

21A.36.180 Environmental Performance Standards:

A. Purpose: The purpose of environmental performance standards is to help ensure that the activities and processes employed by any use protect the environment, and the use and enjoyment of nearby properties by limiting the emission of potentially harmful noise, vibration, air pollution, odor and other forms of environmental impacts.

B. Scope of Regulation: Any use established in any district after April 12, 1995, shall be operated as to comply with applicable performance standards governing noise, vibration, air pollution, odors, fire and explosion hazards and toxic substances. No use already established on April 12, 1995, shall be altered, enlarged, expanded or modified as to conflict with the performance standards applicable to such uses.

C. Review by Other Agencies: In determining the compliance of any proposed use with applicable performance standards pursuant to this section, the zoning administrator may require an applicant for a zoning certificate to obtain review and comments upon the application as proposed from state and county agencies listed on the table below, or their successor agencies, as deemed necessary. See the table of concurrent regulatory agencies below.

TABLE OF CURRENT REGULATORY AGENCIES

<u>Environmental Category</u>	<u>Agency(ies)</u>
Noise	Salt Lake Valley health regulation noise control
Air pollution	Salt Lake Valley health regulation air pollution control State of Utah division of air quality
Odors	Salt Lake Valley health regulation air pollution control
Toxic substances	Salt Lake Valley health regulations solid waste management facilities State of Utah division of solid and hazardous waste
Water Pollution	State of Utah division of water quality State of Utah division of drinking water
Radiation hazards	State of Utah division of radiation control

D. For uses specifically noted in the Permitted and Conditional Use tables, non-residential uses proposed to operate outside of the hours of 7 a.m. to 10 p.m. in residential zoning districts, or uses within 300 feet of a residence in all non-residential zoning districts excluding manufacturing districts; the City may require the applicant to obtain review and comments from the Salt Lake Valley Health Department to assure the applicant can meet current community noise pollution control regulations prior to issuance of a building permit or business license. The City may require additional studies be submitted by the applicant and require measures be taken to mitigate potential noise impacts before building permits or business licenses are issued.

Uses specifically noted in the various Permitted and Conditional Use tables will require a professional acoustical engineer study be submitted by the applicant indicating attenuation measures are adequate to mitigate the noise to within the limits set forth in the community noise pollution control regulations if those uses abut a residence, either vertically or horizontally, and operate outside of the hours of 7 a.m. to 10 p.m.

Affected Uses of Noise Revisions

Note Language: If use operates outside the hours of 7 a.m. to 10 p.m. and abuts a residence, either vertically or horizontally, applicant must submit a professional acoustical engineer study indicating attenuation measures are adequate to mitigate noise to within legal limits.

RESIDENTIAL

Recreation, Cultural and Entertainment

Live performance theaters

Private clubs/tavern/lounge/brewpub; 2,500 sq ft or less in floor area

COMMERCIAL

Recreation, Cultural and Entertainment

Amusement park

Live performance theaters

Private club

Sexually oriented businesses

Tavern/lounge/brewpub, 2,500 sq ft or less in floor area

Tavern/lounge/brewpub, more than 2,500 sq ft in floor area

Miscellaneous

Microbrewery

DOWNTOWN DISTRICTS

Recreation, Cultural and Entertainment

Brewpub (indoor)
Brewpub (outdoor)
Live performance theater
Performance arts facilities
Private club (indoor)
Private club (outdoor)
Tavern/lounge (indoor)
Tavern/lounge (outdoor)

Miscellaneous

Microbreweries

GATEWAY DISTRICT

Recreational, Cultural and Entertainment

Amusement park
Arenas, stadiums
Brewpub (indoor)
Brewpub (outdoor)
Live performance theaters
Performance arts facilities
Private club (indoor)
Private club (outdoor)
Tavern/lounge (indoor)
Tavern/lounge (outdoor)

Miscellaneous

Amphitheater
Auditorium

SPECIAL PURPOSE DISTRICTS

Recreation, Cultural and Entertainment

Amphitheaters
Arenas, stadiums, fairgrounds
Movie theaters/live performance theaters
Performing arts production facility
Private club 2,500 sq ft or less in floor area
Tavern/lounge/brewpub; 2,500 sq ft or less in floor area