



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

---

To: Salt Lake City Planning Commission

From: Daniel Echeverria, [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com), 801-535-7165  
Tracy Tran, [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com), 801-535-7645

Date: September 26, 2018

Re: PLNPCM2018-00601 Inland Port Text Amendments

---

## Zoning Text Amendment

**PROPERTY ADDRESS: Multiple**  
**PARCEL ID: Multiple**  
**MASTER PLAN: Northwest Quadrant, Northwest**  
**ZONING DISTRICT: Multiple**

**REQUEST:** A proposal by Mayor Jackie Biskupski to modify zoning requirements related to inland port land uses as required by Utah Code 11-58-205(5). This statute gives the City until *December 31, 2018* to allow an inland port and associated uses as permitted or conditional uses subject to standards that are determined by the municipality and consistent with the policies and objectives of the inland port authority.

**RECOMMENDATION:** Based on the analysis and findings of this report, it is the opinion of staff that the proposed zoning text amendments meet the standards for a zoning ordinance amendment. Staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2018-00601 to the City Council.

**ATTACHMENTS:**

- A. [Inland Port Jurisdictional Lands and Zoning Map](#)
- B. [Proposed Inland Port Overlay Zoning Ordinance Text](#)
- C. [Northwest Quadrant Overlay Zoning for Reference](#)
- D. [Conditional Use Standards for Reference](#)
- E. [M-1 Zoning District Land Use Table for Reference](#)
- F. [Analysis of Standards](#)
- G. [Department Review Comments](#)
- H. [Suggested Lighting Ordinance \(from David Scheer\)](#)
- I. [Public Process and Comments](#)

## **PROJECT DESCRIPTION:**

This zoning text amendment proposal was initiated by Mayor Jackie Biskupski in response to the State Legislature adopting modifications to [Utah Code 11-58](#) “Utah Inland Port Authority Act” ([HB2001](#)) during a special session of the legislature held in July 2018. The changes to the bill state that:

- (a) No later than *December 31, 2018*, the ordinance of a municipality shall allow an inland port as a permitted or conditional use, subject to standards that are:
  - (i) Determined by the municipality; and
  - (ii) Consistent with the policies and objectives stated in subsection 11-58-203(1)
- (b) A municipality whose ordinance do not comply with subsection (5)(a) within the time prescribed in that subsection shall allow an inland port as a permitted use without regard to any contrary provision in the municipality’s land use ordinances.

In other words, if the City does not specifically allow an inland port in the zoning ordinance, then the City would have to allow an inland port as a permitted use and would not be able to apply any additional standards to an inland port.

The Planning Division has developed an ordinance to respond to and comply with the State legislation. The ordinance includes an overlay zone that would apply additional zoning requirements on development in the Inland Port Authority Jurisdictional Area and that allows inland port type uses within the overlay. A draft of this ordinance was presented at the September 12<sup>th</sup> Planning Commission meeting. The staff report from that meeting goes over the general structure of the proposed ordinance and its major components.

This staff report covers modifications to the ordinance since that time, miscellaneous issues of note, public comments, department comments, and the City standards of review for zoning text amendments. Public comments are generally summarized and also included in full detail in [Attachment I](#). An analysis of the proposed text changes against the standards of review for City text amendments is located in [Attachment F](#). Department comments and suggestions for the ordinance are located in [Attachment G](#). For the Commission’s reference, staff has also attached the existing Northwest Quadrant Overlay zoning code in [Attachment C](#), existing standards for Conditional Uses in [Attachment D](#), and the existing M-1, Light Manufacturing, land use table in [Attachment E](#).

## **Concerns from Prior Commission Meeting and Responses/Updates to Ordinance**

At the September 12<sup>th</sup> Planning Commission public hearing, the Commission heard a number of different suggestions for inclusion in the proposed ordinance and other concerns. Staff has evaluated the suggestions and has responded with changes to the ordinance or explanations regarding why the additional changes were not incorporated into the ordinance. Those changes and responses are detailed below.

### **Buffers**

The Commission discussed buffers, including the reasons for certain buffers and the lack of buffers for certain uses. With regard to the reasons for certain proposed distances, staff has reviewed a number of studies and documents regarding environmental impacts from industrial type uses impacts, including noise, air, and water quality impacts, and found some general guidance for buffers in these documents. Many of the documents/studies reviewed did not establish specific buffer parameter guidelines and rather studied generalized distances for environmental impacts, such as if there were health impacts

within 1 mile or within 1,500 feet. However, there were a few notable documents that provided specific buffer guidance.

This includes the “Air Quality and Land Use Handbook: A Community Health Perspective” from the California EPA and Air Resources Board (CARB) that was developed to provide specific guidance to local governments regarding buffering to limit air quality and health impacts on nearby residential and other sensitive uses.<sup>1</sup> The key relevant recommended buffers noted in that document were 1,000 foot buffers for rail yards and large distribution centers from residential uses. This distance was “based primarily on data showing that the air pollution exposures addressed here (i.e., localized) can be reduced as much as 80% with the recommended separation.”

The CARB document did not specifically identify buffer guidelines for outdoor storage of bulk products; however, guidelines developed by the Environmental Protection Authority of Victoria in “Recommended Separation Distances for Industrial Residual Air Emissions” provide buffer recommendations for such uses.<sup>2</sup> Some related buffer recommendations include 100 to 250 m (820 ft) for petroleum tanks, 250 meters (820 ft) for “Transfer Stations” that include temporarily storing refuse or used materials before transfer elsewhere, and 250 m (820 ft) for crushing, stockpiling and conveying of rock. An additional document from the South Australian EPA titled “Evaluation Distances for Effective Air Quality and Noise Management” provides evaluation guidelines of 300 meters (984 ft) for bulk shipping facilities.<sup>3</sup>

The Environmental Law Institute published a “Planner’s Guide to Wetland Buffers for Local Governments” that includes buffers of generally up to 300 feet from water bodies, with additional buffering sometimes warranted for wildlife impacts.<sup>4</sup> These buffers are generally in-line with City required buffers related to these uses and situations. Considering those guideline buffers, other various studies, and existing buffering standards in City ordinance, staff believes that the proposed 1,000 foot buffer is a reasonable distance to account for a variety of potential noise, odor, water, and air quality impacts.

Equity concerns were brought up in the Planning Commission meeting regarding the lack of a 1 mile buffer from the prison to the freight terminal facility when there is an existing 1 mile buffer requirement from residential zones in City ordinance. The 1 mile buffer is aligned with recommendations from the CARB guidelines referenced above that identified the highest potential health impacts from a railyard within 1,000 feet of the facility and next highest health risks within ½ to 1 mile from the facility. Staff recognizes that the same 1 mile buffer standard would provide equitable buffering for the prison population. However, virtually all properties within 1 mile of the prison are under development agreements with the City that have vested those properties’ development rights under the existing M-1 zoning regulations. A map of those buffers and the properties under development agreements is below. The agreements are discussed in more detail below in the Development Agreement section further in this report. Any additional restrictions on a rail freight terminal (inland port) use applied through the

---

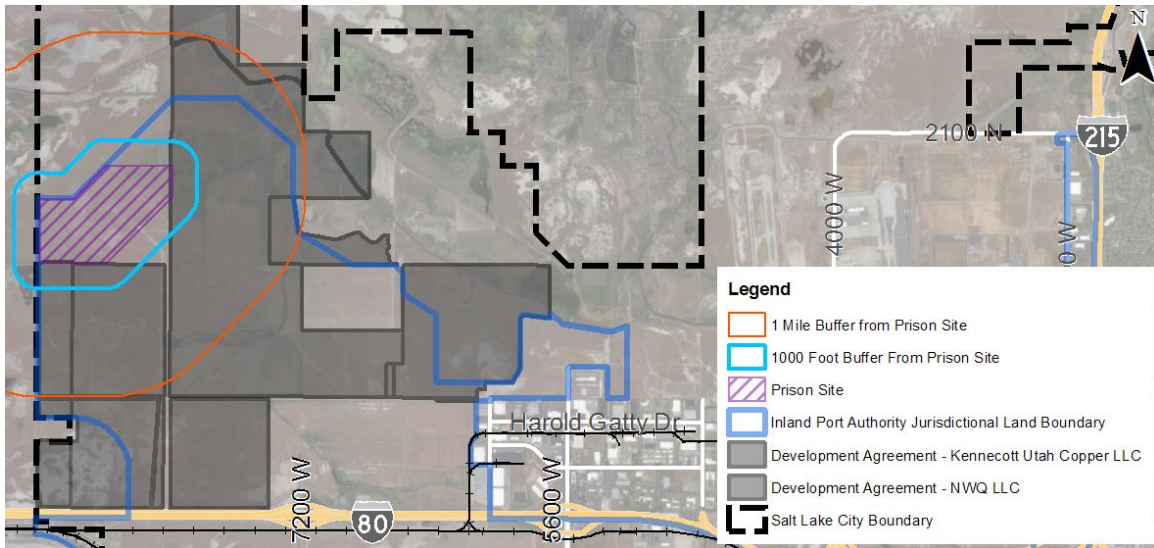
<sup>1</sup> See <https://www.arb.ca.gov/ch/handbook.pdf>

<sup>2</sup> See [https://www.epa.vic.gov.au/~/\\_media/Publications/1518.pdf](https://www.epa.vic.gov.au/~/_media/Publications/1518.pdf)

<sup>3</sup> See [http://www.epa.sa.gov.au/files/12193\\_eval\\_distances.pdf](http://www.epa.sa.gov.au/files/12193_eval_distances.pdf)

<sup>4</sup> See [https://www.eli.org/sites/default/files/eli-pubs/d18\\_01.pdf](https://www.eli.org/sites/default/files/eli-pubs/d18_01.pdf)

proposed new ordinance would not apply to these properties. However, as natural resource storage was not specifically allowed as a use in the existing M-1 zoning regulations, staff has included the 1,000 foot buffer in the proposed ordinance as it could potentially be applied to this specific use. Due to those development agreements staff has not proposed changes to the freight terminal buffer requirements, acknowledging that such a regulation would essentially have no effect; however, the Planning Commission may still recommend that this or another buffer be included in the ordinance in the recommendation to the City Council.



*Map showing prison site, buffers from prison, and lands under existing development agreements*

**Grain Silos**

Comments were provided regarding making grain silos a conditional use due to potential impacts on natural areas from potential invasive vermin or plants. There are existing grain silos or “grain elevators” in Salt Lake City and staff has included images of those silos below. Generally these are contained uses with limited potential for negative impacts on adjacent properties. However, in researching grain silos further, it appears that these structures sometimes have the potential for dust impacts and some buffer guideline documents reviewed by staff suggested that a review for impacts may be appropriate. As such, we are proposing to change the use to a conditional use and that change is reflected in the attached ordinance.



*Grain Silos/Elevators in Salt Lake City (Left, 425 W 500; Right, 751 W 700 S)*

## ***Railroad Repair***

Comments were provided regarding making Railroad Repair Shop facilities a conditional use. Staff evaluated the use and local examples and found that this use often occurs inside of structures and does not generally appear to have significant negative impacts regarding noise, light, dust, or air/water quality. There are a couple local examples run by UTA including the Jordan River Service Center Trax maintenance facility located at 2200 S 900 West and the Warm Springs Rail Service Center Frontrunner maintenance facility at 500 W 900 North. Photos of the interior and exterior of the facilities are below. As shown, these are generally clean facilities where maintenance activities generally are contained and take place inside. However, based on the guideline documents reviewed by staff related to buffers, in some cases there may be exterior maintenance activities with some railroad repair facilities that may have negative impacts. As such, staff has made the use a conditional use in the proposed ordinance. It is not known whether the inland port facility will include a repair shop; however, the existing Union Pacific rail freight terminal facility at 886 S 4800 West does not include a repair shop.



(Source: Mass Transit Mag/Credit: Leah Harnack/Mass Transit)

(Source: Archiplex Group)

*Photos of the Jordan River Service Center facility*



(Source: Utahrails.net)



(Source: Google Streetview)

*Photos of the Warm Springs Service Center facility*

## ***Natural Resource Storage***

Some comments were provided regarding the coal storage standards proposed in the ordinance, questioning whether it could be stored within a structure. Coal can be stored within a structure and can be stored on rail cars with either covers or with dust surfactant applied. For example, coal is stored at the Long Beach California coastal port within enclosed “barns” or “sheds” as shown in the adjacent photo.



(Source: Oxbow Corporation)

### ***Landscaping***

Comments were provided regarding requiring native landscaping. The Northwest Quadrant overlay, which applies to the area north of I-80 already requires native plant use in any landscaping. The full Northwest Quadrant Overlay zoning regulations are attached in [Attachment C](#) for reference.

### ***Energy Efficiency***

Comments were provided regarding potentially requiring a specific energy efficiency standard that all development must comply with. The State recently adopted the 2015 International Energy Conservation Code (IECC) which requires specific energy efficiency features in new building construction. The ASHRAE 90.1 standards, which were suggested as a standard to be applied within this overlay, are an available alternative compliance route for development to demonstrate IECC compliance, so this is already an adopted standard by the State. As such, we are not proposing any specific energy standard; however, we are still requiring that conditional uses provide an estimate of their energy use and how they are utilizing best practices to “implement adopted City goals and policies related to energy efficiency.”

### ***Noise and Light Pollution***

Comments were also provided regarding any noise limitation proposed for this overlay zone. City code outside of the zoning ordinance provides specific sound limitations for districts and uses. Modifying the City’s sound regulations goes beyond the scope of this petition. However, the uses allowed in this zone that would be expected to have sound impacts, such as outdoor uses, are subject to conditional use review. The Conditional Use review includes standards that allow the Planning Commission to impose conditions needed to mitigate noise impacts and provides Planning staff and the Commission with the ability to request information from applicants regarding their anticipated noise levels and impacts. As the Conditional Use chapter already covers this topic, staff has not added an additional noise consideration standard to the proposed overlay zone.

