

**DATE:** April 5, 2007  
**TO:** Salt Lake City Planning Commission  
**FROM:** Nick Britton, Principal Planner  
**RE:** Staff Report for the April 11, 2007 Planning Commission Meeting

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**PETITION #:** 400-06-36, a text amendment request to the Salt Lake City Zoning Ordinance regarding maximum heights in the Light Manufacturing (M-1) Zoning District.

**APPLICANT:** Salt Lake City Planning Commission

**REQUESTED ACTION:** The Salt Lake City Planning Commission's role in this process is to determine if the proposed zoning text amendments meet the standards set forth in Section 21A.50.050: Standards for General Amendments, and forward a recommendation to the Salt Lake City Council.

**PROJECT LOCATION:** Citywide

**COUNCIL DISTRICT:** All Council Districts

**PROJECT DESCRIPTION:**

At the September 27, 2006 Planning Commission meeting, the Planning Division requested that the Planning Commission initiate a petition to review the potential for increasing the maximum height limit in the Light Manufacturing (M-1) Zoning District. The petition stems from request from various industries trying to locate in the M-1 Zoning District but unable to due to the restrictions on smokestacks and similar structures.

Currently, the M-1 Zoning District limits the height of buildings to 65 feet and does not allow for additional height for chimneys or smokestacks, nor does it offer an avenue for increasing the height through a process such as the conditional use process. The Heavy Manufacturing (M-2) Zoning District allows buildings up to 80 feet and allows chimneys or smokestacks up to 120 feet.

**PROPOSED ZONING TEXT AMENDMENT:**

The text amendment as developed by Planning Staff, involves revisions to both manufacturing zoning districts regarding maximum height allowances. The proposed changes are as follows:

1. Smokestacks, chimneys and distillation columns (see #2 below) would be permitted to exceed the 65 foot maximum up to a height of 120 feet in the M-1 Zoning District.
2. “Distillation columns” would be listed as structures that can exceed the maximum building height limit in both the M-1 and the M-2 Zoning Districts.
3. Any new development in either the M-1 or the M-2 Zoning District that also falls within the Airport Flight Path Protection (AFPP) Overlay District would require review and approval from the Department of Airports to ensure that the proposed structure will not interfere with airport operations.

**APPLICABLE LAND USE REGULATIONS:**

The proposed text amendment affects the following sections of the Salt Lake City Zoning Ordinance:

- 21A.28.020(F): Maximum Height, M-1 Light Manufacturing District
- 21A.28.030(F): Maximum Height, M-2 Heavy Manufacturing District

**MASTER PLAN SPECIFICATIONS:**

No specific adopted master plan applies to the M-1 and M-2 Zoning Districts. In order to promote economic vitality, the *Salt Lake City Vision and Strategic Plan* calls for the development of “‘business friendly’ licensing and regulatory practices”.

**COMMENTS:**

The comments received from pertinent City Departments/Divisions are attached to this staff report for review. An Open House was held but no members of the public were in attendance. The following is a summary of the comment and concerns received:

*City Department/Division Comments*

**A. Department of Airports**

On March 27, 2007, Staff met with Allen McCandless and Brady Fredrickson of the Department of Airports regarding the proposed text amendment. They noted that much of the land south of Salt Lake City International Airport was zoned M-1 and allowing structures up to 120 feet in height may impact airport operations. They asked that it be written into the ordinance that any development that occurs in the Airport Flight Path Protection (AFPP) Overlay District be reviewed by the Department of Airports prior to approval or issuance of a building permit.

**B. Building Services Division**

No comments were received from the Building Services Division.

**C. Engineering**

No comments were received from Engineering.

**D. Fire Department**

No comments were received from the Fire Department.

**E. Police Department**

No comments were received from the Police Department.

**F. Property Management**

No comments were received from Property Management.

**G. Public Services**

No comments were received from Public Services.

**H. Public Utilities Department**

No comments were received from Public Utilities.

**I. Transportation Division**

No comments were received from the Transportation Division.

*Open House Comments*

**A. Salt Lake City Planning Division Open House**

An open house was held on September 25, 2006 for the public to comment on the proposal and to offer their opinions. No comments were received from the public.

