



Sustainable Code Revision Project Urban Agricultural Updates

As part of the Salt Lake City Sustainable Code Revision project, members of the Salt Lake City Food Policy Task Force and Division of Sustainability evaluated existing ordinances and recommended revisions to the reduce the barriers that existed for urban food production. As a result, Salt Lake City has made several changes to city ordinances to relax restrictions and allow residential chicken coops and beekeeping. It also defined hoop houses, green houses, and cold frames, and adopted more lenient setback requirements than other types of accessory structures. Definitions for diverse urban agriculture uses and allowances have been expanded especially as they relate to community gardens, farm stand and urban agriculture. All urban agriculture ordinances and use tables can be found in the attached documents;

Chicken Ordinance (Ord. 72 of 2009, adopted December 1st, 2009)
Beekeeping Ordinance (Ord. 71 of 2009, adopted December 1st, 2009)
Accessory Structures Ordinance (Ord. 20 of 2011, adopted April 26, 2011)
Urban Agriculture and Large Renewable Energy Site Uses Ordinance (Ord. 21 of 2011, adopted May 3, 2011)



SALT LAKE CITY ORDINANCE

No. 72 of 2009

(Authorizing the Keeping of Chickens in Residential Districts)

AN ORDINANCE AMENDING SECTIONS 8.08.010, 8.08.060 AND 8.08.080, AND ENACTING SECTION 8.08.065, *SALT LAKE CITY CODE*, TO AUTHORIZE THE KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS SUBJECT TO CERTAIN REQUIREMENTS.

WHEREAS, it is proposed that Sections 8.08.010, 8.08.060, and 8.08.080 of the Salt Lake City Code be amended and that Section 8.08.065 of the Salt Lake City Code be enacted to authorize the keeping of chickens in residential districts, subject to certain requirements, as set forth below;

WHEREAS, the City Council of Salt Lake City, Utah, finds the keeping of chickens in residential districts should be authorized, and that adoption of this Ordinance reasonably furthers the health, safety, and general welfare of the citizens of Salt Lake City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending Section 8.08.010. That Section 8.08.010 of the *Salt Lake City Code*, shall be, and hereby is, amended to read as follows:

8.08.010: DOMESTIC FOWL AND LIVESTOCK; PERMIT REQUIRED:

A. Except as provided in Subsection B of this section, it is unlawful for any person to keep within the city any chickens, turkeys, ducks, geese, pigeons or other similar domestic fowl, or more than two (2) rabbits, or other similar animals, without first making application for and obtaining a permit from the office of animal services to do so. The fee for such permit shall be five dollars (\$5.00) per animal, but shall not exceed forty dollars (\$40.00) per year.

B. Notwithstanding Subsection A of this section, chickens may be kept in any area zoned as a residential district under Chapter 21A.24 of this code or its successor, subject to the requirements of Section 8.08.065 of this chapter.

C. It is unlawful for any person to keep within the city any sheep, goats, cows, calves, pigs, horses, jacks, jennies, or other similar animals, without first making application for and obtaining a permit from the office of animal services to do so. The fee for such permit shall be forty dollars (\$40.00) each year. Such permits shall not be issued for any area of the city except areas zoned as agricultural districts under Section 21A.32.050 of this code; or its successor section.

SECTION 2. Amending Section 8.08.060. That Section 8.08.060 of the *Salt Lake City Code*, shall be, and hereby is, amended to read as follows:

8.08.060: HOUSING AND FEEDING OF ANIMALS; LOCATION RESTRICTIONS:

It is unlawful to house, keep, run or feed any of the above mentioned animals within fifty feet (50') of any structure used for human habitation except as provided in Section 8.08.065 of this chapter.

SECTION 3. Enacting Section 8.08.065. That Section 8.08.065 of the *Salt Lake City Code* shall be, and hereby is, enacted to authorize the keeping of chickens in residential districts, subject to certain requirements, as follows:

8.08.065: KEEPING CHICKENS:

A. Subject to the requirements of this section and any other applicable provision of this chapter, fifteen (15) hen chickens (and no roosters) may be kept on a lot or parcel of land in a residential district for the sole purpose of producing eggs. The principal use on the lot or parcel shall be a one-family dwelling, a two-family dwelling, or a multi-family dwelling. Notwithstanding the foregoing, a person who complies with the requirements of Section 8.08.030 of this title may keep chickens as provided in such section.

B. Chickens shall be confined within a secure outdoor enclosed area.

1. The enclosed area shall include a covered, ventilated, and predator-resistant chicken coop.

a. The coop shall have a minimum floor area of at least two (2) square feet per chicken.

b. If chickens are not allowed to roam within an enclosed area outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.

2. The coop shall be located in a rear yard at least twenty-five (25) feet from any dwelling located on an adjacent lot.

a. The coop and enclosed area shall be maintained in a neat and sanitary condition and shall be maintained as provided in Section 8.08.070 of this chapter.

b. No chicken shall be permitted to roam outside the coop or enclosed area.

3. Chicken feed shall be stored and dispensed in rodent-proof and predator-proof containers.

C. Chickens shall not be kept on a residential lot or parcel unless the person keeping chickens first obtains a permit as provided in Section 8.08.010 of this chapter.

1. The permittee shall acknowledge the rules set forth in this section and shall, as a condition of permit issuance, agree in writing to comply with such rules.

2. The permit shall be good for one (1) year and may be renewed annually.

D. It shall be unlawful for any person to keep any chicken in a residential district in a manner contrary to the provisions of this section.

