



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Maryann Pickering, Principal Planner
(801) 535-7660

Date: June 10, 2015

Re: Business Park District Zoning Text Amendment (PLNPCM2015-00159)

ZONING TEXT AMENDMENT

PROPERTY ADDRESS: Citywide

PARCEL ID: Not Applicable

MASTER PLAN: Not Applicable

ZONING DISTRICT: All BP Business Park Zoning Districts

REQUEST: A request by FARB Airport Land, LLC and other adjacent property owners to modify the minimum open space requirement for the Business Park Zoning District (Section 21A.32.030). The proposed change would reduce the minimum open space requirement from 30% to 15% for properties that are larger than three acres in size.

RECOMMENDATION: Based on the findings in the staff report, Planning Staff finds the proposed amendment adequately meets the standards for general text amendments and therefore recommends the Planning Commission transmit a positive recommendation for PLNPCM2015-00159 to the City Council to adopt the proposed zoning ordinance text amendment related to modification of the minimum open space requirement for the BP zoning district.

ATTACHMENTS:

- A. Petition to Initiate
- B. BP Zones Location Map
- C. Proposed Ordinance Changes
- D. Analysis of Standards
- E. Public Process and Comments
- F. Motions

PROJECT DESCRIPTION:

The Zoning Ordinance currently requires all properties within the BP (Business Park) zoning designation to have a minimum open space requirement of 30%. This larger percentage requirement has proved problematic for larger properties with the BP zoning designation. It has been difficult to find users or sellers for the larger parcels of land due to the large landscaped requirement. The 30% requirement takes up a large part of the property on the larger parcels.

Therefore, a group of BP property owners, represented by the applicant, have submitted a zoning text amendment to modify the minimum requirement.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

Issue 1: Minimum Percentage

Initially the application was submitted to eliminate the minimum landscape requirement. After discussions among Planning staff and with the applicant, it was determined that eliminating the minimum requirement all BP zoning properties would not be an appropriate change for the entire zoning designation. Staff researched all BP zoned properties located within the City; found that there are smaller BP properties located adjacent to residentially zoned properties, primarily in and around the area near Redwood Road and I-80. It was felt that a minimum landscape requirement was needed as a buffer to these surrounding residential areas. However, staff also recognizes that there are several large BP zoning properties along 2200 West that are not adjacent to residential areas and a large minimum requirement is not necessarily beneficial or appropriate because there is no need for the buffer provided, as in the case of smaller lots. Therefore, staff worked with the applicant to determine a minimum lot size that would be appropriate to have a reduced minimum landscaped requirement. The result was the current request of this petition. The result is a tiered system. Properties zoned BP less than three acres in size, the minimum open space requirement will remain at 30%. For properties larger than three acres, the minimum open space requirement will be 15%.

Issue 2: Landscape Buffer and Setbacks

The original petition also included a reduction in minimum setbacks and an increase to the minimum setback when a property is located adjacent to I-215. Again, after discussions with staff and the applicant, it was determined that these changes were not needed as a landscape buffer is already required and the additional buffer is not needed. The applicant has removed the request from the original petition.

DISCUSSION:

The proposal complies with the standards for zoning text amendments. After analyzing the proposal and the applicable standards, Planning Staff is of the opinion that a positive recommendation should be forwarded to the City Council for this request.

NEXT STEPS:

The City Council has the final authority to make changes to the text of the Zoning Ordinance. The recommendation of the Planning Commission for this request will be forwarded to the City Council for their review and decision.

ATTACHMENT A: PETITION TO INITATE



Zoning Amendment

Amend the text of the Zoning Ordinance Amend the Zoning Map

OFFICE USE ONLY

Received By: <i>3/6/2015</i>	Date Received: <i>Katia</i>	Project #: <i>PLNPCM2015-00159</i>
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Name or Section/s of Zoning Amendment: *BP Zoning Amendment*

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):
1350 N. 2200 W. (Parcels #08-21-400-011 & 08-21-400-012) and other properties adjacent owned by: Romney Family, Leone Family, SWB Attc Inc, Rod Pye & Jim Cadais, and Scott Nielsen

Name of Applicant: *Steve Walton, asset manager* Phone: *801-578-5502*
FARB Airport Land, LLC & adjacent owners listed

Address of Applicant:
376 E. 400 S. Ste 120, SLC, UT 84111

E-mail of Applicant: *swalton@ngacres.com* Cell/Fax:

Applicant's Interest in Subject Property:

Owner Contractor Architect Other: *Asset Manager*

Name of Property Owner (if different from applicant):
FARB Airport Land, LLC & adjacent owners listed above

E-mail of Property Owner: *kroberts@ngacres.com* Phone: *801-578-5525*

➔ Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

➔ If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

REQUIRED FEE

➔ Filing fee of \$953 plus \$119 per acre in excess of one acre, plus additional cost of postage for mailing notice.

SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: <i>Steve Walton</i>	Date: <i>3/3/15</i>
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SALT LAKE CITY PLANNING

SUBMITTAL REQUIREMENTS

Staff Review

1. Project Description (please attach additional sheets.)

- A statement declaring the purpose for the amendment.
- A description of the proposed use of the property being rezoned.
- List the reasons why the present zoning may not be appropriate for the area.
- Is the request amending the Zoning Map?
If so, please list the parcel numbers to be changed.
- Is the request amending the text of the Zoning Ordinance?
If so, please include language and the reference to the Zoning Ordinance to be changed. *See attached*

WHERE TO FILE THE COMPLETE APPLICATION

<i>Mailing Address:</i> Planning Counter PO Box 145471 Salt Lake City, UT 84114	<i>In Person:</i> Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

_____ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

Purpose of Amendment

The current zoning requirement for open space and landscaping makes the land undesirable to industrial developers; therefore we request such amendments that would make the land more useable.

21A.32.030: BP BUSINESS PARK DISTRICT:

- A. Purpose Statement: The purpose of the BP business park district is to provide an attractive environment for modern offices, light assembly and warehouse development and to create employment and economic development opportunities within the city in a campuslike setting. This district is appropriate in areas of the city where the applicable master plans support this type of land use. The standards promote development that is intended to create an environment that is compatible with nearby, existing developed areas.
- B. Uses: Uses in the BP business park district as specified in section [21A.33.070](#), "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this title are permitted subject to the general provisions set forth in section [21A.32.010](#) of this chapter and this section.
- C. Minimum Lot Area And Lot Width:
1. Minimum lot area: Twenty thousand (20,000) square feet.
 2. Minimum lot width: One hundred feet (100').
- D. Maximum Building Height: No building shall exceed sixty feet (60') in height.
- ~~E. Minimum Open Space: The minimum open space for any use shall not be less than thirty percent (30%) of the lot area.~~
- F. Minimum Yard Requirements: **(Building Setbacks)**
1. Front Yard: Thirty feet (30').
 2. Corner Side Yard: Thirty feet (30').
 3. Interior Side Yard: Twenty feet (20').
 4. Rear Yard: Twenty five feet (25').
 5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in required yard areas subject to section [21A.36.020](#), table [21A.36.020B](#) of this title.

G. Landscape Yard Requirements: All or a portion of the yards required shall be maintained as landscape yards. All landscape yards shall comply with the requirements of [chapter 21A.48](#) of this title.

1. Front Yard: Thirty feet (30').
2. Corner Side Yard: Thirty feet (30').
3. Interior Side Yard: ~~Eight feet (8')~~.
Ten Feet (10'), interior side yard may count as perimeter parking landscaping, if required.
4. Rear Yard: ~~Eight feet (8')~~.
Exception: Where cross-access easements occur, no landscaping is required.
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H. Landscape Buffers: Where a lot in the BP business park district abuts a lot in a residential district, landscape buffers shall be required in conformance with [chapter 21A.48](#) of this title.

Where a lot in the BP business park district abuts the Freeway(I-215), A minimum 30' landscape buffer shall be required. Refer to chapter 21A.48 for specific planting requirements .

I. Other District Regulations: In addition to the foregoing regulations, all uses shall comply with the following requirements:

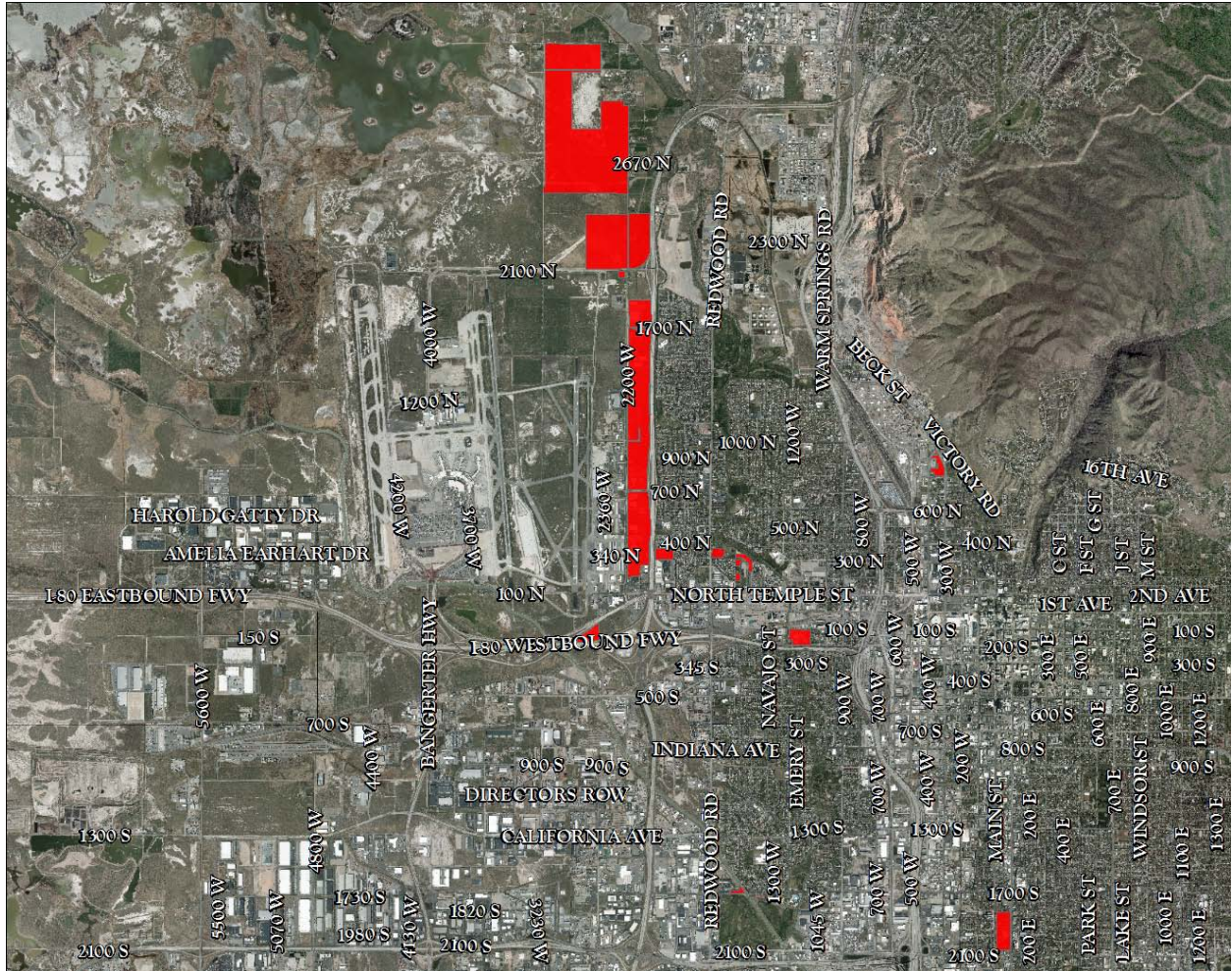
1. Enclosed Operations: All principal uses shall take place within entirely enclosed buildings.
2. Outdoor Storage: Accessory outdoor storage shall be screened with a solid fence and approved through the site plan review process.
3. Nuisance Impacts: Uses and processes shall be limited to those that do not create a nuisance to the use and enjoyment of adjacent property due to odor, dust, smoke, gases, vapors, noise, light, vibration, refuse matter or water carried waste. The use of explosive or radioactive materials, or any other hazardous materials, shall conform to all applicable state or federal regulations.
4. Property Zoned Business Park: When a property zoned business park abuts, or is across the street from, an AG-2 or AG-5 zoning district the following standards shall apply:
 - a. Buildings shall be prohibited within one hundred feet (100') of the adjacent property line;
 - b. Parking lots shall be prohibited within fifty feet (50') of the adjacent property line; and
 - c. The portion of the lot located between the adjacent property line and the parking lot or building shall be improved in the form of a landscaped buffer with a minimum five foot (5') berm and shall comply with the provisions of subsection [21A.48.080D3](#) of this title. (Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 20, 2009: Ord. 14-00 § 2, 2000: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-2), 1995)

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- D. Maximum Building Height: No building shall exceed sixty feet (60') in height.
- E. Minimum Open Space: The minimum open space for any use shall not be less than thirty percent (30%) of the lot area. **Exception: For lots with area greater than 3 acres the minimum open space for any use shall not be less than fifteen percent (15%) of the lot area.**
- F. Minimum Yard Requirements: **(Building Setbacks)**
1. Front Yard: Thirty feet (30').
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- H. Landscape Buffers: Where a lot in the BP business park district abuts a lot in a residential district, landscape buffers shall be required in conformance with [chapter 21A.48](#) of this title.
- I. Other District Regulations: In addition to the foregoing regulations, all uses shall comply with the following requirements:
1. Enclosed Operations: All principal uses shall take place within entirely enclosed buildings.
 2. Outdoor Storage: Accessory outdoor storage shall be screened with a solid fence and approved through the site plan review process.
 3. Nuisance Impacts: Uses and processes shall be limited to those that do not create a nuisance to the use and enjoyment of adjacent property due to odor, dust, smoke, gases, vapors, noise, light, vibration, refuse matter or water carried waste. The use of explosive or radioactive materials, or any other hazardous materials, shall conform to all applicable state or federal regulations.
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 - b. Parking lots shall be prohibited within fifty feet (50') of the adjacent property line; and
 - c. The portion of the lot located between the adjacent property line and the parking lot or building shall be improved in the form of a landscaped buffer with a minimum five foot (5') berm and shall comply with the provisions of subsection [21A.48.080D3](#) of this title. (Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 61-09 § 20, 2009: Ord. 14-00 § 2, 2000: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-2), 1995)