Similarly, comments were provided regarding artificial light impacts on the birds and methods to limit those impacts, such as adopting a lighting ordinance to regulate all aspects of outdoor lighting. Staff looked at model lighting ordinances, including those provided through public comment. Mr. David Scheer provided an adapted outdoor lighting code from the Pattern Outdoor Lighting Code (POLC). (See [Attachment H](#)). Staff reviewed Mr. Scheer’s proposed lighting ordinance; unfortunately, such a comprehensive ordinance change is beyond the scope of this petition and with the current deadlines we do not have sufficient time to develop and analyze the appropriateness of such a comprehensive set of regulations. However, as with noise, lighting impacts in general are covered by the Conditional Use review process which allows the Planning Commission to impose “conditions needed to mitigate any...light” impacts from development. This would allow staff to request information about their proposed outdoor lighting and request that reasonable modifications be made to limit detrimental impacts, such as potential negative impacts on birds.

Additionally, the recently adopted IECC standards, which apply to any new development, include specific outdoor lighting limits and requires automatic sensors and controls to turn off or reduce lighting power after business hours/midnight or when no activity has been detected for longer than 15 minutes. This will require a base level of lighting efficiency and lower lighting levels in general for any new developments in this area.

### ***Bird Collisions***

Concerns were brought up regarding the potential for bird collisions. This potential was evaluated and glass requirements to prevent bird collisions were adopted into the Northwest Quadrant Overlay last year. Those same requirements would still apply with this new overlay. The full Northwest Quadrant Overlay zoning regulations are attached in [Attachment C](#) for reference.

### ***Mosquito Abatement***

Comments were provided about mosquito abatement restrictions. Mosquito abatement actions are under the authority of the Mosquito Abatement District, which is a State authorized entity, and as such their activities can't be restricted through City zoning.

### ***Mitigation Baseline***

Comments were provided regarding what baseline Conditional Uses would be evaluated against. In response to those comments, staff has proposed a specific standard in the overlay that would require that "Any detrimental impact or effect from the proposed use shall not exceed those that could reasonably be expected to arise from a use that is permitted in the district." This will provide a baseline of review for any detrimental impacts identified in the mitigation plan and elsewhere in evaluating uses against the conditional use standards. This is a measure that is used for conditional uses in other jurisdictions throughout the country and is considered a best practice.

### ***Public Utilities-Related Comments***

The Public Utilities department requires that any development utilize Best Management Practices (BMPs) and the department has broad discretion regarding ensuring that a development complies with BMPs. This allows them to request a broad range of measures and improvements from development. This discretion is provided outside of the zoning ordinance in other sections of City Code. Comments were provided requesting that other specific information be provided regarding whether the City can provide water to a project and that they provide specific runoff volumes. Public Utilities has provided comments regarding these suggestions in [Attachment G](#). They note that these suggestions are covered by existing requirements from Public Utilities for any new development.

### ***Transportation-Related Comments***

Public comments were provided regarding transportation impacts and more specifically requesting that development not affect service levels of a street. Service levels are a standard used by transportation planners in evaluating street capacity and efficiency of traffic movement. With any new development there is an expectation that the service level of a street will be affected, so we can't prohibit any and all impacts on a street's service level. However, we can ask for mitigation or improvements to reduce their level of impact. The proposed ordinance language will require that applicants for a conditional use provide a professionally prepared traffic impact study that will address service level impacts. If any impact is identified, staff and the Commission will be able to request mitigation measures, such as traffic signal installations or street configuration changes.

### ***Miscellaneous Language Changes***

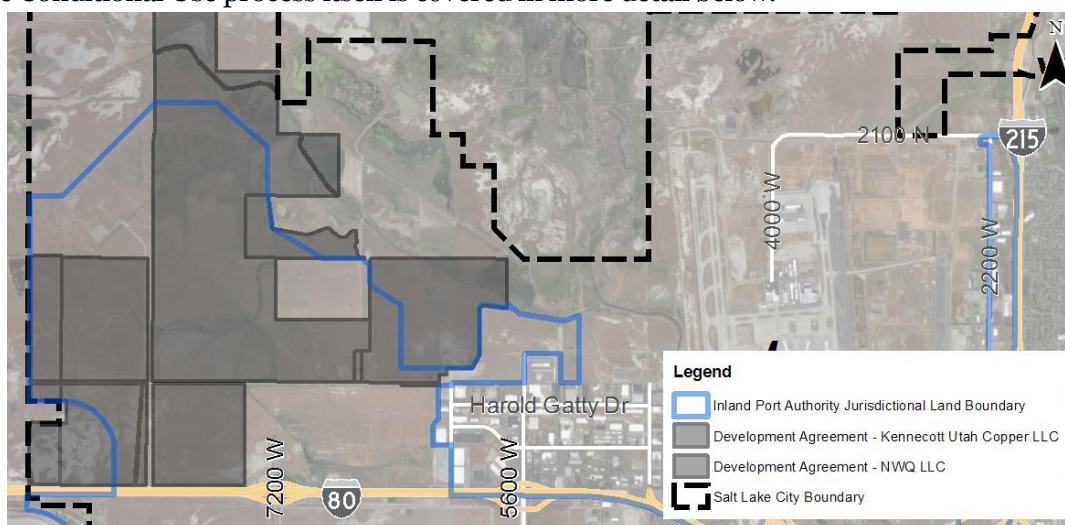
Other minor changes to ordinance language have been made in response to suggestions in public and City department comments. Some of these include changing the term "abutting" to "surrounding,"

adding clarifying purpose statement language, adding natural areas to buffering requirements, and adding more specific utility related material requirements.

## Other Considerations

### ***Existing Development Agreement Limitation***

Staff has included language in the ordinance that acknowledges existing development agreements in the area. These “Development Agreements” are legal agreements that the City made with property owners that locked their properties into the zoning code adopted when the agreements were made. The map below shows the areas where existing development agreements are in place. The proposed additional regulations may not impact uses in these areas unless the property owners propose something that was not allowed in the underlying zoning at the time the agreements were made. However, even in the areas subject to development agreements any Conditional Use listed in the M-1 Light Manufacturing zoning district will still be subject to the more general Conditional Use standards and review process, such as for a Rail Freight Terminal Facility. The specific uses subject to this process and the Conditional Use process itself is covered in more detail below.



*Map of property affected by development agreements within Inland Port Jurisdictional Boundary*

### ***Uses Subject to the Impact Mitigation Plan***

The ordinance requires an Impact Mitigation Plan for most of the higher intensity light industrial uses. Other lighter industrial uses, such as warehousing and offices will not be required to provide an Impact Mitigation Plan or go through a public process. The higher intensity uses are generally identified as “Conditional Uses” in the M-1 land use table (see [Attachment E](#)) and these uses generally have outdoor aspects that have a high potential for negative impacts. The uses subject to the Mitigation Plan are as follows:

- Animal, Stockyards
- Community Correctional Facilities
- Concrete and/or asphalt manufacturing
- Railroad, freight terminal facility
- Recycling Processing Center (Outdoor)
- Rock, sand and gravel storage and distribution
- Utility, Electric Generation Facilities



- Utility, Solid Waste Transfer Stations
- Automobile Salvage and Recycling (Outdoor)
- Natural Resource Unloading, Loading, Transfer, or Temporary Storage

All of the above uses, except for Natural Resource Unloading, Loading, Transfer, or Temporary Storage, are currently Conditional Uses in the M-1 Light Manufacturing zoning district.

### ***The Conditional Use Process***

One major component of addressing potential impacts from new development is the Conditional Use process itself. This process includes broad evaluation standards that allow staff and the Planning Commission to identify virtually any potential negative impact a development may have and to impose reasonable mitigation measures on a development to limit or eliminate those negative impacts. The Conditional Use process includes a broad list of aspects of a development to evaluate and the Commission may impose “any conditions necessary” to mitigate those impacts. The Conditional Use process also states that “A proposed conditional use shall be denied” if the anticipated detrimental effects can’t be substantially mitigated with reasonable conditions.

The broad standards of the review process allow for the capture of miscellaneous effects not captured explicitly in the proposed Mitigation Plan, such as noise and light. These and many other aspects are already standard development aspects that are reviewed in the Conditional Use process. For reference, the standards of review for Conditional Uses are located in [Attachment D](#).

### **DISCUSSION:**

The proposed overlay has been developed within the context of City adopted policies and objectives, including environmental and economic development policies and objectives. The proposed overlay is intended to mitigate the potential for environmental impacts from potentially impactful industrial uses. The generalized standards proposed to be used are intended to cover a wide variety of potentially impactful activities that could occur with these uses and to provide staff and the Planning Commission wide discretion in identifying potentially negative impacts. Additionally, the specific material requirements in the Impact Mitigation Plan are intended to assist staff and the Planning Commission to make reasonable and accurate determinations of potential impacts, while guiding applicants in how they should design their proposals and mitigate any negative impacts on the front end. Given the many unknowns of how the inland port facility will ultimately be developed, staff believes that this approach will best account for any negative impacts from such a facility.

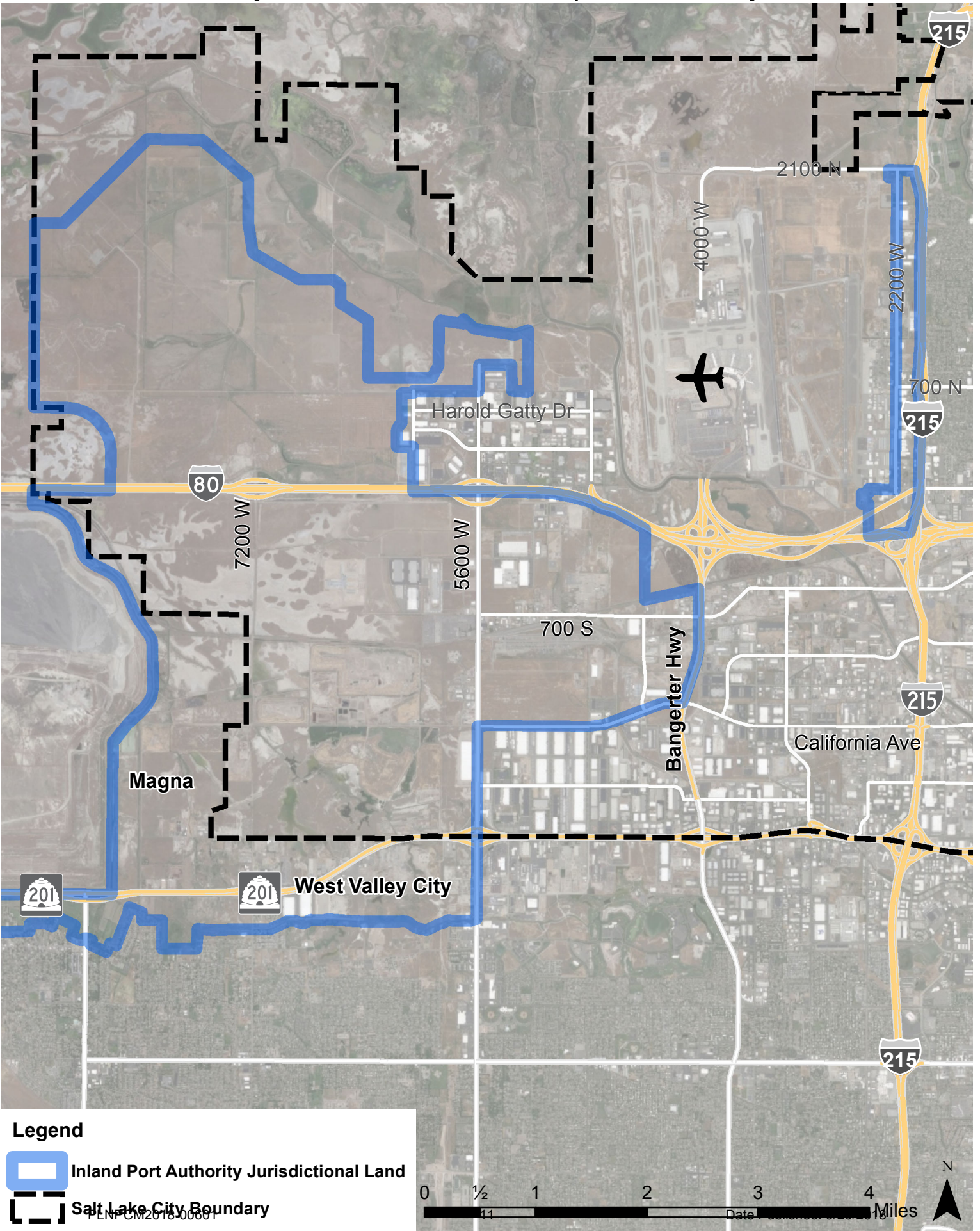
### **NEXT STEPS:**

The Planning Commission’s recommendation for these proposed zoning text amendments will be forwarded on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