SECTION 4. Amending Section 8.08.080. That Section 8.08.080 of the *Salt Lake City Code*, shall be, and hereby is, amended to read as follows:

8.08.080: TRESPASS BY FOWL OR DOMESTIC ANIMALS:

It is unlawful for the owner or any person in charge of domestic fowl, such as turkeys, ducks, geese, chickens or other similar domestic fowls, or domestic animals such as dogs or cats, to permit such fowls or domestic animals to trespass upon the premises of another. It is unlawful for any person to house, keep, run or feed any such fowls within fifty feet (50') of any house used for human habitation except as provided in Section 8.08.065 of this chapter.

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this 1st day of December, 2009.

Bill No. 72 of 2009.

Published: January 9, 2010.



SALT LAKE CITY ORDINANCE

No. 71 of 2009

(Amending Section 8.04.010 to Add Definitions Related to Beekeeping and Enacting Chapter 8.10 to Establish Beekeeping Regulations)

An Ordinance Amending Section 8.04.010, *Salt Lake City Code*, to add definitions related to beekeeping and enacting Chapter 8.10, *Salt Lake City Code*, to authorize beekeeping subject to certain regulations.

WHEREAS, honeybees benefit mankind by providing agriculture, fruit, and garden pollination services and by furnishing honey, wax, and other useful products; and

WHEREAS, bees, via pollination, are responsible for 15 to 30 percent of the food eaten by U.S. consumers, and

WHEREAS, in the last 50 years the domesticated honeybee population, on which most farmers depend for pollination, has declined by about 50 percent, and

WHEREAS, Salt Lake City allowed apiaries in agriculturally zoned areas until the 1980s when concerns about killer bees led to the prohibition of apiaries in the City, and

WHEREAS, domestic strains of honeybees have been selectively bred for desirable traits, including gentleness, honey production, reduced swarming, pollination attributes, and other characteristics which are desirable to foster and maintain; and

WHEREAS, gentle strains of honeybees can be maintained within populated areas in without causing a nuisance if properly located, managed, and maintained, and

WHEREAS, the City Council of Salt Lake City, Utah, (i) desires to amend Section 8.04.010, *Salt Lake City Code*, to add definitions related to beekeeping and to enact Chapter 8.10, *Salt Lake City Code*, to authorize beekeeping subject to certain regulations as set forth below, and (ii) finds such action reasonably furthers the health, safety, and general welfare of the citizens of Salt Lake City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending Section 8.04.010. That Section 8.04.010 of the *Salt Lake City Code*, shall be, and hereby is, amended to include definitions of "Apiary," "Beekeeper," "Beekeeping Equipment," "Colony," "Hive," and "Honeybee" which shall be inserted in alphabetical order and shall read as follows:

APIARY: Any place where one (1) or more colonies of bees are located.

BEEKEEPER: A person who owns or has charge of one (1) or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

COLONY: Bees in any hive including queens, workers, or drones.

HIVE: A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

HONEYBEE: The common honeybee, *Apis mellifera* species, at any stage of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

SECTION 2. **Enacting Chapter 8.10.** That Chapter 8.10 of the *Salt Lake City Code* shall be, and hereby is, enacted to authorize beekeeping subject to certain regulations, as follows:

Chapter 8.10

BEEKEEPING

8.10.010: PURPOSE:

The purpose of this chapter is to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas.

8.10.020: CERTAIN CONDUCT UNLAWFUL:

Notwithstanding compliance with the various requirements of this chapter, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance.

8.10.030: HIVES ON RESIDENTIAL LOTS:

A. As provided in this chapter, and notwithstanding any contrary provision in Title 21A of this code, an apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained in a side yard or the rear yard of any residential lot. On a residential lot which is larger one-half (0.5) acre or larger, the number of hives located on the lot may be increased to ten (10) hives.

B. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

8.10.040: BEEKEEPER REGISTRATION:

Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended.

8.10.050: HIVES:

A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.

B. Hives shall be placed at least five (5) feet from any property line and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive; provided, however, that this requirement may be waived in writing by the adjoining property owner.

C. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.

D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

8.10.060: FLYWAYS:

A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an apiary is located, as measured from the nearest point on the hive to the property line, a flyway barrier at least six (6) feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along the property line or within five (5) feet of the property line, shall consist of a solid wall, fence, dense vegetation, or a combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary.

8.10.070: WATER:

Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.

8.10.080: BEEKEEPING EQUIPMENT:

Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an apiary site. Upon removal from a hive, all such equipment shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

8.10.090: CONFLICT WITH COUNTY HEALTH DEPARTMENT REGULATIONS:

In the event of a conflict between any regulation set forth in this chapter and honeybee management regulations adopted by the Salt Lake Valley Health Department, the most restrictive regulations shall apply.

8.10.100: VIOLATIONS:

A violation of this chapter may be remedied as provided in Sections 8.04.500, 8.04.510, and 8.04.520 of this title. When a violation of this chapter is committed, and provided it is not charged in conjunction with another criminal offense and does not constitute a fourth or succeeding notice of violation within a twenty-four (24) month period, an authorized agent of the City shall issue a civil notice of violation to such violator in lieu of a misdemeanor citation.

SECTION 3. **Effective Date:** This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this 1st day of December, 2009.

Bill No. 71 of 2009.

Published: January 9, 2010.