**ANALYSIS AND FINDINGS:**

Currently, all buildings and structures in the M-1 Zoning District are limited to 65 feet in height. The only exception to this is in the Light Manufacturing Height Overlay District (M-1H) which allows buildings up to 85 feet but does not provide allowance for additional height above 85 feet for smokestacks or similar structures. This text amendment would not increase the maximum height allowed in the M-1 Zoning District for all buildings. It will only allow certain types of structures (smokestacks, chimneys, and distillation towers) above that height limit up to 120 feet. Therefore, this will not impact the M-1H Overlay Zoning District in regard to its maximum height, but it will allow those structures up to 120 feet. This text amendment will also ensure that the Department of Airports has a chance to review all potential development in the AFPP Overlay District to ensure that the new height allowance in the M-1 Zoning District will not negatively impact airport operations.

Since the proposed text amendment is a modification of the text of the Zoning Ordinance, the Planning Commission shall review the proposed text change and forward a recommendation to the City Council. The Planning Commission shall use the following standards:

## 21A.50.05: Standards for General Amendments

### A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

**Discussion:** The proposed text amendment is consistent with the *Salt Lake City Vision and Strategic Plan* which calls for “‘business friendly’ licensing and regulatory practices”. Because this petition arose from acknowledgement that industries wishing to locate or expand in the Salt Lake City M-1 Zoning District have been limited by the maximum height regulation, that strategy would apply to this proposed text amendment.

**Findings:** The proposed text change is consistent with applicable city purposes, goals, objectives, and policies.

### B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

**Discussion:** The M-2 Zoning District currently allows smokestacks and chimneys to exceed the height limit up to 120 feet. The M-1 Zoning District does not have a similar exception. Planning Staff believes that the intensity of use is the major difference between industries located in the M-1 Zoning District and industries in the M-2 Zoning District. Further, Staff believes that allowing smokestacks, chimneys, and distillation towers up to 120 feet in height in the M-1 Zoning District will not change the purpose of the district: “to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting.” The Department of Airports will also have the opportunity to review all development in the M-1 and M-2 Zoning Districts that may impact airport operations.

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

### C. The extent to which the proposed amendment will adversely affect adjacent properties.

**Discussion:** This proposed text amendment impacts all sites zoned M-1. All future proposed projects in the M-1 Zoning District will be analyzed for the intensity of their use and their potential impact. Furthermore, any development will still have to meet standards for emissions, airport regulations, and the remainder of the regulations for the M-1 Zoning District.

**Findings:** The proposed text amendment will not adversely impact adjacent properties and will still have to meet all other requirements of the M-1 Zoning District.

**D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.**

**Discussion:** The proposed text amendment will not impact the M-1H Overlay Zoning District which allows buildings up to 85 feet in a certain portion of the M-1 Zoning District (limited to an area generally between 1730 South and 2100 South and 5200 West to 5500 West). With this text amendment, smokestacks, chimneys, and distillation towers would be allowed in the M-1H Overlay Zoning District just as they would be in the rest of the M-1 Zoning District. It would not impact the intent of the M-1H Overlay Zoning District.

The text amendment references the AFPP Overlay District (in which a significant portion of the parcels are zoned either M-1 or M-2) by requiring review and approval from the Department of Airports of all proposed development in AFPP Overlay District.

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

**E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

**Discussion:** The proposal is not site specific. All requests will be reviewed through the Building Services Division to ensure the public facilities and services are adequate for the subject site.

**Findings:** All future proposals in the M-1 Zoning District will be reviewed upon application for building permits. The proposed text amendment meets this standard.

**RECOMMENDATION:**

The Planning Division recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed text amendment, as reflected in this Staff Report.

Nick Britton, Principal Planner

April 4, 2007

Attachments: Exhibit A – Planning Division Petition Request  
Exhibit B – Proposed Zoning Ordinance Text Amendments  
Exhibit C – Current Zoning Ordinance Language  
Exhibit D – Open House Notice  
Exhibit E – Department/Division Comments

**Exhibit A**  
Planning Division Petition Request

**Exhibit B**  
Proposed Zoning Ordinance  
Text Amendments

**Exhibit C**  
Current Zoning Ordinance Language



**Exhibit D**  
Open House Notice

**Exhibit E**  
Department/Division Comments