# **ATTACHMENT A: Inland Port Jurisdictional Lands and Zoning Map**

---

# Inland Port Authority Jurisdictional Land/Proposed Overlay

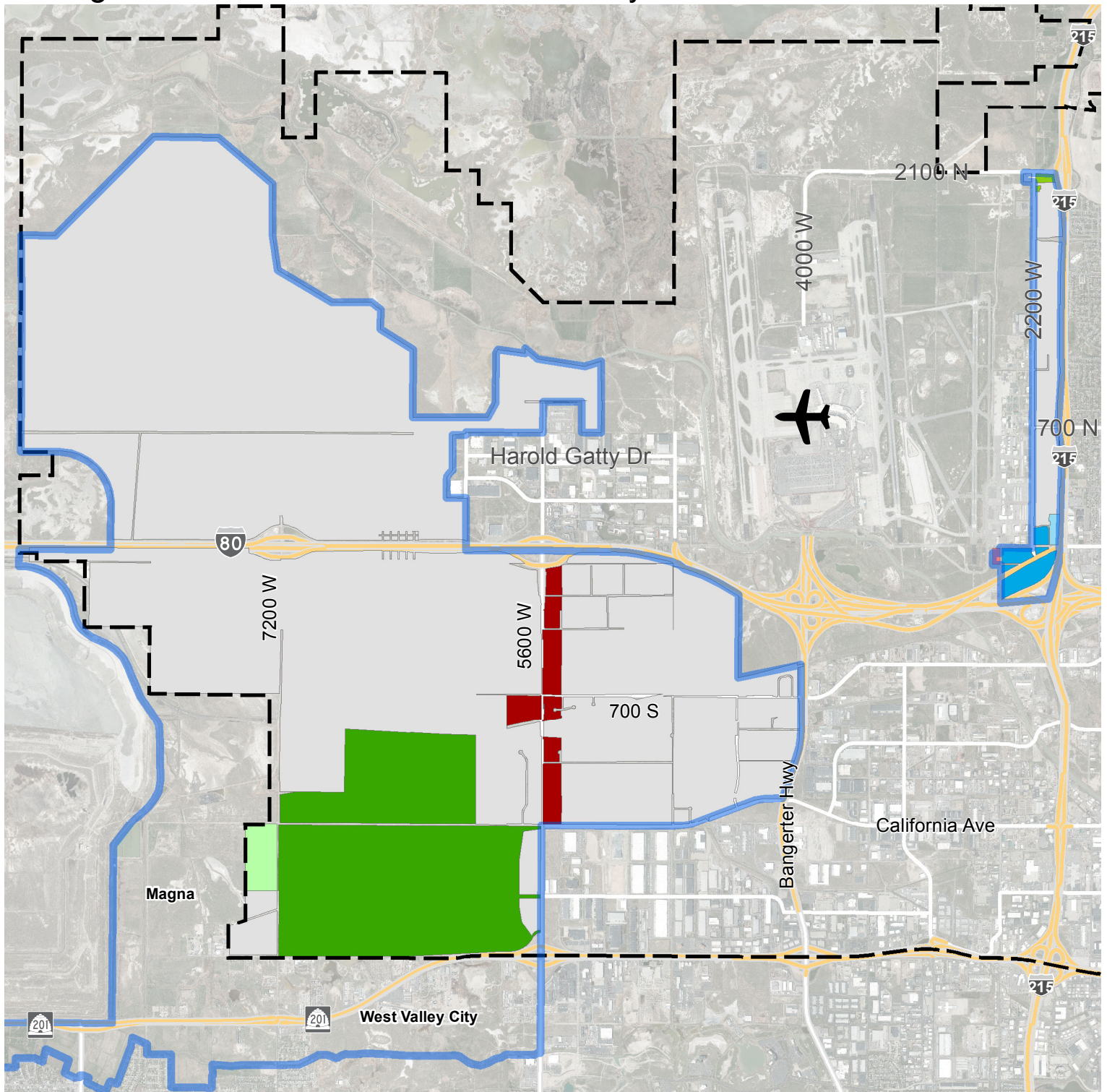


## Legend

-  Inland Port Authority Jurisdictional Land
-  Salt Lake City Boundary

0 1/2 1 2 3 4 Miles  
Date: 11/18

# Zoning Districts Within Inland Port Authority Jurisdictional Land



## Legend

	Salt Lake City Boundary		M-1	Light Manufacturing	
	Inland Port Authority Area		BP	Business Park	
<b>Zoning Districts in Inland Port Area</b>					
	AG	Agricultural		CC	Commercial Corridor
	AG-2	Agricultural-2		CG	General Commercial
	OS	Open Space		TSA-MUEC-C	Mixed Use Employment Center- Core
				TSA-MUEC-T	Mixed Use Employment Center- Transition



# **ATTACHMENT B: Proposed Inland Port Overlay Zoning Ordinance Text**

---

## DRAFT ORDINANCE

### Chapter 21.34.150 IP Inland Port Overlay District

**A. Purpose:** The purpose of the IP Inland Port Overlay District is to allow for the development of an inland port as required in Utah Code Chapter 11-58 Utah Inland Port Authority Act and its successor. The district is intended to take advantage of its location near an international airport, the interstate system, and rail infrastructure to allow for development that facilitates regional, national, and international trade. Land uses in the district are light industrial in nature, provide high quality jobs, and are an economic engine for the City and region. The district is well connected, linking people to jobs and other parts of the City and region, and linking businesses to goods and services by vehicle, rail, transit, air, bicycle, and foot. Above all, the district is a model to the nation for sustainable development that:

- respects and maintains sensitivity to the natural environment;
- helps to achieve City and State goals for air and water quality;
- minimizes resource use;
- utilizes best available technology and practices to avoid, minimize, manage and mitigate detrimental environmental impacts; and
- is compatible with and complements other uses within the district and near the district.

The standards and processes stated in this chapter are intended to implement the purpose of the district and the vision, guiding principles, goals, objectives, and policies of Plan Salt Lake and other applicable city plans, such as the Northwest Quadrant Master Plan.

### B. Applicability

1. The IP Inland Port Overlay District applies to all inland port uses that are located within the IP Inland Port Authority Jurisdictional Land as defined in Utah Code 11-58.
2. **Uses:** Uses in the IP Inland Port Overlay District are as specified in the table of permitted and conditional uses for the M-1 Light Manufacturing zoning district as set forth in chapter 21A.33 of this title. This section does not prohibit land uses that are listed as permitted or conditional in the underlying zoning district.
  - a. **Land Use Table Conflict:** When a land use in the IP overlay district is allowed as a permitted or conditional use in the M-1 Light Manufacturing zoning district, but is not allowed as either a permitted or conditional use in the underlying zoning district, the use shall be considered a conditional use.
  - b. **Conditional Use Process and Approval Authority:** Any conditional use that is within the IP Inland Port Overlay District is subject to the conditional use process and standards found within this chapter and in chapter 21A.54. The Planning Commission shall review all Conditional Uses in the IP Inland Port Overlay District and are not considered an administrative conditional use.
  - c. **Expansion of Existing Conditional Uses:** A new conditional use is required for the expansion of a conditional use when:

- (1) Required by chapter 21A.54;
- (2) The land area of the existing conditional use is expanded by one thousand (1,000) square feet or more; or
- (3) The use was previously listed as a permitted use and is now listed as a conditional use and is expanded by one thousand (1,000) square feet or more.

**d. Natural Resource Unloading, Loading, Transfer, or Temporary Storage:** Any use that includes the unloading, loading, transfer, or temporary storage of natural resources as a primary or accessory use shall be considered a conditional use regardless of what is stated in the table of permitted and conditional uses for the underlying zoning district.

**e. Existing Development Agreements:** The applicability of this chapter in relationship to existing development agreements shall be determined based on the terms of the existing development agreements.

**f. Prohibited Uses:** The following uses shall not be considered an inland port use and are not permitted within the IP Inland Port Overlay District:

- (1) Any use that is listed as a permitted or conditional use in the M-2 Heavy Manufacturing district that is not otherwise allowed as a permitted use or conditional use in the M-1 Light Manufacturing zoning district.
- (2) Extractive industry.
- (3) Incinerator, medical waste/hazardous waste, nonhazardous waste, and/or any incinerating facility that would be considered regulated as a point source.
- (4) Refinery, petroleum products.
- (5) Hazardous waste processing or storage.
- (6) Explosive manufacturing or storage.
- (7) Bottling Plant.
- (8) Animal Rendering.

**3. Base Zoning District Standards:** All lot, bulk, and design standards or regulations applicable to the underlying zoning district or applicable overlay district shall apply unless otherwise specified in this chapter.

**4. Applicability with Other Overlays:** If any other overlay district further restricts or prohibits any section of the IP Inland Port Overlay District, the more restrictive regulation shall apply and take precedence.

**C. Area:** The boundaries of the IP Inland Port Overlay District shall be the same as the authority jurisdictional lands defined in Utah Code 11-58.

## D. Application Requirements

1. **Permitted Uses:** Permitted uses located in the IP Inland Port Overlay District shall be subject to the site plan review requirements found in chapter 21A.58.
2. **Conditional Uses:** In addition to the requirements in chapter 21A.54, Conditional Uses in the IP Inland Port Overlay district shall comply with the following additional standards and application submittal requirements.

**a. State and Federal Permits:** Evidence shall be provided that the land use applicant has acquired all required federal and state permits, unless the state and/or federal permitting agency requires city conditional use approval prior to their permit approval. If a state and/or federal permitting agency requires city conditional use approval prior to their issuance of permits, obtaining the state and/or federal permit shall be a condition of approval of the conditional use.

**b. Impact Mitigation Plan:** An Impact Mitigation Plan that includes the following information shall be provided in order to demonstrate compliance with Utah Code 11-58 and to measure the detrimental impacts a conditional use may have on surrounding properties, the environment, and the ability of the city to implement adopted master plan policies. The items listed below shall include any necessary descriptions, site plans, studies, reports, plans, and applicable state and federal permits already received.

- (1) A description of how the proposed development will meet or exceed applicable state and federal regulations related to the development and use of the property;
- (2) A description of the potential detrimental impacts of the proposed development on surrounding properties and the methods proposed by the land use applicant to mitigate those impacts;
- (3) A description of any potential detrimental environmental impacts the proposed development may cause including, but not limited to, impacts on air quality, surface water, and groundwater. The plan shall include methods the land use applicant intends to use to mitigate any potential environmental impact, including the extent to which the proposed development will apply the best available technology or systems, and best management practices and controls;
- (4) A description of the potential detrimental impact of the proposed development on migratory bird production areas, as defined in Utah Code 23-28 and the methods proposed by the land use applicant to mitigate those impacts;



- (5) A transportation impact study that states the expected number of trips to be generated, the type of vehicles expected, and the times of day that the most severe impact can be expected. It shall also detail the effect on street capacity by the development, as well as nearby intersections that will be impacted by the development's traffic. The plan shall identify methods that the land use applicant proposes to mitigate detrimental transportation impacts;
- (6) A report that estimates the annual energy consumption of the use and that demonstrates that the utility capacity is sufficient to support the use at normal service levels and what methods and best practices will be used to implement adopted City goals and policies related to energy efficiency;
- (7) The anticipated impacts on the storm water system and the methods the land use applicant proposes to mitigate the impacts. This shall include a technical drainage study which meets current City stormwater detention/retention requirements; information regarding how the land use will comply with any stormwater master plans; and information regarding possible flooding hazards and how the land use will comply with any flood plain development permitting requirements;
- (8) A water use study that identifies the anticipated water consumption from the land use and a plan that outlines all water efficiency measures or methods that the land use applicant will implement to reduce water consumption and any off-site improvements that may be required to provide water service;
- (9) A sanitary sewer discharge study that shows the anticipated sewer discharge from the land use and any off-site improvements that may be required to provide sewer service; and
- (10) An emergency response plan that indicates the detrimental impacts that the development may have on its surroundings and public resources in the event of a natural disaster or on-site accident and methods used to mitigate the impacts.

**c. Specific Conditional Use Standards for the IP Inland Port Overlay:** In addition to the standards of review for Conditional Uses in chapter 21A.54, Conditional Uses in the IP Inland Port Overlay shall comply with the following:

- (1) Any detrimental impact or effect from the proposed use shall not exceed those that could reasonably be expected to arise from a use that is permitted in the district.

- (2) A conditional use that is considered an Inland Port Use shall meet the objectives for an inland port use stated in Utah Code 11-58.

### 3. Procedures:

- a. **Determination of Application Completeness:** Upon receipt of an inland port land use application, the Planning Director shall make a determination of completeness of the application pursuant to the application requirements required by this title. No processing timeline required by Utah Code 11-58 or by this title shall start until the application is deemed to be complete. An application that does not comply with the applicable standards in this Title shall not be considered a complete application.
  - b. **State and City Procedure Compliance:** The City shall comply with all applicable application processing and noticing requirements as established in Utah Code 10-9a and 11-58 and chapter 21A.10.
  - c. **Third-Party Review:** The planning director may request a third-party review of any element of the mitigation plan required by this chapter.
  - d. **Exemptions from Impact Mitigation Plan:** The following conditional uses are exempt from the Impact Mitigation Plan required by this chapter:
    - (1) Uses listed as a Conditional Use in the table of permitted and conditional uses of the underlying zone, but listed as a permitted use in the M-1 Light Manufacturing zoning district.
    - (2) Uses not listed as an allowed use in the table of permitted and conditional uses of the underlying zone, but listed as a permitted use in the M-1 Light Manufacturing zoning district.
    - (3) Adaptive reuse of a landmark site.
    - (4) Alcohol related establishments.
    - (5) Antenna, communication tower, exceeding the maximum building height
    - (6) Wireless telecommunications facility.
4. **Appeals:** Decisions related to inland port uses made by the city appeals hearing officer may be appealed to the Inland Port Authority Appeals Panel as authorized in Utah code 11-58.

### E. Additional Development Standards

1. **Natural Resource and Bulk Storage:** Utah Code 11-58 requires that the transporting, unloading, transfer, or temporary storage of natural resources be allowed in the IP Inland Port Overlay District. The following standards apply to natural resource and bulk material storage in excess of five hundred (500) square feet in area:
  - a. Standards applicable to outdoor storage of natural resource and bulk materials:
    - (1) Storage areas shall not be located within one thousand (1,000) feet of a residential zoning district or the Utah State prison facility.