SALT LAKE CITY ORDINANCE
No. 20 of 2011

(An ordinance amending portions of Title 21A of the *Salt Lake City Code* concerning certain accessory structures intended to promote sustainable urban living)

An ordinance amending sections 21A.24 (Zoning: Residential Districts), 21A.34 (Zoning: Overlay Districts), 21A.40 (Zoning: Accessory Uses, Buildings and Structures), and 21A.62 (Zoning: Definitions) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2009-01338 to recognize and allow certain accessory structures intended to promote sustainable urban living, namely accessory structures associated with urban agriculture uses and equipment relating to small renewable energy systems including solar and wind.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held public hearings on July 14, 2010 and October 27, 2010 to consider a request made by Salt Lake City Mayor, Ralph Becker (petition no. PLNPCM2009-01338), to amend certain sections of Title 21A of the *Salt Lake City Code* to recognize and allow accessory structures associated with urban agriculture uses and equipment relating to small renewable energy systems including solar and wind; and

WHEREAS, the Salt Lake City Historic Landmark Commission (“HLC”) held public hearings on September 1, 2010 and October 6, 2010 to discuss application of the proposed ordinance amendments to the City’s Historic Preservation Overlay District; and

WHEREAS, at its October 27, 2010 meeting, the Planning Commission considered recommendations of the HLC and voted in favor of transmitting a positive recommendation to the Salt Lake City Council (“City Council”) on said application; and

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the City’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions), shall be, and hereby is, amended, in pertinent part, such that each of the following definitions shall be added and inserted alphabetically into that section:

COLD FRAME: "Cold frame" means an unheated outdoor accessory structure typically consisting of, but not limited to, a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from the cold.

GREENHOUSE: "Greenhouse" means a temporary or permanent accessory structure typically made of, but not limited to, glass, plastic, or fiberglass in which plants are cultivated.

HOOP HOUSE: "Hoop house" means a temporary or permanent accessory structure typically made of, but not limited to, piping or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape, for the purposes of growing plants. A hoop house is considered more temporary than a greenhouse.

SMALL SOLAR ENERGY COLLECTION SYSTEM: "Small solar energy collection system" shall mean an accessory structure that is roof-mounted, wall-mounted, or ground mounted panel, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling, or water heating of buildings located on the same property.

SMALL WIND ENERGY SYSTEM: "Small wind energy system" means an accessory structure defined as a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics that has a rated capacity of not more than 100 kilowatts (kW) and that is intended to generate electricity primarily for buildings and/or uses on the same property, thereby reducing on-site consumption of utility power.

URBAN AGRICULTURE: "Urban agriculture" is a general term meaning the growing of plants, including food products, and the raising of animals in and around cities. Urban farms and community gardens with their accessory buildings, farm stands, farmers markets, and garden stands are components of urban agriculture.

SECTION 2. Amending text of *Salt Lake City Code* section 21A.40.030. That section 21A.40.030 of the *Salt Lake City Code* (Zoning: Accessory Uses, Buildings and Structures: Zoning Compliance Required), shall be, and hereby is, amended to read as follows:

21A.40.030: ZONING COMPLIANCE REQUIRED:

No accessory use, building or structure shall be established or constructed unless it complies with the zoning ordinance and proper building permits, if required, have been obtained. Accessory buildings associated with keeping animals, bees, livestock and poultry are not subject to this chapter or the building coverage limits of the respective zoning district but are subject to the provisions of the *City Code Chapter 8 Animals*.

SECTION 3. Amending text of *Salt Lake City Code* section 21A.24.010.P.3.d. That section 21A.24.010.P.3.d of the *Salt Lake City Code* (Zoning: Residential Districts: General Provisions: Special Foothills Regulations), shall be, and hereby is, amended to read as follows:

21A.24.010.P.3.d *Special Foothills Regulations – Design Regulations*

Mechanical Equipment: Mechanical equipment including, without limitation, swamp coolers, air conditioning equipment, heat pumps, vents, blowers and fans shall be screened from view or painted to match the building color adjacent to the equipment. Roof mounted mechanical equipment, excluding solar panels which are subject to section 21A.040.180, shall not extend above the highest roof ridgeline.

SECTION 4. Amending text of *Salt Lake City Code* section 21A.34.020.F.1.a. That section 21A.34.020.F.1.a of the *Salt Lake City Code* (Zoning: Historic Preservation Overlay District: Procedure for Issuance of Certificate of Appropriateness), shall be, and hereby is, amended add the following paragraph:

- (6) Installation of solar energy collection systems that are not readily visible from a public right-of-way, as described in and pursuant to Section 21A.40.180.2 of this title.

SECTION 5. Amending text of *Salt Lake City Code* section 21A.34.020.F.2.a. That section 21A.34.020.F.2.a of the *Salt Lake City Code* (Zoning: Historic Preservation Overlay District: Procedure for Issuance of Certificate of Appropriateness), shall be, and hereby is, amended add the following paragraph:

- (7) Installation of solar energy collection systems that may be readily visible from a public right-of-way, as described in and pursuant to Section 21A.40.180.2 of this title.

