar array, silding official may rerson receiving ber ucture. The City m:	equirements 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. easured from established grade. quired on a site with a solar array as a principal use. compliance with all applicable international Building and Electrical Code requirements by the Salt Lake City Building Services Division. for City approval; nonetheless, a property owner who has installed or intends to install a solar array may negotiate a solar easement with adjacent any easement agreed upon must be recorded by the County Recorder. It array, shall be located underground. It is a shall be located underground. It is a shall be located underground. It is given to the owner, person having benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having that does not meet the requirements of Rocky Mountain Power for an interconnected customer-owned generator. Off-grid systems shall be exempt	ne in which it ed grade. ed grade. solar array as licable Interretheless, a propon must be pon must be in undergroun onmaintainec ructure withii rformance by equirement	is located. a principal attional Buil operty own recorded by d. l or abandon n thirty (30) ond or other	In no case sh use. ding and Ele er who has in the County hed solar arr calendar dar means of fi	nall a solar a ctrical Code stall a solar a stalled or i stalled or i Recorder. ay to be rer so a stalled assternot wer for an i	rray be loca requiremen ntends to incoved from ite of nonmitice of nonmitiments to gui	ted less that by the Satall a solar that premise intenance irantee remediate and custome	in 6 feet fro alt Lake City array may s when su or abandor toval of abb	om a propert om a propert y Building Se negotiate a s nement is give andoned stru senerator. Of	ty line or ot ervices Divis solar easen has not bee en to the ov uctures.	ther structuion. ion. ion.	rre. rdjacent lor put on having
	from this requirement. 9. Off-Street Parking and Loading: No additional parking is	parking is required	required for a solar array; however, a solar array may not replace or hinder existing required parking and loading.	ay; however,	a solar arra	y may not re	place or hir	ider existing	required pa	arking and	loading.			

DRAFT USE TABLE Wind Energy System

													Resident	Residential Zones													
Use	1-99		FR-2	E-97		000,21/1-я	R-1\7,000		000's/t-a	1 g3	Ţ÷8S	Z-¥S	E- ଖS		Z-¥	RMF-30		RMF-35	RMF-45		RMF-75	88		SE-UM-3	R-MU-45		
LARGE WIND ENERGY SYSTEM																											
Definition:													Commer	Commercial Zones	ş												
A "Large Wind Energy System" is a wind energy conversion system consisting of a wind turbine or group	0)		NC	GB		iSO	20		сгнври		93	LC-75	t-w		z-W	I-0		Z-0	D-3		b- 0	e-Wn		48	ВЬ		
of wind turbines, tower, and associated control or conversion													۵	۵									Ú		Ú		
electronics, which has rated capacity						_	***************************************		+		-	ZS.	Special Purpose Zones	rpose Zor	- Sã										'		
	₽V		Z-9∀	Ye-2		VG-20	SO		SON		V	nd	Z-14			In		HW	l l		nw	AST					
	U	U		U			U			U		U		۵		۵											
	Qualifing Provisions:	rovisio	ns:																								
	1. Total Height: The total height of the large wind energy syste	ight: Tr × lot Si	he tota	l height	of the larg	şe wind	energ	/ systen	n shall	be limit	ted to 9	0 meter:	m shall be limited to 90 meters above existing grade or by FAA regulations, whichever dictates a lower height.	xisting gr	rade or	by FAA	regula	tions, w	rhicheve	r dictates	s a lowe	er height	. 1				
	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.	s: A tow t from a	ver in a	large w rhead u	ind energ	y syster er line.	n must	be set	back at	t least :	1.25 tim	nes its to:	tal height	t from an	y prope	erty bou	undary,	must b	e within	the build	dable ar	ea of the	e lot and	d at lea	st 1.25	times	S)
	4. Noise: Noise emitted from the large wind energy system shall not exceed maximum sound levels set forth in section 9.28 of the Saft Lake City Code (Health and Safety: Noise Control).	Voise er	mitted	from the	e large wii	nd ener	gy syst	em sha	ll not e	xceed 1	maximu	ım sounc	d levels se	et torth ii	sectio	n 9.28 i	ot the s	alt Lak	S CITY CO	ае (неап	in and s	arety: N	oise Col	ntroi).			
	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.	earance I Wires ne grour	e: The :: All elu nding v	vertical : ectrical \	distance fi wires asso all be locat	rom exi ciated v ted und	sting gr with a l ergrou	rade to arge wi nd.	the tip ind ene	of a w	ind gen tem, ot	erator bl her than	lade whe I wires ne	n the bla ecessary 1	de is at to conn	its low ect the	est poir wind to	nt must urbine 1	be at lea to the to	ast 15 fee wer wirir	et. ng, the t	tower wi	iring to	the disc	connec	t junct	Ę
	7. Lighting: Lighting of tower(s) and turbine(s) is prohibited except where required by the Federal Aviation Administration.	: Lightin	ng of to	wer(s) a	and turbin	e(s) is p	rohibit	ed exce	ept whe	ere req	uired by	y the Fec	deral Avia	tion Adn	ninistra	tion.											
	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 systems shall be exempt from this requirement.	ince, Cc Inter-Cα all be e	olor, ar onnect xempt	nd Finish ion: No from thi	: The win large wind is require	d turbir d energ nent.	ne and y syste	tower s m shall	shall rei be inst	main pa alled th	ainted c hat doe	or finishe s not me	ed the col	lor or fini quireme	sh that nts of R	was ori ocky M	iginally Iountair	applied 1 Powel	by the r for an i	nanufact nterconn	urer. iected c	ustomer	r-owned	i gener	ator. O	ff-grid	_
	1.1. Normaintained 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.	aintaine em has ent is gr	ed Or A i not be iven to oned st	sen repa the own	ed Facilit iired or pu ner, perso s.	ies: The It into u In havin	e buildii se by t ig conti	ng offic he own rol or p	ial may ier, per erson r	requir son hav eceivin	e each I ving cor ig the b	nonmain ıtrol or p enefit of	icial may require each nonmaintained or abandoned large wind energy system to be removed from the premises at the cost of the owner wh mer, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or person receiving the benefit of such structure. The City may require a performance bond or other means of financial assurance to guarantee	r abando ceiving b acture. Tl	ned lan enefit c ne City	ge wind of such : may rec	d energy structu quire a	/ syster re with perforr	n to be r n thirty nance bo	emoved i (30) calei and or otl	from the ndar dav her mez	e premis ys after ı ans of fir	ses at th notice c nancial a	e cost of nonm assuran	of the c nainten ice to g	owner ance c uaran	ite ite
	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.	eet Par areas. A	-king o ı All vehi	r Loadin , cular cin	g Require culation, s	ments: taging,	None. and pa	A large irking p	wind o	energy d shall i	system be on a	ge wind energy system shall not rem provided shall be on a hard surface.	t remove rface.	or encro	ach up	on requ	uired pa	rking o	r loading	g areas fo	or other	uses on	the site	or acc	ess to s	uch p	ark

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

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.

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. 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 Please consider the environment before printing this e-mail