- (2) The ground under the storage area shall be a solid, non-permeable surface,
  - (3) The storage area shall be contained within walls and that material shall not be stored at a height that is greater than the height of the wall.
  - (4) The storage area shall include fugitive dust control measures that include dust that is created by unloading, loading, transfer, and temporary storage.
- b. The unloading, loading, transfer, or temporary storage of coal, coal byproducts (such as coke, fly ash, bottom ash, synthetic gypsum and similar products), and crude oil shall be:
- (1) Conducted within an enclosed building, except that such materials may be stored in a rail car if the rail car is covered or sprayed with a surfactant to reduce dust.
  - (2) Located a minimum of one thousand (1,000) feet from any area located in the Northwest Quadrant Overlay District Natural Area, any aquatic resources as defined by the Army Corps of Engineers, any migratory bird production area as defined in Utah Code 23-28, or any environmentally sensitive area as identified by any state or federal agency.
  - (3) Located a minimum of one thousand (1,000) feet from a residential zoning district or the Utah State prison facility.
- c. The outdoor storage of bulk materials necessary for public safety purposes, such as the storage of de-icing materials used on public streets, is exempt from these requirements.
- d. The standards in this section do not apply to existing landfills located within the LO Landfill Overlay zoning district.

**List of Terms (to be added to 21A.60)**

Animal Rendering  
Aquatic resource  
Bulk Storage  
Fugitive dust  
Hazardous waste processing or storage  
Inland port  
Inland port use  
Inland port land use application  
Impact mitigation report  
Land Use appeal authority  
Land use applicant  
Land use application  
Land use authority  
Natural resource  
Temporary storage

**Definition to be added or modified:**

**ADMINISTRATIVE DECISION:** Any final order, requirement, decision, determination or interpretation made by a land use authority in the administration or the enforcement of this title.

**ANIMAL RENDERING:** A facility that converts waste animal tissue into stable, usable products. Rendering includes the processing of animal products into more useful materials.

**AQUATIC RESOURCE:** High-functioning water bodies, riparian corridors, wetlands, uplands, and playas as determined by the Army Corps of Engineers.

**BULK MATERIAL STORAGE:** Loose, unwrapped, non-parceled, or unbundled materials stored outside.

**FUGITIVE DUST:** Solid airborne particulate matter emitted from any source other than through a stack or chimney.

**HAZARDOUS WASTE PROCESSING AND STORAGE:** A facility that treats, stores, recycles, incinerates or transfers hazardous waste. Hazardous waste shall include any waste material that is subject to Utah Code Title 19.

**INLAND PORT:** The use of land as defined in Utah Code 11-58 and its successor.

**INLAND PORT USE:** A use of land that supports, promotes and depends on the proximity to the inland port as defined in Utah Code 11-58 and its successor.

**INLAND PORT LAND USE APPLICATION:** Any application required by this title, any required building permits, utility permits, or other permits required by the city necessary to develop an inland port use.

**IMPACT MITIGATION REPORT:** A report provided by an inland port land use applicant that identifies all potential detrimental impacts that may be produced by an inland port use. The impact mitigation report includes the topics required in 21A.34.150 and any other information deemed necessary by the Planning Director for the planning commission to evaluate the detrimental impacts identified in chapter 21A.54.

**LAND USE APPEAL AUTHORITY:** The designated or appointed appeals hearing officer(s) for Salt Lake City.

**LAND USE APPLICANT:** An individual or entity that submits a land use applicant. A land use applicant shall be the owner of the property or a designated representative of the owner.

**LAND USE APPLICATION:** An application required by this title for any process, development, or permit required by this title. A land use application does not include an application to create or modify a master plan or a zoning amendment.

**LAND USE AUTHORITY:** The entity identified by this title to decide a land use application.

**NATURAL RESOURCE:** A material supplied by nature excluding any material that has gone through a process to alter the material from its natural state, such as refined products, the production of chemicals, or waste materials, other than collecting it from its natural setting and transporting to another location.

**TEMPORARY STORAGE:** The storage of any material for less than 30 days.

**21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS: (Extract showing proposed modifications only)**

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Grain elevator	<u>CP</u> <sup>12</sup>	P
Railroad, repair shop	<u>CP</u>	P
Solar array	P <sup>a</sup>	P
<u>Storage, self</u>	<u>P</u>	<u>P</u>

a. Prior to issuance of a building permit in the Development Area and the Eco-Industrial Buffer Area of the Northwest Quadrant Overlay, consultation with the Utah Division of Wildlife Resources is required to obtain recommendations on siting and equipment types for all solar arrays on a particular property to mitigate impacts to wildlife.

# ATTACHMENT C: Northwest Quadrant Overlay Zoning for Reference

---

## 21A.34.140: NORTHWEST QUADRANT OVERLAY DISTRICT

### A. Northwest Quadrant Overlay District:

1. **Purpose:** The purpose of the Northwest Quadrant Overlay District is to protect sensitive lands and wildlife habitat; allow for the continuation of agricultural uses; and allow for the development of lands in appropriate areas that contribute to the future economic growth of the City and will not negatively impact sensitive lands, habitats, and waterways in the area north of I-80 and west of the Salt Lake International Airport. Sites within this area may be subject to difficult environmental and site conditions. The overlay defines three (3) subareas: the Development Area, the Eco-Industrial Buffer Area, and the Natural Area.
2. **Public Improvements And Dedications:** The undeveloped land in the Northwest Quadrant requires public improvements to ensure the long term development potential and success of the area. All development subject to a site development or building permit, shall be required to provide public improvements required by City departments as outlined in their Master Plans.
3. **State And Federal Permits Required:** A site development and/or building permit shall not be granted unless the applicant has first obtained any necessary State and/or Federal wetlands and/or stream alteration permits.
4. **Precedence:** For areas where the LC Lowland Conservancy Overlay District is mapped within the Northwest Quadrant Development Area and/or the Northwest Quadrant Eco-Industrial Buffer Area, the LC Lowland Conservancy Overlay District shall take precedence.

**B. Northwest Quadrant Development Area:** The purpose of this area of the Northwest Quadrant Overlay District is to allow for new development to occur in a way that allows for the growth of light industrial uses in the City while minimizing impacts to wildlife and the surrounding sensitive Great Salt Lake shore lands. This area is identified on the zoning map.

### 1. General Requirements:

#### a. Minimum Yard Requirements:

- (1) Front Yard: Twenty feet (20').
- (2) Corner Side Yard: Twenty feet (20').
- (3) Interior Side Yard: None required.
- (4) Rear Yard: None required.

**b. Lighting:** All lighting on the property, including lighting on the buildings, parking areas, and for signs shall be shielded to direct light down and away from the edges of the property to eliminate glare or light into adjacent properties and have cutoffs to prevent upward lighting. Uplighting and event searchlights are prohibited.

**c. Roof Color:** Light reflective roofing material with a minimum solar reflective index (SRI) of 82 shall be used for all roofs.

**2. Landscaping Requirements:** The purpose of the special landscaping for the Northwest Quadrant Development Area is to provide appropriate native landscaping that can survive in the unique conditions of the area, prevent noxious weeds, and to provide landscaping that will not negatively impact the adjacent sensitive lands and birds areas.

a. All landscaping shall consist only of native plants as identified in the "Salt Lake City Northwest Quadrant Plant List" on file with the City's Planning Division.

b. Any areas disturbed by construction activity that will be left undeveloped shall be landscaped with plantings at an appropriate density to achieve complete cover within two (2) years.

c. Noxious weed species as identified by the Utah Department of Agriculture and Food (or its successor) in the State of Utah Noxious Weed List (or its successor) shall be removed from landscaped areas and areas disturbed by construction activity. Noxious weeds shall be controlled for a period of two (2) years and methods of control shall be identified on the landscape plan.

d. Trees, including street trees, are not required for any landscaping as required elsewhere in this title. Noxious trees, as identified by the Utah Department of Agriculture and Food (or its successor) in the State of Utah Noxious Weed List (or its successor) are prohibited.

e. Any shrub and tree plantings required by chapter 21A.48 of this title shall be substituted with allowed shrubs or with allowed plants that have a mature height of at least three feet (3') as identified in the "Salt Lake City Northwest Quadrant Plant List".

f. All other requirements in chapter 21A.48 of this title apply. This section shall take precedence in the case of a conflict with chapter 21A.48 of this title.

**C. Northwest Quadrant Eco-Industrial Buffer Area:** The purpose of this area of the Northwest Quadrant Overlay District is to provide an adequate buffer between the Natural Area, the adjacent Inland Sea Shore and the development of light industrial uses. Requirements in this area are meant to provide an area of transition from the natural environment to the built environment that will limit impacts to wildlife and sensitive areas. This area is identified on the zoning map.

1. In addition to the requirements listed in subsection B of this section, properties located within the Northwest Quadrant Eco-Industrial Buffer Area are subject to the following requirements:

**a. Glass Requirements:** For buildings with more than ten percent (10%) glass on any building elevation, a minimum of ninety percent (90%) of all glass shall be treated with applied films, coatings, tints, exterior screens,

netting, fritting, frosted glass or other means to reduce the number of birds that may collide with the glazing. Any treatment must create a grid pattern that is equal to or smaller than 2 inches wide by 4 inches tall.

- b. Fencing:** When adjacent to the Northwest Quadrant Natural Area or the western City boundary, a see through fence that is at least fifty percent (50%) open with a minimum height of six feet (6') shall be erected along the property line to protect the Natural Area from development impacts and trespass.

**D. Northwest Quadrant Natural Area:** The purpose of this area of the Northwest Quadrant Overlay District is to protect sensitive lands and wildlife near the Great Salt Lake shorelands, to allow for the continuation of existing uses, and to limit new uses and new development in this area. This area is identified on the zoning map.

- 1. Permitted Uses And Improvements:** Within the Natural Area, permitted developments and improvements to land are limited to the following:

- Accessory use (associated with an allowed principal use).
- Agricultural use.
- Living quarters for caretaker or security guard.
- Maintenance to existing infrastructure.
- Natural open space.
- Necessary infrastructure to support an allowed use.
- Utility, building or structure (public).
- Utility, transmission wire, line, pipe or pole (public).
- Wildlife and game preserves.

**2. Conditional Uses And Standards:**

- a. Uses And Improvements:** The following uses and improvements are subject to conditional use standards contained in chapter 21A.54 of this title:

- Hunting club, (when allowed by the underlying zoning).
- Underground utility transmission infrastructure (private), subject to the following:

- (1) An appropriate plan for mitigation of any construction activities shall be prepared, and
- (2) Absent any State or Federal regulations, a plan for creating no adverse impact should the line be abandoned shall be prepared.

- Utility, building or structure (private).

- Utility, transmission wire, line, pipe or pole (private).

- b. Conditional Use Standards:** In addition to demonstrating conformance with the conditional use standards contained in chapter 21A.54 of this title, each applicant for a conditional use



within the Northwest Quadrant Natural Area must demonstrate conformance with the following standards:

- (1) The development will not detrimentally affect or destroy natural features such as ponds, streams, wetlands, and forested areas, nor impair their natural functions, but will preserve and incorporate such features into the development's site;
- (2) The location of natural features and the site's topography have been considered in the designing and siting of all physical improvements;
- (3) Adequate assurances have been received that the clearing of the site topsoil, trees, and other natural features will not occur before the commencement of building operations; only those areas approved for the placement of physical improvements may be cleared;
- (4) The development will not reduce the natural retention storage capacity of any watercourse, nor increase the magnitude and volume of flooding at other locations; and that in addition, the development will not increase stream velocities;
- (5) The soil and subsoil conditions are suitable for excavation and site preparation, and the drainage is designed to prevent erosion and environmentally deleterious surface runoff;
- (6) The proposed development activity will not endanger health and safety, including danger from the obstruction or diversion of flood flow;
- (7) The proposed development activity will not destroy valuable habitat for aquatic or other flora and fauna, adversely affect water quality or groundwater resources, increase stormwater runoff velocity so that water levels from flooding increased, or adversely impact any other natural stream, floodplain, or wetland functions, and is otherwise consistent with the intent of this title;
- (8) The proposed water supply and sanitation systems are adequate to prevent disease, contamination and unsanitary conditions; and
- (9) The availability of alternative locations not subject to flooding for the proposed use.

**3. Landscaping:** Landscaping is not required for uses and improvements within the Natural Area, except:

- a. Any areas disturbed by construction activity that will be left undeveloped shall be revegetated with native plants as listed in the "Salt Lake City Northwest Quadrant Plant List".

- b.** Noxious weed species as identified by the Utah Department of Agriculture and Food (or its successor) in the State of Utah Noxious Weed List (or its successor) shall be removed from landscaped areas and areas disturbed by construction activity. Noxious weeds shall be controlled for a period of two (2) years and methods of control shall be identified on the landscape plan. (Ord. 59-17, 2017)

# ATTACHMENT D: Conditional Use Standards for Reference

---

## 21A.54.080: STANDARDS FOR CONDITIONAL USES:

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

**A. Approval Standards:** A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

**B. Detrimental Effects Determination:** In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

1. This title specifically authorizes the use where it is located;
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
7. The site is designed to enable access and circulation for pedestrian and bicycles;
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
9. The location and design of off street parking complies with applicable standards of this code;
10. Utility capacity is sufficient to support the use at normal service levels;
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;
13. The hours of operation and delivery of the use are compatible with surrounding uses;

14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
15. The proposed use does not undermine preservation of historic resources and structures.

**C. Conditions Imposed:** The planning commission, or in the case of administrative conditional uses, the planning director or the director's designee, may impose on a conditional use any conditions necessary to address the foregoing factors which may include, but are not limited to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

**D. Denial Of Conditional Use:** A proposed conditional use shall be denied if:

1. The proposed use is unlawful; or
2. The reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated as proposed in the conditional use application or by the imposition of reasonable conditions to achieve compliance with applicable standards set forth in this section.

**E. Notice Of Decision:** The planning commission, or in the case of administrative conditional uses, the planning director or designee, shall provide written notice of the decision, including all conditions imposed, to the applicant and local community council within ten (10) days of the final action. If the conditional use is approved, this notice shall be recorded against the property by the city recorder.