SECTION 6. Amending text of *Salt Lake City Code* section 21A.40.050. That section 21A.40.050 of the *Salt Lake City Code* (Zoning: Accessory Uses, Buildings and Structures: General Yard, Bulk and Height Limitations), shall be, and hereby is, amended to read as follows:

21A.40.050: GENERAL YARD, BULK AND HEIGHT LIMITATIONS:

All accessory buildings permitted by this chapter shall be subject to the following general requirements:

A. Location Of Accessory Buildings In Required Yards:

1. Front Yards: Accessory buildings are prohibited in any required front yard and shall be setback at least as far as the principal building when the principal building exceeds the required front yard setback. Notwithstanding the foregoing, hoop houses and cold frame structures up to 24-inches in height may be placed in a front yard.
2. Corner Lots: No accessory building on a corner lot shall be closer to the street than the distance required for corner side yards. At no time, however, shall an accessory building be closer than twenty feet (20') to a public sidewalk or public pedestrian way and the accessory building shall be set back at least as far as the principal building. Notwithstanding the foregoing, hoop houses and cold frame structures up to 24-inches in height may be placed in a corner side yard.
3. Side Yards: Accessory buildings are prohibited in any required interior side yard; however, hoop houses, greenhouses, and cold frame structures associated solely with growing food and/or plants are allowed in an interior side yard but no closer than one foot (1') to the corresponding lot line. If an addition to residential buildings results in an existing accessory building being located in a side yard, the existing accessory building shall be permitted to remain, subject to maintaining a four foot (4') separation from the side of the accessory building to the side of the residential building, as required in subsection A3b of this section.
4. Rear Yards: Location of accessory buildings in a rear yard shall be as follows:
 - a. In residential districts, no accessory building shall be closer than one foot (1') to a side or rear lot line except when sharing a common wall with an accessory building on an adjacent lot. In nonresidential districts, buildings may be built to side or rear lot lines in rear yards, provided the building complies with all applicable requirements of the adopted building code.
 - b. No portion of the accessory building shall be built closer than four feet (4') to any portion of the principal building; excluding cold frames associated solely with growing food and/or plants.
 - c. Garages on two (2) or more properties that are intended to provide accessory building use for the primary occupants of the properties, in which the garage is located, may be constructed in the rear yards, as a single structure subject to compliance with adopted building code regulations and the size limits for accessory buildings on each property as indicated herein.

- d. In the R-1 districts, R-2 district and SR districts accessory structures shall be located a maximum of five feet (5') from the rear property line subject to the following exceptions:
 - (1) The building or structure is a hoop house, greenhouse, or cold frame associated solely with growing food and/or plants.
 - (2) The maximum setback from the rear property line may be increased to meet the transportation division minimum required turning radius and other maneuvering standards.
 - (3) The planning director or designee may authorize the issuance of building permits for an accessory structure with a maximum setback of more than five feet (5') from the rear property line if the property owner demonstrates that fifty percent (50%) or more of the properties on the block face have accessory structures located more than five feet (5') from the rear property line. In this case, the accessory structure may be set back from the rear property line a distance equal to the average setback of the other accessory structures on the block face. An appeal of this administrative decision shall be heard by an administrative hearing officer subject to the provision of chapter 21A.52 of this title.
 - (4) The board of adjustment may approve an alternate location for an accessory structure as a special exception based on hardships created by topography or the location of mature vegetation.

- 5. Accessory Or Principal Lot: No portion of an accessory building on either an accessory or principal lot may be built closer than ten feet (10') to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district; excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants.

B. Maximum Coverage:

1. Yard Coverage:

- a. In residential districts, any portion of an accessory building, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, shall occupy not more than fifty percent (50%) of the total area located between the rear facade of the principal building and the rear lot line.
- b. The combined coverage for all hoop houses, greenhouses, and cold frames shall not exceed ten percent (10%) when located on vacant lots or, when located on a lot with a principal building, shall not exceed fifteen percent (15%) of the total area located between the rear facade of the principal building and the rear lot line plus the side yard area between the front and rear facades of the principal building.

2. Building Coverage:

- a. In the FR, R-1, R-2 and SR residential districts the maximum building coverage of all accessory buildings, excluding hoop houses, greenhouses, and cold frames

associated solely with growing food and/or plants, shall not exceed fifty percent (50%) of the building footprint of the principal structure up to a maximum of seven hundred twenty (720) square feet for a single-family dwelling and one thousand (1,000) square feet for a two-family dwelling. The maximum footprint for a primary accessory structure within the SR-1A is limited to four hundred eighty (480) square feet with an additional one hundred twenty (120) square feet allowed for a secondary accessory structure. Notwithstanding the size of the footprint of the principal building, at least four hundred eighty (480) square feet of accessory building coverage shall be allowed subject to the compliance with subsection B1 of this section.

- b. The combined coverage for all hoop houses, greenhouses, and cold frames shall not exceed thirty-five percent (35%) of the building footprint of the principal structure.

C. Maximum Height Of Accessory Buildings/ Structures:

1. Accessory To Residential Uses In The FP District, RMF Districts, RB, R-MU Districts, And The RO District: The height of accessory buildings/structures in residential districts shall conform to the following:
 - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12');
 - b. The height of accessory buildings with pitched roofs shall not exceed seventeen feet (17') measured to the midpoint of the roof; and
 - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to chapter 21A.52 of this title.
2. Accessory To Residential Uses In The FR, R-1 Districts, R-2 District And SR Districts: The height of accessory buildings/structures in the FR districts, R-1 district, R-2 district and SR districts shall conform to the following:
 - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12'); nine feet (9') in the SR-1A;
 - b. The height of accessory buildings with pitched roofs shall not exceed seventeen feet (17') measured as the vertical distance between the top of the roof and the finished grade at any given point of building coverage. In the SR-1A the height of accessory buildings with pitched roofs shall not exceed fourteen feet (14'); and
 - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to chapter 21A.52 of this title, if the proposed accessory building is in keeping with other accessory buildings on the block face.

