
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: August 29, 2003

SUBJECT: Petition No. 400-00-21 – Department of Airports – Request for zoning text amendment for landscape requirements, the creation of an Airport Landscape Overlay District and amending the City zoning map to include the new overlay district, as they relate to the Salt Lake City International Airport (Sec.21A34.040.31 and 32, Sec.21A.48.070, and Sec.21A.48.070H)

**AFFECTED COUNCIL
DISTRICTS:**

If the ordinance is adopted, the rezoning will affect Council District 1

STAFF REPORT BY: Sylvia Jones, Policy Analyst and Janice Jardine, Land Use Policy Analyst

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

KEY ELEMENTS:

1. The Department of Airports has requested an amendment to the Zoning Ordinance to allow construction of their parking lots without the landscaping that is typically required. The concern is that trees included in the landscaping would attract birds and could pose a safety hazard for aircraft.
2. The proposed zoning text amendment will create an Airport Landscaping Overlay District that would allow the Department of Airports to better manage hazardous situations associated with the creation of wildlife habitat. The text amendment will create opportunities to be more sensitive of environmental constraints and allow more advanced consideration of safety issues required by the FAA USDA/APHIS Regulations, Sec. 337: Wildlife Hazard Management Plan. The regulations are used by the FAA to require wildlife management control measures in and around airports. A letter addressed to the Airport from the FAA states that the FAA strongly objects to the planting of a significant number of trees. The letter also notes that the City would be exposed to significant liability should the trees be planted. (Please see the Planning Staff Report, Exhibit 7, Federal Aviation Administration Letter for details.)
3. The Overlay District would be applied to all properties located generally between Interstate-215 and the eastern boundary of the Salt Lake International Center, and between 2700 North and the Western Pacific Railroad corridor south of Interstate-80. This area includes Airport property and other privately-owned properties. (Please see the attached map for details.)
4. The text amendment is intended to ensure adequate visual buffering of parking lots, water conservation and minimization of urban heat islands while still maintaining a landscaped area that reduces potential safety hazards. The Planning Director and the Director of Airports would have joint site plan approval authority for any airport parking lot.
5. Please note that the Administration's transmittal contains three ordinances: a legislative version, a final version approved by the Attorney's Office January 30, 2002, and a draft version approved by the Attorney's Office September 20, 2002. Please disregard the draft version.

6. The proposed regulations apply to permanent and temporary parking lots and lots (not available to the public) used to store vehicles, operational materials or maintenance equipment. Temporary parking lots (used for 3 years or less) and storage/maintenance lots will be exempt from the landscaping requirements.
7. The Administration's transmittal notes that the proposed overlay district would accomplish the following:
 - A. Implement the purpose of the Airport Flight Path Protection Overlay Zone by preventing potential hazards to airborne aircraft.
 - B. Allow flexibility in choosing plant species that provide an aesthetic buffer and natural surveillance for security purposes.
 - C. Require Site Plan Review for development in the Airport Landscape Overlay District.
8. According to the Airport Administration, the Planning Commission's recommendation to use light-colored paving materials would be too costly to maintain. (Please refer to the Planning Commission minutes dated March 12, 2003 and the letter dated March 21, 2003 from Tim Campbell, Director of Airports.) The Administration's transmittal indicates that alternative design criteria will be proposed to satisfy the Planning Commission's recommendation. Planning staff indicated that the design guidelines are included in items 32.a – 32.h of the proposed ordinance, and that the guidelines were written in a way to allow flexibility for more control over the specifics of each project.
9. Public process:
 - A. The Administration's transmittal notes that Mr. Allen McCandless, Department of Airports, made a presentation regarding the proposed request to modify the landscape requirements before the Jordan Meadows and Westpointe Community Councils in 2001.
 - B. On October 3, 2002, the Planning Commission voted to recommend that the City Council approve the creation of the overlay district and the proposed changes to the zoning text. The following issues were discussed at the Planning Commission's public hearing:
 - i. Landscape requirements and airport safety-related issues.
 - ii. Issues relating to water conservation and use of drought tolerant standards.
 - iii. Discussion of costs of using materials requested by the Planning Commission versus more traditional materials in parking lots.
 - iv. The need for further discussion about breaking up parking pads and heat islands with trees and/or other creative landscaping.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

1. Council Members may wish to discuss with the Administration other potential areas citywide or zone classifications that may be considered for similar water conservation, urban heat island reduction and visual buffering regulations, for example, areas zoned for large-scaled commercial, industrial, business park or research park land uses. Council Members may wish to consider whether the application of this approach in other areas would be considered a positive step for the City.
2. If the City exempts the Airport, then should the City also exempt all businesses from having to comply with the existing parking lot landscape requirements in the Zoning Ordinance, or does the need to avoid attracting birds to the airport area create a unique situation?
3. Does all landscaping attract birds, or are there alternative landscaping approaches the Airport could take and still meet the intent of the City's and the FAA's existing requirements?
4. Is it correct to state that a key policy objective of the City's current parking lot landscaping requirements is to help reduce urban heat islands? If so, does this ordinance provide adequate standards so that the goal is still met (standards are outlined on page 2, item 32.b. of the proposed ordinance)? How does the shifting of landscaping from the interior of parking lots to other areas within the development help to address the policy

goal of reducing urban heat islands? Might existing landscaping be counted in the evaluation, or would new landscaping need to be added with any parking lot expansions?

MASTER PLAN AND POLICY CONSIDERATIONS:

1. The Administration notes that the Airport Master Plan identifies the importance of protecting the functional utility of the Airport. The Plan further discusses the need to develop a detailed land use plan that will explore the potential for development and preserve critically-sensitive areas. In addition, the Plan recommends:
 - A. Designating land adjacent to the Airport for aerospace industries, airport service uses and other related or appropriate industrial uses.
 - B. Creating Covenants, Conditions and Restrictions (CC&R's) or other development guidelines to control aesthetic elements of development. Such guidelines may include:
 - i. Setback and landscape requirements
 - ii. Signage control
 - iii. Screening and buffering of parking, loading docks and trash storage, etc.
2. Airport staff has indicated to Council staff that the Airport Master Plan focuses mainly on facilities planning and related land uses on Airport properties. (The Airport Master Plan is an administrative document that has not been adopted by the City Council.) The Wildlife Hazard Management Plan, required by the Federal Aviation Administration, addresses more specifically measures to alleviate or eliminate wildlife hazards to airport operations based on an ecological study of property in and around the airport. (Please refer to the Planning staff report, Exhibit 6, Airport Regulations, Section 337: Wildlife Hazard Management for details.)
3. 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.
4. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Applicable policy concepts include:
 - Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
 - Ensure that land uses make a positive contribution to neighborhood improvement and stability and building restoration and new construction enhance district character.
 - Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
 - Treat building height, scale and character as significant features of a district's image.
 - Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed Zoning Ordinance text amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- 2001 Jordan Meadows and Westpointe Community Council meetings
- October 3, 2002 Planning Commission hearing

cc: Dave Nimkin, Rocky Fluhart, D.J. Baxter, Ed Rutan, Lynn Pace, Tim Campbell, Alison Weyher, David Dobbins, Steve Domino, Brent Wilde, Craig Spangenberg, Enzo Calfa, Allen McCandless, Janice Jardine, Cheri Coffey, Marilyn Lewis, Barry Esham

File Location: Community and Economic Development Dept., Planning Division, Zoning Text Amendment, Airport landscape requirements and Airport Landscape Overlay District