# **ATTACHMENT E: M-1 Zoning District Land Use Table for Reference**

---

**21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:**

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C <sup>7</sup>
Agricultural use	P	P
Alcohol:		
Brewpub	P <sup>6,10</sup>	P <sup>6,10</sup>
Distillery	P	P
Social club	C <sup>6,10</sup>	C <sup>6,10</sup>
Tavern	C <sup>6,10</sup>	C <sup>6,10</sup>
Winery	P	P
Ambulance services (indoor and/or outdoor)	P	P
Animal:		
Cremation service	P	P
Kennel	P <sup>13</sup>	P
Pet cemetery	P <sup>2</sup>	P <sup>2</sup>
Pound	P <sup>12,13</sup>	P <sup>12</sup>
Raising of furbearing animals	C	P
Stockyard	C <sup>12</sup>	P <sup>12</sup>
Veterinary office	P	P
Antenna, communication tower	P	P
Antenna, communication tower, exceeding the maximum building height	C	C
Artisan food production	P	P
Bakery, commercial	P	P

Blacksmith shop	P	P
Bottling plant	P	P
Brewery	P	P
Building materials distribution	P	P
Bus line station/terminal	P	P
Bus line yard and repair facility	P <sup>12</sup>	P
Check cashing/payday loan business	P <sup>9</sup>	
Chemical manufacturing and/or storage		C
Commercial food preparation	P	P
Community correctional facility, large	C <sup>8,16</sup>	
Community correctional facility, small	C <sup>8,16</sup>	
Community garden	P	
Concrete and/or asphalt manufacturing	C <sup>12,13</sup>	P <sup>12</sup>
Contractor's yard/office	P	P
Crematorium	P	P
Daycare center, adult	P	
Daycare center, child	P	
Drop forge industry		P
Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
Equipment, heavy (rental, sales, service)	P	P
Equipment rental (indoor and/or outdoor)	P	P
Explosive manufacturing and storage		C <sup>12</sup>
Financial institution with or without drive-through facility	P <sup>11</sup>	
Flammable liquids or gases, heating fuel distribution and storage		P <sup>12</sup>
Food processing	P	P
Gas station	P	P
Government facility	P	P
Government facility requiring special design features for security purposes	P	P
Grain elevator	P <sup>12</sup>	P

Greenhouse	P	
Heavy manufacturing		P <sup>12</sup>
Home occupation	P <sup>15</sup>	P <sup>15</sup>
Hotel/motel	P	
Impound lot	P <sup>12</sup>	P <sup>12</sup>
Incinerator, medical waste/hazardous waste		C <sup>12</sup>
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P <sup>13,14</sup>	P
Laundry, commercial	P	P
Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right-of-way)	P	P
Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	
Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Commercial	P	
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		P <sup>12</sup>
Printing plant	P	
Radio, television station	P	
Railroad, freight terminal facility	C <sup>4</sup>	C <sup>4</sup>



Railroad, repair shop	P	P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C <sup>12,13,14</sup>	P <sup>12</sup>
Refinery, petroleum products		C <sup>12</sup>
Restaurant with or without drive-through facilities	P <sup>11</sup>	
Retail goods establishment with or without drive-through facility	P <sup>11</sup>	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P
Upholstery shop	P	
Rock, sand and gravel storage and distribution	C	P
School:		
Professional and vocational (with outdoor activities)	P	
Professional and vocational (without outdoor activities)	P	
Seminary and religious institute	P	
Seasonal farm stand	P	P
Sexually oriented business	P <sup>5</sup>	P <sup>5</sup>
Sign painting/fabrication	P	P
Slaughterhouse		P <sup>12</sup>
Small brewery	P	P
Solar array	P	P
Storage and display (outdoor)	P	P
Storage, public (outdoor)	P	P
Store, convenience	P	P
Studio, motion picture	P	
Taxicab facility	P	P
Tire distribution retail/wholesale	P	P

Truck freight terminal	P <sup>12</sup>	P <sup>12</sup>
Urban farm	P	P
Utility:		
Building or structure	P	P
Electric generation facility	C <sup>3,12</sup>	C <sup>3,12</sup>
Sewage treatment plant	C	P
Solid waste transfer station	C <sup>12</sup>	P <sup>12</sup>
Transmission wire, line, pipe or pole	P <sup>1</sup>	P <sup>1</sup>
Vehicle:		
Auction	P	P
Automobile and truck repair	P	P
Automobile and truck sales and rental (including large truck)	P	P
Automobile part sales	P	P
Automobile salvage and recycling (indoor)	P	P
Automobile salvage and recycling (outdoor)	C <sup>12,13,14</sup>	P <sup>12</sup>
Recreational vehicle (RV) sales and service	P	P
Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see section <a href="#">21A.40.090</a> , table <a href="#">21A.40.090E</a> of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection [21A.02.050B](#) of this title for utility regulations.
2. Subject to Salt Lake Valley Health Department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility shall be located within 1 mile of a residential zoning district.
5. Pursuant to the requirements set forth in section [21A.36.140](#) of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.

8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.
13. Prohibited within the Eco-Industrial Buffer Area of the Northwest Quadrant Overlay District.
14. Prohibited within the Development Area of the Northwest Quadrant Overlay District.
15. Allowed only within legal conforming single-family, duplex, and multi-family dwellings and subject to section [21A.36.030](#) of this title.
16. Prohibited within 1/2 mile of any residential zoning district boundary and subject to section [21A.36.110](#) of this title.

## ATTACHMENT F: Analysis of Standards

As per section 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.

Factor	Finding	Rationale
<p><b>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;</b></p>	<p>Complies</p>	<p>The following adopted City plans are applicable to the proposed text amendment: Plan Salt Lake, Northwest Quadrant Master Plan, Northwest Community Master Plan, and the Salt Lake City Strategic Plan. The proposed zoning amendment supports the light industrial development and economic development in the City and addresses concerns regarding air quality, the environment, and sensitive areas.</p> <p><b>Plan Salt Lake</b></p> <p>Plan Salt Lake is the adopted City vision document. It establishes citywide values, principles, and initiatives that are intended to guide the decision making process for a number of different topics, including the manner in which the City addresses growth. The following guiding principles and initiatives are related to the proposed ordinance. The guiding principles and initiatives set the direction for what the ordinance is trying to accomplish in terms of overall growth, transportation, air quality, the natural environment, economy, and how we govern as a City.</p> <p><b>Guiding Principle Growth:</b> Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.</p> <p>Supporting Initiatives:</p> <ul style="list-style-type: none"> <li>• Preserve open space and critical environmental areas.</li> <li>• Reduce consumption of natural resources, including water.</li> </ul> <p><b>Guiding Principle Transportation and Mobility</b></p> <p>Supporting Initiatives:</p>

		<ul style="list-style-type: none"> <li>• Support and enhance the Salt Lake International Airport as a regional and international amenity (including freight).</li> <li>• Collaborate with regional partners to relieve congestion and enhance rights of way for alternative modes of transportation.</li> </ul> <p><b>Guiding Principle Air Quality:</b> Air that is healthy and clean.</p> <p>Supporting Initiatives:</p> <ul style="list-style-type: none"> <li>• Reduce greenhouse gas emissions</li> <li>• Reduce individual and citywide energy consumption.</li> <li>• Support and promote renewable energy resources.</li> <li>• Encourage energy efficiency citywide</li> <li>• Ensure local industries meet stringent environmental standards.</li> </ul> <p><b>Guiding Principle Natural Environment:</b> Minimize our impact on the natural environment.</p> <p>Supporting Initiatives:</p> <ul style="list-style-type: none"> <li>• Preserve natural open space and sensitive areas to sustain biodiversity and ecosystem functions.</li> <li>• Protect water quality and supply</li> <li>• Practice responsible waste management.</li> </ul> <p><b>Guiding Principle Economy:</b> a balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.</p> <p>Supporting Initiatives:</p> <ul style="list-style-type: none"> <li>• Maintain and grow Salt Lake City as the economic center of the region.</li> <li>• Create an industrial fulfillment center</li> <li>• Support the growth of the industrial areas of the City.</li> </ul>
--	--	--

		<p><b>Guiding Principle Government:</b> A local government that is collaborative, responsive, and transparent.</p> <p>Supporting Initiatives:</p> <ul style="list-style-type: none"> <li>• Provide opportunities for public participation, input, and engagement throughout the decision making process.</li> <li>• Facilitate open communication and transparency.</li> <li>• Maintain a safe and healthy natural and human environment.</li> <li>• Be prepared for severe disasters and develop a resiliency plan to recover from major disasters.</li> <li>• Prepare for climate change impacts on community health and safety.</li> </ul> <p><b>Northwest Quadrant Master Plan</b></p> <p>The Northwest Quadrant Master Plan was adopted in 2016 and establishes the adopted vision and development policies for the area. The vision in the plan states the following about development in the area:</p> <ul style="list-style-type: none"> <li>• Respect the unique nature of the Great Salt Lake and surrounding environment for current generations and preserves sensitive natural environments for future generations.</li> <li>• Includes an ecologically oriented industrial park that helps drive the City’s economic and natural resource protection goals.</li> <li>• Is an economic engine for the City, region, and State.</li> </ul> <p>The Plan also states that development in the Northwest Quadrant should accomplish the following:</p> <ul style="list-style-type: none"> <li>• Environmental sensitivity-providing places for people to work and recreate while protecting natural resources and wildlife habitat;</li> <li>• A high quality, well designed built environment;</li> <li>• Well connected with good transportation linking people to jobs</li> </ul>
--	--	--

		<p>and other parts of the City and region, and linking business to goods and services by vehicle, rail, transit, air, bicycle, and foot.</p> <ul style="list-style-type: none"> <li>• Economically thriving with a flourishing and diverse local, regional, and global economy;</li> <li>• Well served with public and private services that are appropriate to people’s needs and accessible to all.</li> </ul> <p>The Plan is broken down into sections that address natural areas, greenways and open spaces, development areas, transportation, public services, and development guidelines. The proposed IP Inland Port Overlay District would apply strictly to development areas within the plan. The following goals are related to the proposed overlay district:</p> <ul style="list-style-type: none"> <li>• Preserve areas for future office, industrial, manufacturing, research or distribution uses.</li> <li>• Continue the continuation of the Salt Lake International Airport and the airport related industries.</li> <li>• Concentrate development near major transportation corridors.</li> <li>• Promote the infill land redevelopment of underutilized areas</li> <li>• Expand the region’s economic base by supporting business recruitment, development, and job creation.</li> <li>• Promote economic viability and equity</li> <li>• Develop an eco-industrial park development strategy for the area north of I-80.</li> <li>• Encourage the development of renewable energy.</li> </ul> <p><b>Northwest Community Master Plan</b></p> <p>The inland port lands include areas along 2200 West on the eastern side of the Salt Lake International Airport. This area is covered by the Northwest Community Master Plan. This plan is one of the oldest in the City. It identifies the 2200 West corridor as “business/commercial.” The plan does</p>
--	--	---

		<p>not specifically describe what this designation means. Over time, the corridor has developed as a light industrial corridor, primarily due to the access to the east side of the airport and the access to I-215. In 2017, the City Council rezoned most of the 2200 West corridor from Business Park to M-1 Light Manufacturing to match the development pattern that has occurred.</p> <p>The area that is located near the intersection of North Temple and 2200 West is a mix of zoning designations, including TSA Transit Station Area and a small piece of CC Corridor Commercial. This section is subject to the North Temple Boulevard Plan, which is a corridor plan within the Northwest Community Plan. The following policies are related to the proposed IP Inland Port Overlay District:</p> <ul style="list-style-type: none"> <li>• Create standards that produce compact, dense and intense development closer to the station. (Note: this is referring to both the 1950 West Station and the 2200 West Station, which has not yet been built.)</li> <li>• Identify transit-friendly land uses that are appropriate in the station area</li> <li>• Retain and enhance the 2200 West job base.</li> <li>• Develop airport property on 2200 West.</li> </ul> <p>The proposed approach maintains the underlying zoning district and the bulk, setback, and underlying land uses in the TSA zone. However, the overlay expands the potential for light industrial uses to occur in this area. It should be noted that light industrial uses are already located within TSA zoning lands in this area. The Airport Overlay District restricts residential land uses west of I-215.</p> <p>The 1993 Salt Lake City Strategic Plan includes the following: “Salt Lake City sustains a vibrant local economy that takes full advantage of its competitive geographic</p>
--	--	---



		<p>advantages for tourism, distribution, communications, and transportation.” The proposed changes allows Salt Lake City to take full advantage of its competitive geographic advantage for distribution and transportation.</p> <p>The proposed changes are consistent with City purposes, goals, and policies.</p>
<p><b>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</b></p>	<p>Complies</p>	<p>The purpose of the zoning ordinance “is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes.” The State Legislature recently enacted changes to Utah Code 11-58, which requires Salt Lake City to make changes to allow inland port uses within the inland port jurisdictional land within the City. The proposal to update the zoning ordinance to comply with Utah Code 11-58 complies with above statement.</p> <p>The purposes of the zoning ordinance also states the title is intended to:</p> <ul style="list-style-type: none"> <li>• Lessen congestion in the streets or roads;</li> <li>• Secure safety from fire of other dangers;</li> <li>• Classify land uses and distribute land development and utilization;</li> <li>• Foster the City’s industrial, business and residential development; and</li> <li>• Protect the environment</li> </ul> <p>The amendments to support “inland port uses” as required by Utah Code 11-58, and the conditional use processes for inland port uses meets the intent of the zoning ordinance above.</p> <p>The proposed change helps implement the adopted master plans listed in the</p>

		above section, which furthers a purpose of the zoning ordinance.
<b>3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</b>	Complies	<p>The proposed text amendment creates an Inland Port (IP) Overlay District. The area also includes additional overlays, including: Airport Flight Path Protection (AFPP) Overlay, Northwest Quadrant (NWQ) Overlay, Lowland Conservancy Overlay (LCO), the Landfill Overlay (LO), Light Manufacturing Height Overlay (M-1H), and the Transitional Overlay (T).</p> <p>The creation of the IP Overlay allows M-1 Light Manufacturing uses in the City within the inland port jurisdictional boundary and requires additional standards for conditional uses. However, the other overlays may impose some additional standards such as landscaping and glass requirements within the NWQ overlay. It is not anticipated that the proposed changes will have any impact on any overlay districts. Any future development would need to comply with applicable zoning overlay regulations.</p>
<b>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</b>	Complies	<p>The City is required to make changes to be consistent with Utah Code 11-58. If changes are not made, the City will lose its ability to regulate land uses located within the City. The proposed changes take into account the uses that would be a part of and related to inland ports. The majority of land in the City that falls within the Inland Port Jurisdictional boundary is already zoned M-1 Light Manufacturing, which allows and supports the variety of uses that are typical of an inland port, such as railroad freight terminals distribution, warehousing, and manufacturing.</p> <p>The intent of the changes is to comply with Utah Code 11-58 and ensure the City has land use authority over uses located within the City. If changes are not made, the City will lose its ability to regulate inland port uses, which will not allow the City to implement any best practices of planning and design.</p>

