

# PLANNING COMMISSION STAFF REPORT

## Petition #400-06-36 Zoning Text Amendment for Maximum Heights in the Light Manufacturing (M-1) Zoning District August 22, 2007



Planning and Zoning Division  
Department of Community  
Development

**Applicant:**

Salt Lake City Planning  
Commission

**Staff:**

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**Tax IDs:**

N/A

**Current Zone:**

M-1

**Master Plan Designation:**

N/A

**Council District:**

Citywide

**Acresage:**

N/A

**Current Use:**

N/A

**Applicable Land Use**

**Regulations:**

- 21A.28.020F

**Attachments:**

- A. Petition Request
- B. Proposed Zoning Ordinance Text Amendment
- C. Current Zoning Ordinance Language
- D. Department Comments
- E. Open House Notice
- F. Public Comments

**REQUEST**

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 several industries trying to locate in the M-1 Zoning District but unable to due to the restrictions on smokestacks and similar structures.

Planning staff has proposed an exception to the 65 foot height limit for structures in the M-1 Zoning District for emissions-free distillation columns. The proposed maximum heights for distillation columns is the most restrictive Federal Aviation Administration (FAA) imposed minimal approach surface elevations or 120 feet, whichever is less. All proposed development in the M-1 Zoning District and within the Airport Flight Path Protection (AFPP) Overlay District will require review and approval from the Department of Airports and any proposal exceeding 50 feet in height will require additional site-specific review and approval the FAA.

**PUBLIC NOTICE**

An Open House was held on August 2, 2007 at the City & County Building. Three members of the public showed up and did not support the proposed text amendment.

**STAFF RECOMMENDATION:**

1. 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.

## **Comments**

### ***Public Comments***

At an Open House on August 2, 2007, three members of the Glendale Community Council came to share their disapproval of the proposed text amendment. Generally, their concerns were that allowing this exception would set a precedent for other industrial uses that are over the height restrictions to locate in the M-1 zone. The community members want industrial uses to locate west of 5600 West where there is no residential development.

### ***City Department/Division Comments***

The Department of Airports opposed the original proposal drafted by the Planning Division. As a result, the Planning Commission tabled this matter and the Planning Division, Department of Airports, and Economic Development discussed potential changes. The resulting language was decided upon by Planning Division and the Department of Airports has no additional comments or suggestions regarding the latest revision.

## **Staff Analysis and Findings**

### ***Project History***

The Planning Commission tabled this item at the April 11, 2007 Planning Commission at the request of the Department of Airports. It has undergone significant revisions since that date.

### ***Master Plan Discussion***

No specific adopted master plan applies to the M-1 Zoning District. 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.”

### ***General Standards of Review***

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 a certain type of structures—an emissions-free distillation column—above that height limit up to 120 feet *or* the most restrictive FAA-imposed minimal approach surface elevation, whichever is less. It will also require Department of Airports review and approval for any proposed development in the AFPP Overlay District. Furthermore, any development in the AFPP Overlay District exceeding 50 feet will require site-specific approval from the FAA.

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 standards outlined in Section 21A.50.050:

#### **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.
- B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.
- C. The extent to which the proposed amendment will adversely affect adjacent properties.

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

Staff has concluded that the proposed zoning text amendment for the M-1 Zoning District meets all of the standards for a general amendment. All development would still be reviewed for appropriateness and compliance with the M-1 Zoning District. Any additional height over 65 feet would only be allowed for emissions-free distillation columns, pending Department of Airports approval and FAA approval (if over 50 feet) if the development falls within the AFPP Overlay District.













