

## Item G-4

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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** February 28, 2003

**SUBJECT:** Petition 400-03-03 – Ordinance to amend the text of the Zoning Ordinance and establish a Light Manufacturing Height Overlay District for properties located at 5300 to 5500 West and 1730 to 2100 South

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted, the Plan will affect Council District 2

**STAFF REPORT BY:** Janice Jardine, Planning Policy Analyst

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community and Economic Development – Planning Division  
Ray McCandless, Principal Planner

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### KEY ELEMENTS:

- A. An ordinance has been prepared to amend the text of the Zoning Ordinance and establish a Light Manufacturing Height Overlay District for properties located at 5300 to 5500 West and 1730 to 2100 South. The properties are currently zoned Light Manufacturing M-1. This action would accommodate relocation of the Newspaper Agency Corporation's printing and delivery facilities to the vacant Gateway computer building located at 5420 West 2100 South. An addition on the west side of the building is proposed to accommodate a new printing press that is necessary in order to print both the Salt Lake Tribune and the Deseret News for morning delivery. The size of the new press requires that the addition be higher than the currently allowed 65-foot height. (Please see the attached maps for reference.)
- B. The Administration is scheduled to brief the City Council on the proposal at the Council's meeting on March 4th. A public hearing has been scheduled for March 11<sup>th</sup>. The Council previously approved this reduced timeframe in order to accommodate the Newspaper Agency Corporation's timeline for construction and relocation. The timeframe still meets legal requirements.
- C. The proposed Zoning Ordinance text change would amend the Overlay District Chapter (21A.34) to include a Light Manufacturing Height Overlay District M-1H.
  - 1. The purpose is to provide a location for specialized industrial buildings with a need to exceed the maximum allowable building height in the Light Manufacturing M-1 zoning district.
  - 2. The overlay district would allow a maximum building height of 85 feet.
- D. The proposed Zoning Map amendment would establish a Light Manufacturing Height Overlay District for properties located at 5300 to 5500 West and 1730 to 2100 South in addition to the current Light Manufacturing M-1 zoning district classification. The current Light Manufacturing M-1 zoning classification allows a maximum building height of 65-feet. Prior to the 1995 Zoning Rewrite Project, the maximum building height for the Light Manufacturing zoning district was 80-feet.
- E. The Administration's transmittal and Planning staff report provide a detailed discussion of the proposed text and map amendments. Major points are summarized below. (Please refer to the Planning staff report for additional details.)

1. The proposed building height of 85-feet is consistent with height allowed in adjacent zoning districts (through the conditional use process) and with the overall character of existing development in the area. The proposed overlay district will not adversely affect adjacent properties.
  2. Creating an overlay district would help satisfy the City's desire to retain current and historically significant businesses as an economic development strategy.
  3. The proposed height overlay district could be applied in the future to other areas zoned for light manufacturing uses. New proposals would require a zoning map amendment including a public process through the Planning Commission and City Council. The Planning staff report notes that the Planning Division will continue to evaluate appropriate locations for taller buildings in other M-1 zoned areas.
  4. The intersection of 2100 South and 5600 West is considered part of the southwest "gateway" to the City. Allowing taller buildings would provide greater visibility from 2100 South.
  5. The appropriate City departments and divisions have reviewed the proposed text and map amendments. Site development, utility service requirements and building and fire code compliance will be evaluated through the development review and building permit processes.
  6. The properties are located in the Airport Flight Path Protection Overlay District. (21A.34.040) The Airport Influence Zone B subsection regulates the height of buildings and structures. The Airport Authority has indicated that increasing the maximum building height to 85-feet in this location is not a concern to airport operations.
  7. The City has implemented other overlay districts for specific needs in this area such as the Landfill and Airport Flight Path Protection Overlay Districts.
- F. The purpose of the Light Manufacturing M-1 zoning district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. (21A.28.020A)
- G. The intent of the Overlay District Chapter in the Zoning Ordinance is to provide supplemental regulations or standards relating to specific geographic features or land uses in addition to "base" or underlying zoning district regulations within a designated area. Whenever there is a conflict between the regulations of a base zoning district and those of an overlay district, the overlay district regulations shall control. (21A.34.010A) Overlay Districts currently established in the Zoning Ordinance include:
1. H Historic Preservation
  2. T Transitional
  3. AFPP Airport Flight Path Protection
  4. LC Lowland Conservancy
  5. ARP Aquifer Recharge Protection
  6. LO Landfill
  7. CHPA Capitol Hill Protective Area
  8. SSSC South State Street Corridor
  9. Localized Alternative Signage
- H. On February 12, 2003, the Planning Commission adopted motions to forward to the City Council a positive recommendation to approve the proposed Zoning Ordinance text and map amendments. Issues discussed at the Planning Commission meeting included criteria used by staff to determine the size of the overlay district, the lack of an adopted master plan for the area and the schedule for a proposed master plan process. (Please refer to the Planning Commission minutes for details.)
- I. The public process included review by the West Salt Lake Community Council Executive Committee and written notification of the Planning Commission hearing to property owners within a 300-foot radius of the proposed overlay district.