		<p>There are many concerns over air quality, transportation, water, and the overall environment related to the operation and uses associated with inland ports.</p> <p>Requiring more impactful uses to go through a conditional use process allows staff to analyze detrimental impacts and to impose conditions to mitigate detrimental impacts. Conditional use processes are a common best practice in professional planning.</p> <p>Planning staff has conducted extensive public engagement including meetings with stakeholders, community councils, open houses, a website, and online surveys to inform the proposed text changes, which furthers current professional best practices of urban planning.</p>
--	--	---

## **ATTACHMENT G: Department Review Comments**

---

**Airport:** Thank you for letting me review the inland port zoning modification. Although there are only a few parcels of land that have the potential to impact the airspace around SLCIA, I would like to see text in the inland port overlay district that addresses the maximum height of structures. The text could be similar to the M-1 zone text that addresses the maximum height of structures.

**Engineering:** No comment.

**Fire:** No comments received.

**Police:** No comments received.

**Public Utilities:** A few comments:

- Bottling plant - does it matter size or use? Does a small craft brewery qualify as a bottling plant? There are currently some uses that may qualify as bottling that if they were to expand 1000 ft would not be allowed. Maybe add bottling plant to the definitions?
- Section D.2.b.3. I think this is good. It is pretty well covered by city, state, and federal guidelines but good to add as a specific requirement.
- Section D.2.b.7. This is covered under our current requirements, but I like it specifically listed here. Please add the following "A technical drainage study which meets current City requirements including stormwater detention/retention, how the land use will comply with any stormwater master plans, a review of possible flooding hazards and any flood plain development permitting requirements." (Engineers are poor writers, so please feel free to change to make this more clear)
- Section D.2.b.9. I think this is good. I don't know how to write it but it would be good to include in this something about any offsite improvements that may be required to provide water service. It would also be good to include in this a sanitary sewer discharge study that shows the anticipated sewer discharge from the land use and any offsite improvements that may be required to provide sewer service.

As far as suggestions -

- Our current technical drainage requirement covers the numerical limits on runoff. Additional requirements by the state or for water quality based on TMDL studies, would apply regardless of use.
- I don't think a letter stating this is needed. When we approve a plat or a utilities development permit we are committing that we will provide water service to the property. We don't routinely provide a specific water availability letter to city properties, but can and do provide them occasionally as requested. We are in a current review of our water storage capacity and our major conveyance study. These are reviewed and projected for 20 years. Restricted use of water would generally be applied city wide per the water drought contingency plans.

**Sustainability:** Attached below.

**Transportation:** No comments.

**Zoning:** No comments.

## Chapter 21.34.150 IP Inland Port Overlay District

A. Purpose: The purpose of the IP Inland Port Overlay District is to allow for the development of an inland port as required in Utah Code Chapter 11-58 Utah Inland Port Authority Act and its successor. The district is intended to take advantage of its location near an international airport, the interstate system, and rail infrastructure to allow for development that facilitates regional, national, and international trade. Land uses in the district are light industrial in nature, provide high quality jobs, and are an economic engine for the City and region. The district is well connected, linking people to jobs and other parts of the City and region, and linking businesses to goods and services by vehicle, rail, transit, air, bicycle and foot. Above all, the district is a model to the nation for sustainable development that:

- respects and maintains sensitivity to the natural environment;
- improves air quality;
- improves water quality;
- minimizes resource use;
- utilizes best available technology to mitigate environmental ~~and climate~~ impacts and reduce carbon emissions that contribute to a changing climate; and
- is compatible with and complements other uses within the district and near the district

The standards and processes stated in this chapter are intended to implement the purpose of the district and the vision, guiding principles, goals, objectives, and policies of Plan Salt Lake and other applicable city plans, such as the Northwest Quadrant Master Plan.

### B. Applicability

1. The IP Inland Port Overlay District applies to all inland port uses that are located within the IP Inland Port Authority Jurisdictional Land as defined in Utah Code 11-58.
2. Uses: Uses in the IP Inland Port Overlay District are as specified in the table of permitted and conditional uses for the M-1 light manufacturing zoning district as set forth in chapter 21A.33 of this title.
  - a. When a property within the IP Inland Port Overlay District is located within a zoning district other than the M-1 light manufacturing district, a use that is listed in the M-1 light manufacturing district table of permitted and conditional uses and is not listed as a permitted or conditional use in that zoning district shall be considered a conditional use.
  - b. Any conditional use that is within the IP Inland Port Overlay District is subject to the conditional use process and standards found within this chapter and in chapter 21A.54. The Planning Commission shall review all conditional use applications for inland port uses and are not considered an administrative conditional use.
  - c. For uses not listed in the table of permitted and conditional uses for the M-1 light manufacturing district, an inland port land use applicant may submit an

**Commented [BV1]:** Saying "climate impacts" may lead to confusion. Perhaps "mitigate carbon emissions that would contribute to the changing climate"? Not sure that is great, but something like that.

administrative interpretation in accordance with section 21A.12 of this title. In addition to the applicable regulations and process in 21A.12 of this title, the zoning administrator shall also consider whether or not the proposed inland port use is consistent with the definition of inland port use in Utah Code 11-58. Any use that is specifically prohibited within the IP Inland Port Overlay District shall not be allowed through an administrative interpretation process and may only be allowed through a zoning text amendment.

- d. Expansion of existing uses: The expansion of an existing conditional use or previously permitted use that is now listed as a conditional use in the underlying zoning district or in this chapter shall require a new conditional use as required in 21A.54 or includes an expansion of land area that exceeds 25% of the existing use or one thousand (1,000) square feet.
- e. Any use that includes the transporting, unloading, loading, transfer, or temporary storage of natural resources as a primary or accessory use shall be considered a conditional use regardless of what is stated in the table of permitted and conditional uses for the underlying zoning district.
- f. Existing Development Agreements: the applicability of this chapter in relationship to an existing development agreement shall be determined based on the terms of the existing development agreement. Future development agreements shall be subject to the standards of this title unless otherwise modified by the City Council through a zoning amendment application.
- g. Prohibited Uses: The following uses shall not be considered an inland port use and are not permitted within the IP Inland Port Overlay District:

Any use that is listed as a permitted or conditional use in the M-2 heavy manufacturing district that is not otherwise allowed as a permitted use or conditional use in the M-1 light manufacturing zoning district.

Extractive industry.

Incinerator, medical waste/hazardous waste, nonhazardous waste, and/or any facility that would be considered regulated as a point source.

Refinery, petroleum products.

Hazardous or radioactive waste processing or storage.

Explosive manufacturing or storage.

~~B~~Any ~~ottling~~ bottling, packaging, or ~~P~~canning plant that utilize the city's culinary water supply to make a commercial beverage product.

**Commented [SB2]:** This does not make sense. Perhaps it should be broken into two sentences. Is this defining expansion?

**Commented [SB3]:** Probably needs a little more work

Animal Rendering.

3. Base zoning district standards: any standard or regulation that applies to the underlying zoning district shall also apply to any inland port use.
4. Applicability with other Overlays: if any other overlay district further restricts or prohibits any section of the IP Inland Port Overlay District, the more restrictive regulation shall apply and take precedence

C. Area: The boundaries of the IP Inland Port Overlay District shall be the same as the authority jurisdictional lands defined in Utah Code 11-58.

D. Application Requirements

1. Permitted Uses: permitted uses located in the IP Inland Port Overlay District shall be subject to the site plan review requirements found in chapter 21A.58.
2. Conditional Uses: an application for a conditional use shall comply with the application requirements in chapter 21A.54. In addition, the following items shall be submitted with a conditional use application in order to demonstrate compliance with Utah Code 11-58 and to measure the impacts a conditional use may have on abutting properties, the environment, and the ability of the city to implement adopted master plan policies. The items listed below shall include necessary descriptions, shown on site plans, studies, reports, and already approved permits.
  - a. Evidence that the land use applicant has acquired all required federal and state permits.
  - b. An impact mitigation plan that includes:
    - (1) A description of how the proposed development will meet or exceed applicable state and federal regulations;
    - (2) A description of the potential impacts of the proposed development on abutting properties and the methods proposed by the land use applicant to mitigate those impacts;
    - (3) A description of any potential environmental impact the proposed development will have, ~~including~~ on the quality of air, soil, vegetation, wildlife, ~~quality~~, surface water, and groundwater. The description shall include a baseline study that shows current impact levels and the methods the land use applicant intends to use to mitigate any potential environmental impact, including the extent to which the proposed development will apply the best available technology or systems to mitigate any environmental impacts of the development;

**Commented [LD4]:** The impact mitigation plan only applies to conditional uses – can we require the plan – or set requirements for all permitted uses, to meet minimum environmental/energy/air quality standards? (Under the Utah Code on Land Use?)

(4) A description of the specific air quality impacts including total annual release of the major ambient air pollutants including toxic metals, polycyclic aromatic hydrocarbons (PAHs), benzene, particulate matter (PM 2.5 and PM 10), nitrogen oxides, sulfur oxides, carbon monoxide, volatile organic compounds (VOCs), and ozone at the facility level as well as the gross operational level;

**Commented [BV5]:** May want to specifically mention transportation emissions that result from shipping/receiving operations

(5) A description of the potential impact of the proposed development on a migratory bird production area, as defined in Utah Code 23-28-102 and the methods proposed by the land use applicant to mitigate those impacts;

(56) Evidence that the land use applicant has acquired all required federal and state permits;

(67) A transportation impact study that identifies impact to intersections between the subject property and the closest access point to a roadway classified as an interstate or limited access freeway and the methods that the land use applicant proposes to mitigate transportation impacts;

(78) A report plan that shows that the building will be built, at a minimum, to the highest energy standards adopted in the most recent International Energy Conservation Code (IECC). The plan shall outline strategies that will be employed to electrify facility and operations including air source heat pumps, Electric Vehicle (EV) readiness for a minimum of 20% of parking stalls, air source heat pumps, and on-site solar installations, that estimates the annual energy consumption of the use and methods that the land use applicant proposes to use offset the annual energy consumption; Facilities designed for Net Zero Energy are preferred.

(89) The anticipated impact on the storm water system and the methods the land use applicant proposes to mitigate the impact;

(910) A resiliency plan that indicates the impact that the development may have on its surroundings and public resources in the event of a natural disaster or on-site accident; and

(1011) A water use study that shows the anticipated water consumption from the land use and a plan that outlines all water efficiency measures any-or methods that land use applicant will implement proposes to reduce water consumption;

c. A description of any mitigation methods the land use applicant is proposing to comply with any standard and mitigate any detrimental impact listed in chapter 21A.54 or in this section.



3. Procedures:

- a. Application: a complete application shall include the application requirements for the specific type of land use application that is required by this Title, including additional requirements identified in this chapter, and shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule.
  - b. Determination of Completeness: Upon receipt of an inland port land use application, the Planning Director shall make a determination of completeness of the application pursuant to the application requirements required by this title. No processing timeline required by Utah Code 11-58 or by this title shall start until the application is deemed to be complete. An application that does not comply with the applicable standards in this Title shall not be considered a complete application.
  - c. The City shall comply with all applicable application processing and noticing requirements as established in Utah Code 10-9a and 11-58 and chapter 21A.10.
  - d. An inland port land use application shall be processed according to the procedures and timelines established in Utah Code 11-58 and this title.
  - e. The planning director may request a third party review of any element of the mitigation plan required by this chapter.
  - f. If a proposed use is listed as a Conditional Use in the underlying zone, but is listed as a permitted use in the M-1 zone, then the use is not required to submit an impact mitigation plan required by this chapter.
4. Appeals: Certain decisions related to inland port uses made by the city appeals hearing officer may be appealed to the Inland Port Authority Appeals Panel as authorized in Utah code 11-58.

E. Additional Development Standards

1. Natural Resources and bulk storage. Utah Code requires that the transporting, unloading, transfer, or temporary storage of natural resources be allowed in the IP Inland Port Overlay District. The following standards apply to natural resource and bulk storage in excess of five hundred (500) square feet:
  - a. Standards applicable to outdoor storage of natural resource and bulk materials:
    - i. ~~Temporary storage~~Storage shall not exceed 30 days.
    - ii. Storage areas shall not be located within 1,000 (one thousand) feet of a residential zone or residential use.