SECTION 7. Amending text of *Salt Lake City Code* section 21A.40 to adopt section

21A.40.170. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.40.170 (Zoning: Accessory Uses, Buildings and Structures: Small Wind Energy Systems), which shall read as follows:

21A.40.170: SMALL WIND ENERGY SYSTEMS:

1. Standards.

All small wind energy systems shall comply with the following requirements. If there is any conflict between the provisions of this section and any other requirements of the zoning, site development, and subdivision ordinances, the zoning administrator shall determine which requirements apply to the project in order to achieve the highest level of neighborhood compatibility.

a. Setback.

The base of the tower shall be set back from all property lines, public rights-of-way, and public utility lines a distance equal to the total extended height plus five feet. If the small wind energy system is on a roof, the total extended height is equal to the roof height and tower height. A tower may be allowed closer to a property line than its total extended height if the abutting property owner(s) grants written permission and the installation poses no interference with public utility lines or public road and rail rights-of-way. Guy wires and other support devices shall be setback at least five (5) feet from all property lines.

b. Tower Height.

Where the total extended height meets the sound and setback requirements of this section (See 1a above.), there shall be no specific height limitation, except as imposed by Federal Aviation Administration (FAA) regulations per subsection (j), below.

c. Sound.

Sound produced by the turbine under normal operating conditions, as measured at the property line of any adjacent property improved with a dwelling unit at the time of the issuance of the zoning certificate, shall not exceed 55 dBA for any period of time. The 55 dBA sound level may be exceeded during short-term events out of the owner's control such as utility outages and/or severe wind storms.

d. Appearance, Color, and Finish.

Colors permitted include grays, browns, greens, tans and other earth tones. Bright, luminescent, or neon colors are prohibited.

e. Clearance.

The blade tip or vane of any small wind energy system shall have a minimum ground clearance of 15 feet as measured at the lowest point of the arc of the blades. Blades on small wind energy systems in residential districts shall not exceed twenty (20) percent of tower height. All portions of the system shall maintain a clearance from power utility lines as required by the Utah High Voltage Line Safety Act.

f. Signage Prohibited.

All signs on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road, other than the

manufacturer's or installer's identification, appropriate warning signs, or owner identification, shall be prohibited.

- g. Lighting.**
No illumination of the turbine or tower shall be allowed unless required by the Federal Aviation Administration (FAA).
- h. Access.**
No foot pegs, rungs, or other climbing aids shall be allowed below 12 feet on a freestanding tower. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.
- i. Requirement for Engineered Drawings.**
Building permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure and stamped engineered drawings (by an engineer licensed by the State of Utah) of the tower, base, footings, and/or foundation as provided by the manufacturer.
- j. Compliance with FAA Regulations.**
No small wind energy system shall be constructed, altered, or maintained so as to project above any of the imaginary airspace surfaces described in FAR Part 77 of the FAA guidance on airspace protection or other current FAA regulations governing airspace protection.
- k. Compliance with Building and Electrical Codes.**
Small wind energy systems and all associated components shall comply with all applicable building and electrical codes adopted by Salt Lake City and the State of Utah.
- l. Utility Notification.**
No small wind energy system shall be installed until evidence has been submitted to the city that the relevant electric utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- m. Abandonment.**
If a wind turbine is inoperable for six consecutive months the owner shall be notified by Salt Lake City that they must, within six months of receiving the notice, restore their system to operating condition or remove the wind turbine from the tower. If the owner(s) fails to restore their system to operating condition within the six-month time frame, then the owner shall be required, at his expense, to remove the wind turbine from the tower for safety reasons.
- n. Off-Street Parking Or Loading Requirements.**
A small 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.

o. Exceptions.

Small wind energy systems are prohibited in the Open Space OS and Natural Open Space NOS zoning districts.

SECTION 8. Amending text of *Salt Lake City Code* section 21A.40 to adopt section

21A.40.180. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.40.170 (Zoning: Accessory Uses, Buildings and Structures: Small Solar Energy Collection Systems), which shall read as follows:

21A.40.180: SMALL SOLAR ENERGY COLLECTION SYSTEMS:

1. Standards

All small solar energy collection systems shall comply with the following requirements except as provided in Section 2 relating to small solar energy collection systems in the Historic Preservation Overlay Districts. Per chapter 21A.34.020 the historic landmark commission or staff have authority to modify the setbacks, location and height to ensure compliance with the overlay district regulations. Excluding Section 2, if there is any conflict between the provisions of Section 1 *Standards*, and any other requirements of the zoning, site development, and subdivision ordinances, the zoning administrator shall determine which requirements apply to the project in order to achieve the highest level of neighborhood compatibility.

a. Setbacks, Location, and Height

- (1) A small solar energy collection system shall be located a minimum of six feet from all property lines and other structures, except the structure on which it is mounted.
- (2) A small solar energy collection system may be located on an accessory structure, including legal accessory structures located less than six feet from a property line.
- (3) A small solar energy collection system shall not exceed by more than three feet the maximum building height (based on the type of building – principal or accessory - the system is located on) permitted in the zoning district in which it is located or shall not extend more than 12 feet above the roofline of the structure upon which it is mounted, whichever is less.
- (4) A development proposed to have a small solar energy collection system located on the roof or attached to a structure, or an application to establish a system on an existing structure, shall provide a structural certification as part of the building permit application.

b. Coverage

A small solar energy collection system mounted to the roof of a building shall not exceed ninety percent (90%) of the total roof area of the building upon which it is installed. A system constructed as a separate accessory structure

on the ground shall count toward the total building and yard coverage limits for the lot on which it is located.

c. Code Compliance

Small solar energy collection systems shall comply with all applicable building and electrical codes contained in the International Building Code adopted by Salt Lake City.

d. Solar Easements

A property owner who has installed or intends to install a small solar energy collection system shall be responsible for negotiating with other property owners in the vicinity for any desired solar easement to protect solar access for the system and shall record the easement with the Salt Lake County Recorder.

e. Off-Street Parking And Loading Requirements

Small solar energy collection systems 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.