ATTACHMENT B: BP ZONES LOCATION MAP



ATTACHMENT C: PROPOSED ORDINANCE CHANGES

21A.32.030: BP BUSINESS PARK DISTRICT:

~~E. Minimum Open Space: The minimum open space for any use shall not be less than thirty percent (30%) of the lot area.~~

E. Minimum Open Space: The minimum open space for any use shall be as follows:

1. Lots less than three acres in size: Thirty percent (30%) of the lot area.
2. Lots larger than three acres in size: Fifteen percent (15%) of the lot area.

ATTACHMENT D: ANALYSIS OF STANDARDS

ZONING TEXT AMENDMENTS

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
<p>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Complies. The proposed amendment is consistent with the purposes, goals, objectives and policies of the city.</p>	<p>The executive summary section of the City's Futures Commission Report of 1998 states, "Vibrant neighborhoods are fundamental to the health and vitality of the city and citizens, business owners, and local government each have a role to play in creating and sustaining ideal neighborhoods." The proposed amendment will allow for development opportunities that benefit all those who live and work in Salt Lake City.</p> <p>In addition, the Economics Subcommittee subsection of the City's Futures Commissions report states, 'The city must recognize that municipal planning and zoning functions are important economic development tools in promoting quality economic development projects' (page 26). The proposed amendment is a zoning function that will further economic development in this area by allowing a reduced landscaped requirement and therefore attracting more businesses to the area.</p>
<p>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</p>	<p>Complies. The proposed amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>The proposal provides needed flexibility in the BP zoning district which will encourage an attractive environment and create economic development opportunities within the city. In addition, the modified standard will promote development that is compatible with other nearby lots larger than three acres in size as the reduction will only be allowed when lots are larger than three acres in size. The smaller lots that are mainly near residential areas will need to maintain the larger minimum landscaped area. This will fulfill the intent of the BP zoning district.</p>
<p>3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</p>	<p>No applicable. This standard does not apply.</p>	<p>The proposed text amendment is citywide and is not tied directly to any property or specific geographic location within the city. Therefore, the amendment would not be subject to any overlay zoning district standards.</p>
<p>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</p>	<p>Complies. The proposed amendment is in keeping with the best and current professional practices of urban planning and design.</p>	<p>The proposed changes are intended to allow developers flexibility with designing their projects. The reduced landscaped requirement will allow site to be developed and encourage economic development in the city, while still providing landscaping for the properties. The change will only impact larger properties that are generally located next to other similarly zoned properties. The smaller properties that are typically located near residential areas will continue to have the larger minimum landscaped requirement. All of these elements are in keeping with best and current professional practices of urban planning and design.</p>
<p>5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.</p>	<p>Not applicable. At this current time, this standard does not apply.</p>	<p>Any application for development of any property within the BP zoning designation would be reviewed to ensure that it meets all city standards for development.</p>

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

Open House: On April 16, 2015, a community wide Open House was held regarding the proposed text amendment. There were three people who signed in and provided comments, but a total of approximately ten people attended regarding the proposal. Overall, there was support for the proposal and no negative comments were heard or received.

Public Hearing Notice: A notice of the public hearing for this text amendment includes:
Public hearing notice published in newspaper on May 30, 2015.
Public hearing notice posted on City and State websites on May 28, 2015.
Public hearing notice emailed to the Planning Division listserv on May 28, 2015.

Public Comments: At the time of the publication of this staff report, there had been no additional public comments. Any comments received will be forwarded to the Planning Commission.

ATTACHMENT F: MOTIONS

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project meets the applicable standards for zoning text amendments and therefore recommends that the Planning Commission forward a positive recommendation to the City Council.

Consistent with Staff Recommendation:

Based on the findings in the staff report, Planning Staff finds the proposed amendment adequately meets the standards for general text amendments and therefore recommends the Planning Commission transmit a positive recommendation for PLNPCM2015-00159 to the City Council to adopt the proposed zoning ordinance text amendment related to modification of the minimum open space requirement for the BP zoning district.

Not Consistent with Staff Recommendation:

Based on the findings made at this meeting, I find that the proposed amendment does not adequately meet the standards for general text amendments and therefore recommends the Planning Commission transmit a negative recommendation for PLNPCM2015-00159 to the City Council to adopt the proposed zoning ordinance text amendment related to modification of the minimum open space requirement for the BP zoning district.