- iii. The ground under the storage area shall be a solid, ~~non-permeable~~non-permeable surface,
- iv. The storage area shall be contained within walls and that material shall not be stored at a height that is greater than the height of the wall.
- v. The storage area shall include dust control measures that include dust that is created by loading and unloading operations.
- b. Temporary storage of energy production related natural resources, including, the storage of coal, coal byproducts (such as coke, fly ash, bottom ash, synthetic gypsum and similar products) oil, gasoline, kerosene, natural gas, or other similar energy production related products shall:
  - i. Shall be stored within an enclosed building or within a rail car that is covered or is sprayed with a surfactant to reduce dust.
  - ii. Shall be located a minimum of one thousand (1,000) feet from any aquatic resources as defined by the Army Corps of Engineers, any migratory bird production area as defined in Utah code, or any environmentally sensitive area as identified by any state or federal agency.
- c. The outdoor storage of bulk materials necessary for public safety purposes, such as the storage of de-icing materials used on public streets, is except from these requirements.
- d. The standards in this section do not apply to existing landfills located within the LO Landfill Overlay Zoning District.

**List of terms (to be added to 21A.60)**

Animal Rendering  
 Aquatic resource  
 Bulk Storage  
 Fugitive dust  
 Hazardous waste processing or storage  
 Inland port  
 Inland port use  
 Inland port land use applicant  
 Impact mitigation report  
 Land Use appeal authority  
 Land use applicant  
 Land use application  
 Land use authority

Natural resource

Temporary storage

**Definition to be added or modified:**

ADMINISTRATIVE DECISION: Any final order, requirement, decision, determination or interpretation made by a land use authority ~~the Zoning Administration~~ in the administration or the enforcement of this title.

ANIMAL RENDERING: A facility that converts waste animal tissue into stable, usable products. Rendering includes the processing of of animal products into more useful materials.

AQUATIC RESOURCE: high-functioning water bodies, riparian corridors, wetlands, uplands, and playas.

BULK STORAGE: loose, unwrapped, non-parceled, or unbundled materials stored outside

FUGITIVE DUST: Any solid particulate matter that becomes airborne by natural or man-made activities, excluding particulate matter emitted from an exhaust stack.

HAZARDOUSE WASTE PROCESSING AND STORAGE: A facility that treats, stores, recycles, incinerates or transfers hazardous waste. Hazardous waste shall include any waste material that is subject to Utah Code Title 19.

INLAND PORT: the use of land as defined in Utah Code 11-58 and its successor.

INLAND PORT USE: a use of land that supports, promotes and depends on the proximity to the inland port as defined in Utah code 11-58 and its successor.

INLAND PORT LAND USE APPLICANT: any application required by this title, any required building permits, utility permits, or other permits required by the city necessary to develop an inland port use.

IMPACT MITIGATION REPORT: A report provided by an inland port land use applicant that identifies all potential impacts that may be produced by an inland port use. The impact mitigation report includes the topics required in 21A.34.150 and any other information necessary for the planning commission to evaluate the detrimental impacts identified in 21A.54.

LAND USE APPEAL AUTHORITY: The appeals hearing officer for Salt Lake City.

LAND USE APPLICANT: an individual or entity that submits a land use applicant. A land use applicant shall be the owner of the property or a designated representative of the owner.

LAND USE APPLICATION: an application required by this tile for any process, development, or permit required by this title. A land use application does not include an application to create or modify a master plan or a zoning amendment.

**Commented [LD6]:** I believe Hazardous waste includes Radioactive waste – but legal should clarify? Radioactive is also regulated under Utah Code Title 19, but I'm not sure if there is a separate definition?

LAND USE AUTHORITY: the entity identified by this title to decide an appeal of a decision of a land use application.

NATURAL RESOURCE: a material supplied by nature and unaltered by humans. Natural resource does not include any material that has gone through a process to alter the material from its natural state, such as refined products, the production of chemicals, or waste materials, other than collecting it from its natural setting and transporting to another location.

TEMPORARY STORAGE: the storage of any material for less than 30 days.

DRAFT

# **ATTACHMENT H: Suggested Lighting Ordinance From David Scheer**

---

## Tran, Tracy

---

**From:** David Scheer <david@scheerarchitecture.com>  
**Sent:** Tuesday, September 18, 2018 12:17 PM  
**To:** Tran, Tracy  
**Subject:** Outdoor lighting code  
**Attachments:** CBL-POLC-standard-v2.0 edited.docx; CBL-POLC-standard-v2.0.pdf

Hi Tracy-

The attached .docx file contains an outdoor lighting code I adapted from the Pattern Outdoor Lighting Code (POLC) v. 2.0 (2010)- also attached for reference.

I decided to use this model rather than the one I cited at the PC meeting (The IAD-IES Model Lighting Code). The latter has no provisions for compliance or enforcement whereas it's straightforward to verify compliance with the POLC. The POLC integrates better with our overall regulatory environment. Also, I also found some articles indicating that the IAD-IES code doesn't control light pollution as effectively as the POLC. Here's an [article](#) by a planner comparing these and other model codes.

In adapting the POLC, I eliminated the higher-illumination lighting zone (LZ-2) which is intended for developed commercial areas. The illustrations in the PDF are not in the .docx version because they didn't translate. I don't think they're necessary to interpret the code and planning staff can refer to them in the PDF for clarification if needed. Please look at Section 13. Violation and Penalty. I'm not sure if this is legal.

Hope this helps.

David

David Ross Scheer ARCHITECT  
776 east capitol blvd  
salt lake city utah 84103  
+1 801.910.0920  
[www.scheerarchitecture.com](http://www.scheerarchitecture.com)

Outdoor Lighting Code  
proposed as part of Inland Port overlay September 18, 2018

Contents

Section 1: Purpose and Intent

Section 2: Conformance with Applicable Codes

Section 3: Applicability

3.1 New Uses, Buildings and Major Additions or Modifications

3.2 Minor Additions

3.3 Resumption of Use after Abandonment

3.4 Public Roadways

Section 4: General Outdoor Lighting Standards

4.1 Shielding Standards

4.2 Total Outdoor Light Output Standards

4.3 Lamp Type Standards

4.4 Spot Light Aiming Standard

4.5 “House Side” Shielding Standard

4.6 Effective Shielding Standard

4.7 Multi-Class Lighting Standard

4.8 Luminous Tube Lighting

4.9 Internally Illuminated Architecture

4.10 Indoor Lighting

4.11 Time Limits.

Section 5: Outdoor Advertising Sign Lighting Standards

5.1 Externally Illuminated Sign Lighting Standards

5.2 Internally Illuminated Sign, Neon Sign, Multicolor Fixed-Copy LED Sign and Single-Color LED Sign Lighting Standards

5.3 Multicolor Changeable-Copy LED Sign Lighting Standards

5.4 Time Limits

Section 6: Special Use Lighting Standards

6.1 Recreational Facilities

6.2 Frontage Row of Vehicle Display Areas

6.3 Service Station Canopies

6.4 Other Lighting on Parcels with Special Uses

Section 7: Submission of Plans and Evidence of Compliance with Code,

Subdivision Plats

7.1 Submission Contents

7.2 Additional Submission

7.3 Subdivision Plats

7.4 Lamp or Fixture Substitution

7.5 Plan Approval

7.6 Certification of Installation

Section 8: Prohibitions

8.1 Sale of Non-Conforming Fixtures and Lamps

8.2 Laser Source Light

8.3 Searchlights

Section 9: Temporary Exemption

9.1 Request; Renewal; Information Required

- 9.2 Approval; Duration
- 9.3 Disapproval; Appeal
- Section 10: Other Exemptions
  - 10.1 Nonconformance
  - 10.2 State and Federal Facilities
  - 10.3 Emergency Lighting
  - 10.4 Swimming Pool and Fountain Lighting
- Section 11: Appeals
- Section 12: Law Governing Conflicts
- Section 13: Violation and Penalty
- Section 14: Severability
- Section 15: Definitions

Note: *Bold italics* indicate terms defined in Section 15.

#### Section 1. Purpose and Intent.

It is the intent of this Code to define practical and effective measures by which the obtrusive aspects of outdoor light usage can be reduced, while preserving safety, security, and the nighttime use and enjoyment of property. These measures are intended to curtail the degradation of the nighttime visual environment, reduce *light trespass, glare*, energy and resource waste by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy-efficient sources, and decreasing the use of poorly shielded or inappropriately directed *lighting fixtures*.

#### Section 2. Conformance with Applicable Codes.

All outdoor lighting shall be *installed* in conformance with the provisions of this Code, the Building Code, the Electrical Code, the Energy Code, and the Sign Code of the jurisdiction as applicable and under appropriate permit and inspection.

#### Section 3. Applicability.

3.1 New Uses, Buildings and Major Additions or Modifications. For all proposed new land uses, developments, buildings, and structures that require a permit, all outdoor lighting shall meet the requirements of this Code. All building additions or modifications of twenty-five (25) percent or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this provision, shall invoke the requirements of this Code for the entire property, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting twenty-five (25) percent or more of the permitted *lumens* for the parcel, no matter the actual amount of lighting already on a non-conforming site, shall constitute a major addition for purposes of this section.

3.2 Minor Additions. Additions or modifications of less than twenty-five (25) percent to existing uses, as defined in Section 3.1 above, and that require a permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new *outdoor lighting fixtures*. Any new *outdoor lighting fixtures* on the site shall meet the requirements of this Code with regard to shielding



and lamp type; the *total outdoor light output*

after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

3.3 Resumption of Use after *Abandonment*. If a property or use with non-conforming lighting is *abandoned*, then all outdoor lighting shall be reviewed and brought into compliance with this Code before the use is resumed.

3.4 Public Roadways. Lighting for public roadways must comply with the provisions of this Code, except the *total outdoor light output* limits of Section 4.2.

Section 4. General Outdoor Lighting Standards.

4.1 Shielding Standards. All nonexempt *outdoor lighting fixtures* shall have shielding as shown in Table 4.1; outdoor *luminous tube* lighting does not require shielding but total output from *partially shielded* lighting is subject to the limits set forth in Section 4.2.

Use Codes:

A = unshielded, *partially* and *fully shielded fixtures* allowed

P = *partially* and *fully shielded fixtures* allowed

F = only *fully shielded fixtures* allowed

X = not allowed

Table 4.1. LIGHT FIXTURE SHIELDING STANDARDS

Land Use and Lighting Class	Shielding	Notes
Commercial, Industrial, Mixed-use and Multi-family Residential uses		
Class 1 lighting (Color Rendition):		
Initial output $\geq$ 2000 lumens	F	
Initial output $<$ 2000 lumens	F	2
Class 2 lighting (General Illumination):		
Initial output $\geq$ 2000 lumens	F	
Initial output $<$ 2000 lumens	F	2
Class 3 lighting (Decorative):		1
Initial output $\geq$ 2000 lumens	X	
Initial output $<$ 2000 lumens	P	2
Initial output $<$ 20 lumens	X	

Notes to Table 4.1

1. Exception: seasonal decorations using typical low-wattage incandescent lamps shall be permitted in all lighting zones from Thanksgiving through 15 January.
2. Examples of lamp types of 2,000 and 1,000 *lumens* and below (The acceptability of a particular light is determined by *lumen* output, not wattage; values listed are approximate; check manufacturer’s specifications). Lamp Type and Wattage with Outputs below 2000 *lumens* and 1000 *lumens*

Lamp Type	2000 <i>lumens</i>	1000 <i>lumens</i>
-----------	--------------------	--------------------

Standard incandescent and less	100 watt	60 watt
Tungsten-halogen (quartz) and less	100 watt	60 watt
Fluorescent and less	25 watt	15 watt
Compact Fluorescent and less	26 watt	13 watt
No available High-Pressure Sodium or Metal Halide		

4.2. *Total Outdoor Light Output Standards.* Total outdoor light output (see definition 16.30) shall not exceed the limits in Table 4.2.

Table 4.2. MAXIMUM TOTAL OUTDOOR LIGHT OUTPUT STANDARDS

Land Use	Maximum Total Light Output	Notes
Commercial Industrial, Mixed-use and Multi-family Residential uses (lumens per net acre)		
total (fully shielded + partially shielded + unshielded)	50,000	
partially shielded + unshielded only	5,000	
Residential uses (lumens per residence)		1
total (fully shielded + partially shielded)	10,000	
partially shielded	3,000	

Note to Table 4.2

1. For purposes of this section, residential refers to all residential land-use zoning, including all densities and types of housing such as single-family detached and duplexes, but does not include multi-family residential uses.

4.3. *Lamp Type Standards.* All lamps must conform to the types listed in Table 4.3.

Lamp Types:

wLED = "warm white" light emitting diode with  $CCT \leq 3500$  K

HPS = high-pressure sodium

LPS = low-pressure sodium

Table 4.3. ALLOWED LAMP TYPES

LIGHTING CLASS	Allowed Lamp Types	Notes
Class 1 lighting (Color Rendition):		
All initial outputs	all types	

Class 2 lighting (General Illumination):		
Initial output $\geq$ 2,000 lumens	wLED, HPS, LPS	
Initial output $<$ 2,000 lumens	all types	
Class 3 lighting (Decorative):		
All initial outputs	all types	

4.4. *Spot Light Aiming Standard.* *Light Fixtures* containing *Spot* or *Flood lamps* must be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side). When aimed above straight down but at less than 45 degrees, such *light fixtures* shall be considered *partially shielded*; when aimed straight down they shall be considered *fully shielded*.

4.5. “House Side” Shielding Standard. Beyond the shielding requirements of Section 4.1, any privately or publicly owned *outdoor light fixture* with a lamp of initial output over 10,000 *lumens* located within 50 feet of any residential (including multi-family residential) property or public right-of-way shall utilize an internal or external “house-side” shield, with the *light fixture* and shield oriented to minimize *light trespass* over the adjacent property or right-of-way line. If an external shield is used, the surface of the shield facing the lamp must be a dark or flat black color.

4.6. Effective Shielding Standard. All *light fixtures* that are required to be *fully shielded* shall be installed and maintained in such a manner that the shielding is effective as described in the definition in Section 15 for *fully shielded fixtures*.