2. Small Solar Collection Systems And Historic Preservation Overlay Districts or Landmark Sites

a. General

In addition to meeting the standards set forth in this ordinance, Section 21A.040.180, all applications to install a small solar collection system within the Historic Preservation Overlay District shall obtain a Certificate of Appropriateness prior to installation. Small solar collection systems shall be allowed in accordance with the location priorities detailed in subsection 21A.40.180.2.c that follows. If there is any conflict between the provisions of this subsection ,21A.40.180.2, and any other requirements of Section 21A.40.180, Small Solar Energy Collection System, the provisions of this subsection shall take precedence.

b. Installation Standards

The small solar energy collection system shall be installed in a location and manner on the building or lot that is least visible and obtrusive and in such a way that causes the least impact to the historic integrity and character of the historic building, structure, site or district while maintaining efficient operation of the solar device. The system must be installed in such a manner that it can be removed and not damage the historic building, structure, or site it is associated with.

c. Small Solar Collection System Location Priorities

In approving appropriate locations and manner of installation, consideration shall include the following locations in the priority order they are set forth below. The method of installation approved shall be the least visible from a public right-of-way, not including alleys, and most compatible with the character-defining features of the historic building, structure, or site. Systems

proposed for locations 1 – 4, which are not readily visible from a public right-of-way may be reviewed administratively as set forth in Chapter 21A.34.020.F.1 *Administrative Decision*. Systems proposed for locations 5 – 6, which may be visible from a public right-of-way shall be reviewed by the Historic Landmark Commission in accordance with the procedures set forth in Chapter 21A.34.020.F.2 *Historic Landmark Commission*.

- (1) Rear yard in a location not readily visible from a public right-of-way.
- (2) On accessory buildings or structures in a location not readily visible from a public right-of-way.
- (3) In a side yard in a location not readily visible from a public right-of-way.
- (4) On the principal building in a location not readily visible from a public right-of-way.
- (5) On the principal building in a location that may be visible from a public right-of-way, but not on the structure's front façade.
- (6) On the front façade of the principal building in a location most compatible with the character-defining features of the structure.

SECTION 9. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this 26th day of April, 2011.



CHAIRPERSON

ATTEST AND COUNTERSIGN:



SHY RECORDER

Transmitted to Mayor on May 11, 2011.

Mayor's Action: X Approved. _____ Vetoed.



MAYOR



CITY RECORDER
(SEAL)



Bill No. 20 of 2011.

Published: May 17, 2011.

HB_ATTY-#15511-v10-Ordinance-_Sustainability_accessory_structures.DOC

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: 5/6/11
By: EV VITO

SALT LAKE CITY ORDINANCE
No. 21 of 2011

(An ordinance amending portions of Title 21A of the *Salt Lake City Code* concerning urban agriculture and large renewable energy site uses)

An ordinance amending sections 21A.36 (Zoning: General Provisions), 21A.62 (Zoning: Definitions), 21A.24 (Zoning: Residential Districts), 21A.26 (Zoning: Commercial Districts), 21A.28 (Zoning: Manufacturing Districts), 21A.30 (Zoning: Downtown Districts), 21A.31 (Zoning: Gateway Districts), and 21A.32 (Zoning: Special Purpose Districts) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2009-01337 to recognize and allow certain sustainable uses and structures.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held public hearings on June 23, 2010 and July 28, 2010 to consider a request made by Salt Lake City Mayor, Ralph Becker (petition no. PLNPCM2009-01337), to amend certain sections of Title 21A of the *Salt Lake City Code* to recognize and allow urban agriculture and large renewable energy sites as permitted or conditional uses in certain zoning districts, as set forth herein; and

WHEREAS, at its July 28, 2010 meeting, the Planning Commission voted to transmit a positive recommendation to the Salt Lake City Council (“City Council”) on said application; and

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the City’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* section 21A.36 to adopt section 21A.36.200. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.36.200 (Zoning: General Provisions: Qualifying provisions for an Urban Farm), which shall read as follows:

21A.36.200: Qualifying provisions for an Urban Farm:

1. **Accessory Buildings:** Accessory buildings 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. **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, except for irrigation.
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 150 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 each day.

- 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.

13. **Demolition of a Single Family Dwelling:** No more than one single family dwelling may be demolished for an urban farm. Any proposed demolition is subject to all requirements in section 18.64.050 of the Zoning Ordinance, Residential Demolition Provisions.