## **MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:**

- A. Council Members may wish to discuss with the Administration the proposed master plan process schedule for this area. The Planning staff report notes “Although a land use master plan has not been adopted for this area, the proposed overlay district is consistent with other existing land uses in the area.” This issue was discussed at the Planning Commission meeting. Reference was made to a separate handout indicating that the Northwest Quadrant Master Plan may or may not be adopted between 2003 and 2005. In addition, the Zoning Ordinance identifies five review standards that the Council should consider when considering proposed amendments. One of those standards requires consideration of whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of the City.
- B. Council Members may wish to discuss with the Administration if it might be appropriate to provide additional criteria to be evaluated in order to establish a Light Manufacturing Height Overlay District. The criteria would be used in addition to existing requirements for zoning amendments or conditional uses established in the Zoning Ordinance. (Please note - future application of the Light Manufacturing Height Overlay District would require a zoning map amendment process through the Planning Commission and City Council.) Several overlay districts currently listed in the Zoning Ordinance have additional criteria, standards or requirements. For example:
- Landfill Overlay District:
    - Requires all land uses to be approved through the conditional use process.
    - Additional conditions that may be imposed by the Planning Commission include restrictions on types of uses, construction, location, landscaping, screening, parking, hours and days of operation storage of materials or other conditions to prevent or minimize any adverse impacts.
    - Establishes a distance restriction from residential or institutions zones.
    - Identifies specific minimum lot size, yard, landscape and buffer requirements.
  - Localize Alternative Sign Overlay District:
    - Requires the applicant to submit proposed regulations for the overlay district to the Zoning Administrator.
    - Proposed regulations may be applied to a particular center, campus or district as an alternative to the sign regulations that would otherwise be applicable.
  - Aquifer Recharge Protection Overlay District:
    - Restricts 17 types of land uses that may contribute to groundwater pollution such as agricultural uses, automobile repair and service, golf courses, pesticide use and storage, hazardous materials storage, storm water detention facilities and retention basins, etc.
    - Requires a compliance permit from the City/County Health Department and written approval from the City Public Utilities Department.

## **MASTER PLAN & POLICY CONSIDERATIONS:**

- A. The City’s Strategic Plan and the Futures Commission Report contain statements that support creating attractive conditions for business expansion including retention and attraction of large and small businesses, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The documents express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting.

- B. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
  2. Contributes to a livable community environment;
  3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
  4. Forestalls negative impacts associated with inactivity.
- C. The proposed overlay district will be applied to properties within the Northwest Quadrant planning area. The planning area encompasses land north of 2100 South to the northern City boundary and west of 4000 West to the western City boundary. The master plan for the Northwest Quadrant was initiated in the mid-1980's, but has not been reviewed or formally adopted by the City Council. The Planning staff report notes "Although a land use master plan has not been adopted for this area, the proposed overlay district is consistent with other existing land uses in the area." In the past, the Administration has noted that during the 1995 Zoning Rewrite project, the manufacturing zones were developed and applied to this area based upon previous zoning classifications and existing land uses.

## **CHRONOLOGY:**

### **➤ BACKGROUND**

The Administration's transmittal provides a detailed chronology of events relating to the proposed zoning text and map amendments. Please refer to the Administration's chronology for full details. Key meeting dates are listed below.

### **➤ KEY DATES**

- January 28, 2003                      West Salt Lake Community Council Executive Committee letter
- February 12, 2003                  Planning Commission Public Hearing

cc: Rocky Fluhart, David Nimkin, DJ Baxter, Ed Rutan, Alison Weyher, David Dobbins, Dave Oka, Louis Zunguze, Valda Tarbet, Roger Evans, Lynn Pace, Brent Wilde, Doug Wheelwright, Harvey Boyd, Enzo Calfa, Ray McCandless, Russell Weeks, Michael Sears, Marge Harvey, Annette Daley

File Location: Community and Economic Development Department, Planning Division, Zoning Ordinance text and map amendments