SECTION 2. Amending text of *Salt Lake City Code* section 21A.36 to adopt section

21A.36.210. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.36.210 (Zoning: General Provisions: Qualifying provisions for a Community Garden), which shall read as follows:

21A.36.210: Qualifying provisions for a Community Garden:

1. **Accessory Buildings:** Accessory buildings 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. **Disposal Requirements:** All flammables, pesticides, fertilizers and other hazardous wastes should be disposed of according to Federal and State requirements.
4. **Hours of Operation:** Community Gardens shall conform with City Code, Chapter 9.28 Noise Control and other applicable County Health Department Regulations.
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 On-street parking is to comply with the existing roadway status.
8. **On Site Sales and Events:** Owners and Producers associated with Community Gardens may conduct educational or promotional events, and sell locally grown products on site provided the following requirements are met;
 - a) The sale or event is directly linked to the Community Garden. No external events such as a reception or sales of products and goods not generally associated with a community garden are allowed, unless the event is otherwise allowed in the zone by the Zoning Ordinance.
 - 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 or event each day.
 - c) All required City business licenses and permits shall be obtained prior to the sale or event.
 - d) Sales stands and exhibits are not allowed within the public right-of-way except in an area abutting a Community Garden.
 - e) The sales stand and exhibits shall be non-permanent structures, and must be removed immediately following the sale or event.
 - 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.
10. **Demolition of a Single Family Dwelling:** No more than one single family dwelling may be demolished for a community garden. Any proposed demolition is subject to all requirements in section 18.64.050 of the Zoning Ordinance, Residential Demolition Provisions.

SECTION 3. Amending text of *Salt Lake City Code* section 21A.36 to adopt section 21A.36.220. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.36.220 (Zoning: General Provisions: Qualifying provisions for a Seasonal Farm Stand), which shall read as follows:

21A.36.220: Qualifying Provisions for a Seasonal Farm Stand:

1. **Duration:** Business activity associated with a seasonal farm stand shall be of a temporary nature;
2. **Right-of-way:** No seasonal farm stand is allowed within the public right-of-way.
3. **Third Party Location:** No business activity shall take place on the premise of a third party without first receiving written permission from the property owner.
4. **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 off street 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.
5. **Setback:** Seasonal farm stands must be setback a minimum of 10 feet from the edge of pavement of a City street.
6. **Size:** A seasonal farm stand may not exceed 100 square feet in size.
7. **Food Preparation:** Food preparation is prohibited at farm stands.
8. **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
9. **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.
10. **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.
11. **Garbage:** All garbage and refuse shall be stored and disposed of in accordance with established Health Department standards.
12. **Storage:** Perishable foods must be stored in a vermin-proof area or container when the facility is closed.

SECTION 4. Amending text of *Salt Lake City Code* section 21A.36 to adopt section

21A.36.230. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.36.230 (Zoning: General Provisions: Qualifying provisions for a Solar Array), which shall read as follows:

21A.36.230: Qualifying Provisions for a Solar Array:

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 except for wires connecting to the electrical distribution grid.
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. **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 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.

SECTION 5. Amending text of *Salt Lake City Code* section 21A.36 to adopt section

21A.36.240. That the *Salt Lake City Code* shall be, and hereby is, amended to adopt section 21A.36.240 (Zoning: General Provisions: Qualifying Provisions for a Large Wind Energy System), which shall read as follows:

21A.36.240: Qualifying Provisions for a Large Wind Energy System:

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. **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. **Utility Inter-Connection:** No large wind energy system shall be installed that does not meet the requirements of local utility providers for an interconnected customer-owned generator. Off-grid 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.

SECTION 6. Amending text of *Salt Lake City Code* section 21A.36.030.B. That section

21A.36.030.B of the *Salt Lake City Code* (Zoning: General Provisions: Home Occupations),

shall be, and hereby is, amended to read as follows:

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 assembled at home for off premises sales (such crafts, etc.);
6. Janitorial services;
7. Mail order business or sales representative; and
8. Distribution of products grown as part of an urban farm for on or off premise sales (such as garden produce).

SECTION 7. Amending text of *Salt Lake City Code* section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions), shall be, and hereby is, amended, in pertinent part, such that each of the following definitions shall be added and inserted alphabetically into that section:

COMMUNITY GARDEN: "Community garden" means an area of land managed and maintained by an identifiable group of community members used to grow and harvest food crops and/or non-food, ornamental crops such as flowers, for personal or group use, consumption, donation, or sale, or for educational purposes. Generally operated as not-for-profit, limited sales and events may also occur on the site to fund the gardening activities and other charitable purposes. Private use of private land (not intended to benefit the community at large) and horticultural activities by the City on city-owned land do not constitute community garden use.

LARGE WIND ENERGY SYSTEM: 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.

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

SEASONAL FARM STAND: "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.

SOLAR ARRAY: 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.

URBAN FARM: “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.”

SECTION 8. Amending text of *Salt Lake City Code* section 21A.24.010.Q. That section 21A.24.010.Q of the *Salt Lake City Code* (Zoning: Residential Districts: General Provisions), shall be, and hereby is, amended to read as follows:

Q. Omitted.

SECTION 9. Amending text of *Salt Lake City Code* section 21A.24.190. That section 21A.24.190 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban Farm to be inserted alphabetically in that table under the category of “Miscellaneous” and that the use category of “Community gardens” presently listed under the category of ‘Recreation, cultural and entertainment” in that table is omitted, as shown on Exhibit “A” hereto.

SECTION 10. Amending text of *Salt Lake City Code* section 21A.26.080. That section 21A.26.080 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban Farm to be inserted alphabetically in that table under the category of “Miscellaneous”, as shown on Exhibit “B” hereto.

SECTION 11. Amending text of *Salt Lake City Code* section 21A.28.040. That section 21A.28.040 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban

Farm to be inserted alphabetically in that table under the category of “Miscellaneous”, as shown on Exhibit “C” hereto.

SECTION 12. Amending text of *Salt Lake City Code* section 21A.30.050. That section 21A.30.050 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban Farm to be inserted alphabetically in that table under the category of “Miscellaneous”, as shown on Exhibit “D” hereto.

SECTION 13. Amending text of *Salt Lake City Code* section 21A.31.050. That section 21A.31.050 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for the Gateway District), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban Farm to be inserted alphabetically in that table under the category of “Miscellaneous”, as shown on Exhibit “E” hereto.

SECTION 14. Amending text of *Salt Lake City Code* section 21A.32.140. That section 21A.32.140 of the *Salt Lake City Code* (Zoning: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended to add the use categories of Community Garden, Large Wind Energy System, Seasonal Farm Stand, Solar Array, and Urban Farm to be inserted alphabetically in that table under the category of “Miscellaneous”, as shown on Exhibit “F” hereto.

SECTION 15. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this 3rd day of May,
2011.

Jill lone
CHAIRPERSON

ATTEST AND COUNTERSIGN:

Christina Meeker
CITY RECORDER



Transmitted to Mayor on 5-3-2011.

Mayor's Action: X Approved. Vetoed.

Dale H
MAYOR

Christina Meeker

CITY RECORDER

(SEAL)



Bill No. 21 of 2011.
Published: 5-10-2011.

APPROVED AS TO FORM	
Salt Lake City Attorney's Office	
Date:	<u>MAY 3, 2011</u>
By:	<u>Paul C. Nielson</u> Paul C. Nielson, Senior City Attorney

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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Use	Permitted And Conditional Uses, By District Residential Districts																		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Community Garden	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P
Large Wind Energy System																			
Seasonal Farm Stand															P	P	P	P	P
Solar Array																			
Urban Farm	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P

Exhibit A

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

Legend: C = Conditional P = Permitted

		Permitted And Conditional Uses By District						
Use		CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75
	Community Garden	P	P	P	P	P	P	P
	Large Wind Energy System		P		P		P	P
	Seasonal Farm Stand	P	P	P	P	P	P	P
	Solar Array						P	
	Urban Farm	P	P	P	P	P	P	P

Exhibit B

**21A.28.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR
MANUFACTURING DISTRICTS:**

Legend: C = Conditional P = Permitted

Permitted And Conditional Uses By District		
Use	M-1	M-2
Community Garden	P	P
Large Wind Energy System	P	P
Seasonal Farm Stand	P	P
Solar Array	P	P
Urban Farm	P	P

Exhibit C

21A.30.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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		Permitted And Conditional Uses By District			
Use		D-1	D-2	D-3	D-4
	Community Garden	P	P	P	P
	Large Wind Energy System				
	Seasonal Farm Stand	P	P	P	P
	Solar Array				
	Urban Farm	P	P	P	P

Exhibit D

21A.31.050: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend: C = Conditional P = Permitted

		Permitted And Conditional Uses By District	
Use		G-MU	
	Community Garden	P	
	Large Wind Energy System		
	Seasonal Farm Stand	P	
	Solar Array	P	
	Urban Farm	P	

Exhibit E

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

Legend:	C =	Conditional use	P =	Permitted use
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Use		Permitted And Conditional Uses																
		RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
	Community Garden	P	P	P	P	P	P	P				P	P	P	P	P	P	P
	Large Wind Energy System	C	C		C	C	C	C			C			P	P			
	Seasonal Farm Stand				P	P	P	P				P	P	P	P			P
	Solar Array	P	P		P						P	P		P				
	Urban Farm	P	P	P	P	P	P	P	P			P	P	P	P			

Exhibit F

21A.46.055: TEMPORARY PORTABLE SIGNS:

Pursuant to the terms and conditions set forth in this section, attended portable signs shall be allowed on public property in residential/business (RB), residential/mixed use (R-MU), neighborhood commercial (CN), community business (CB), community shopping (CS), corridor commercial (CC), Sugar House business (CSHBD), general commercial (CG), light manufacturing (M-1), heavy manufacturing (M-2), central business (D-1), downtown support (D-2), downtown warehouse/residential (D-3), downtown secondary central business (D-4), gateway-mixed use (G-MU) and business park (BP) zoning districts.

- A. Size: The maximum size of such portable signs shall not exceed three feet (3') in height and two feet (2') in width on a sidewalk. Illumination and other attached decorations or objects on such signs are prohibited.
- B. Location: Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip) but not in the roadway. Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least ten feet (10') wide on Main Street between South Temple and 400 South; and where available, eight feet (8') wide in the D-1, D-3, D-4 and G-MU districts. In all other applicable areas a minimum of six feet (6') of unobstructed space is required. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.
- C. Construction: All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.
- D. Attended Portable Signs: An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building. Salt Lake City reserves the right to request the removal or relocation of a portable sign to accommodate construction activity within the public right of way.

Portable signs that are attended by a representative shall be permitted only on the "block face" (as defined in section [21A.62.040](#) of this title) on which the business being advertised is located and on up to two (2) block faces intersecting and contiguous with the block face on which such business is located, provided that the portable sign is located within a zoning district which permits said signs. Within the downtown and gateway zoning districts, a "block face" shall be defined as all of the lots facing one side of a street between two (2) intersecting collector and/or arterial streets. (Ord. 85-06 § 1, 2006: Ord. 5-05 § 3, 2005: Ord. 78-03 § 3, 2003)