4.7. *Multi-Class Lighting Standard.* *Multi-Class lighting* must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included *Lighting Class*.

4.8. *Luminous Tube Lighting.* Lighting using *luminous tubes* is included in the total outdoor light output calculations for the site. Lumens for neon lighting are calculated on a per foot basis, rather than per "fixture." Any unshielded neon lighting is limited by the *partially shielded* + unshielded lighting limits of Section 4.2.

4.9. Internally Illuminated Architecture. Any architectural element including walls, portions of buildings or canopy edges that is internally illuminated and that is not a sign or fenestration (windows or doors) shall have 100 percent of the initial lamp output of all lamps used to provide such illumination considered *partially shielded* lighting for the purposes of calculating *total outdoor light output* for the site.

4.10. Indoor Lighting. Any indoor lighting fixture within a non-residential structure containing a lamp with initial output over 2,500 lumens and mounted such that any part of the fixture is lower than the upper edge of a window or door must be fully shielded.

4.11. Time Limits.

A. *Class 3 lighting* shall be extinguished between 10:00pm (or when the business closes, whichever is later) and the time the business re-opens.

B. *Class 2 lighting* located 75 feet or more from the nearest building, *display area* or storage area shall be extinguished between 10:00pm (or within 30 minutes of the business closing, whichever is later) and the time the business re-opens.

#### Section 5. Outdoor Advertising Sign Lighting Standards.

5.1 *Externally Illuminated Sign Lighting Standards.* External illumination for signs, including *billboards*, shall conform to the provisions of this Code. Such lighting shall be treated as *Class 1 lighting* and shall conform to the lamp source, shielding restrictions and *total outdoor light output* limits of Section 4 (except as provided in Section A below). All upward-directed sign lighting is prohibited.

A. Lighting for externally illuminated *billboards* may use up to 200 initial lamp *lumens* per square foot of sign face. Lighting for billboards is not included toward the *total outdoor light output* limits of Section 4.2.

5.2 *Internally Illuminated Sign, Neon Sign, Multicolor Fixed-Copy LED Sign and Single-Color LED Sign Lighting Standards.*

A. Outdoor *internally illuminated signs* must either be constructed with an *opaque* background and translucent text and symbols, or with a colored background and generally LIGHTER text and symbols. Lamps used for internal illumination of *internally illuminated signs* shall not be counted toward the *total outdoor light output* limits in Section 4.2.

B. *Neon signs, multicolor fixed-copy LED Signs and single-color LED signs* shall be treated as *internally illuminated signs* for the purposes of this Code, and shall not have their outputs counted toward the *total outdoor light output* limits in Section 4.2. Any lighting extending beyond the area considered to be the sign area (as defined in the Sign Code of this jurisdiction) shall conform to all provisions of this Code. In particular, such lighting shall be treated as *Class 3 lighting* (decorative) and shall conform to the *total outdoor light output* limits of Section 4.

C. Other internally-illuminated panels or decorations not considered to be signage according to the sign code of this jurisdiction (such as illuminated canopy margins or building faces), shall be considered *Class 3 lighting* (decorative), and shall be subject to the standards applicable for such lighting, including but not limited to the lamp source, shielding standards and *total outdoor light output* limits of Section 4.2.

5.3 *Multicolor Changeable-Copy LED Sign Lighting Standards.* *Multicolor changeable-copy LED signs* are not permitted.

5.4 Time Limits. Illumination for all *on-site advertising signs* except *billboards* shall be turned off by the times listed in Table 5.4 or when the business closes,

whichever is later. Signs subject to time limits are required to have functioning and properly adjusted automatic shut-off timers. Light background (white, off-white, light gray, cream or yellow) *internally illuminated signs, installed* legally before enactment of this code [enter date], may continue to be used and illuminated but must conform to the time limits as indicated.

Table 5.4. ILLUMINATED SIGN TIME LIMITS

Sign Type	Time limit
Internally illuminated, light background	6pm
All other types	9pm

Section 6: Special Use Lighting Standards.

6.1 Recreational Facilities.

A. Class of Play: Fields designed primarily for use by municipal or amateur leagues, training, recreational or social levels, shall be considered *Sports Class IV* as defined by the Illuminating Engineering Society of North America (IESNA). Fields designed primarily for college, semiprofessional, professional or national levels shall be considered *Sports Class I, Sports Class II* or *Sports Class III* as defined by IESNA.

B. Lighting Class and Amount: Lighting for outdoor athletic fields, courts or tracks shall be considered *Class 1 lighting* (Color Rendition), and shall be exempt from the *lumens* per acre limits of Section 4.2. *Illuminance* shall be designed to achieve no greater than the minimal levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA) for the *Sports Class* as described in Section 6.1.A.

C. Shielding:

1. Facilities designed for *Sports Class III* and *Sports Class IV*: lighting for the field shall use *fully shielded lighting fixtures*. Where *fully shielded fixtures* are not available, *lighting fixtures* using external louvers or shields that, in the final installed configuration, extend to within 3 inches on the lowest portion of the light fixture opening are required. The fixtures shall be *installed* and maintained with aiming angles that permit no greater than 1% of the light emitted by each fixture to project above the horizontal.

2. Facilities designed for *Sports Class I* and *Sports Class II*: lighting for the field shall use *lighting fixtures* with internal and/or external control louvers or shields to minimize off-site *glare* and *light trespass*. The fixtures shall be *installed* and maintained with aiming angles that permit no greater than 5% of the light emitted by each fixture to project above the horizontal.

D. Certification: Every such lighting system design and installation shall be

certified by a registered engineer, architect or landscape architect as conforming to all applicable restrictions of this Code.

E. Time Limit: All field lighting shall be extinguished within 30 minutes of cessation of play, and events shall be scheduled so as to complete activity before 11pm. Illumination of the playing field, court or track shall be permitted after the time limit only to conclude a scheduled event that did not conclude before the time limit due to unusual circumstances.

## 6.2. Frontage Row of Vehicle Display Areas

A. Lighting Class: Lighting for *frontage row of vehicle display areas* shall be considered *Class 1 lighting* (Color Rendition).

B. Shielding: All *frontage row vehicle display area* lighting shall utilize *fully shielded light fixtures* that are *installed* in a fashion that maintains the *fully shielded* characteristics.

C. Lumen Limit: *Total outdoor light output* for the *frontage row of vehicle display areas* is exempt from the *total outdoor light output* limits in Section 4.2, but shall not exceed 60 *lumens* per square foot.

D. Time Limit: The *frontage row of vehicle display area* lighting exceeding the *lumens* per acre cap of Section 4.2 shall be turned off at 10 p.m. or within thirty minutes after closing of the business, whichever is later. Lighting in the *frontage row of vehicle display areas* after the time limit shall be considered *Class 2 lighting*, and shall conform to all restrictions of this Code applicable for *Class 2 lighting*, including the *total outdoor light output* limits in Section 4.2.

## 6.3 Service Station Canopies.

A. Lighting for service station canopies shall be considered *Class 1 lighting* (Color Rendition).

B. Shielding: All light fixtures mounted on or recessed into the lower surface of service station canopies shall be *fully shielded* and utilize flat lenses.

C. Total Under-Canopy Output: The total light output used for illuminating service station canopies, defined as the sum of all under-canopy initial bare-lamp outputs in *lumens*, shall not exceed 60 *lumens* per square foot of canopy. All lighting mounted under the canopy, including but not limited to *light fixtures* mounted on the lower surface or recessed into the lower surface of the canopy and any lighting within signage or illuminated panels over the pumps, is to be included toward the total at full initial *lumen* output.

D. The *lumen* output of lamps mounted on or within the lower surface of a canopy is included toward the *total outdoor light output* limits in Section 4.2 according to the method defined for *total outdoor light output*. Other lighting located under a canopy but not mounted on or within the lower surface is included toward the *total outdoor*

*light output* limits in Section 4.2 at full initial output.

6.4 Other Lighting on Parcels with Special Uses. All lighting not directly associated with the special use areas above shall conform to the lighting standards described in this Code at all times, including but not limited to the shielding requirements of Section 4.1, the *total outdoor light output* limits of Section 4.2 and the lamp type standards of Section 4.3. The *net acreage* for the determination of compliance with Section 4.2 shall not include the area of the athletic field or *frontage row of vehicle display area*; the area of any service station canopy shall be included in the *net acreage*.

Section 7. Submission of Plans and Evidence of Compliance with Code, Subdivision Plats.

7.1 Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving *outdoor lighting fixtures* shall submit (as part of the application for permit) evidence that the proposed work will comply with this Code. Even should no other such permit be required, the installation or modification of any exterior lighting (except for routine servicing and same-type lamp replacement) shall require submission of the information described below. The submission shall contain but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:

A. plans indicating the total number and location on the premises of all *outdoor lighting fixtures*, both proposed and any already existing on the site;

B. description of all *outdoor lighting fixtures*, both proposed and existing. The description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required); lamp types, wattages and initial *lumen* outputs;

7.2 Additional Submission. The above required plans, descriptions and data shall be sufficiently complete to enable the designated official to readily determine whether compliance with the requirements of this Code will be secured. If such plans, descriptions and data are not sufficient, the applicant shall submit such additional evidence as reasonably requested by the jurisdiction, including certified reports of tests performed and certified by a recognized testing laboratory.

7.3 Subdivision Plats. If any subdivision proposes to have *installed* street or other common or public area outdoor lighting, submission of the information as described in Section 7.1 shall be required for all such lighting.

7.4 Lamp or Fixture Substitution. Should any *outdoor light fixture* or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the designated official for approval, together with adequate

information to assure compliance with this Code. Approval must be received prior to substitution.

7.5 Plan Approval. If the designated official determines that the proposed lighting does not comply with this Code, the permit shall not be issued or the plan approved.

7.6 Certification of Installation. For projects using 200,000 lumens or more a registered engineer shall certify in writing to the City that all lighting was installed in accordance with the approved plans.

#### Section 8. Prohibitions.

8.1 Sale of Non-Conforming Fixtures and Lamps. The installation, sale, offering for sale, lease or purchase of any outdoor lighting fixture or lamp the use of which is not allowed by this Code is prohibited.

8.2 Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.

8.3 Searchlights. The operation of searchlights for advertising purposes is prohibited.

#### Section 9. Temporary Exemption.

9.1 Request; Renewal; Information Required. Any person may submit, on a form prepared by the jurisdiction, to the designated official, a temporary exemption request. The request shall contain the following information:

- A. specific Code exemption(s) requested;
- C. duration of requested exemption(s);
- E. proposed location on premises of the proposed light fixture(s);
- B. purpose of proposed lighting;
- D. information for each light fixture and lamp combination as required in section 7.1;
- F. previous temporary exemptions, if any, and addresses of premises thereunder;
- G. such other data and information as may be required by the designated official.

9.2 Approval; Duration. The designated official shall have five (5) business days from the date of submission of the request for temporary exemption to act, in writing, on the request. If approved, the exemption shall be valid for not more than thirty (30) days from the date of issuance of the approval. The approval shall be renewable upon further written request, at the discretion of the designated official, for a maximum of one (1) additional thirty (30) day period. The designated official is not authorized to grant more than one (1) temporary permit and one (1) renewal for a thirty (30) day period for the same property within one (1) calendar year.



9.3 Disapproval; Appeal. If the request for temporary exemption or its extension is disapproved, the person making the request will have the appeal rights provided in Section 11.

#### Section 10. Other Exemptions.

10.1 Outdoor light fixtures lawfully installed prior to and operable on the effective date of this Code. All outdoor light fixtures lawfully installed prior to and operable on the effective date of this Code are exempt from all requirements of this Code. There shall be no change in use or lamp type, or any replacement (except for same-type and same-output lamp replacement) or structural alteration made, without conforming to all applicable requirements of this Code. Further, if the property is abandoned, or if there is a change in use of the property, the provisions of this Code will apply when the abandonment ceases or the new use commences.

10.2 State and Federal Facilities. Compliance with the intent of this Code at all State and Federal facilities is encouraged.

10.3 Emergency Lighting. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt from all requirements of this code for as long as the emergency exists.

10.4 Swimming Pool and Fountain Lighting. Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards of Section 4.1, though it must conform to all other provisions of this code.

#### Section 11. Appeals.

Any person substantially aggrieved by any decision of the designated official made in administration of the Code has the right and responsibilities of appeal to the Advisory/Appeals Board of this jurisdiction.

#### Section 12. Law Governing Conflicts.

Where any provision of federal, state, county, township or city statutes, codes, or laws conflicts with any provision of this Code, the most restrictive shall govern unless otherwise regulated by law.

#### Section 13. Violation and Penalty.

It shall be a civil infraction for any person to violate any of the provisions of this Code. Each and every day or night during which the violation continues shall constitute a separate offense. A fine shall be imposed of not less than fifty dollars nor more than seven hundred dollars for any individual or not less than 100 nor more than ten thousand dollars for any corporation, association, or other legal entity for each offense. The imposition of a fine under this Code shall not be suspended.

#### Section 14. Severability.

If any of the provisions of this Code or the application thereof is held invalid, such

invalidity shall not affect other provisions or applications of this Code which can be given effect, and to this end, the provisions of this Code are declared to be severable.

#### Section 15. Definitions.

As used in this Code, unless the context clearly indicates otherwise, certain words and phrases shall mean the following:

15.1 *Abandoned*. Abandonment shall be determined as provided in Section \_\_\_\_\_ of the City/Town's Zoning Ordinance. [Consider "cessation of use" here instead, depending on advice of local counsel]

15.2 *Billboard*. Any sign designed for use with changeable advertising copy and which is normally used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

15.3 *CCT*. Correlated color temperature. A numerical figure used to describe the apparent color of white or nearly white light sources such as LEDs or metal halide.

15.4 *Class 1 Lighting*. All outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where COLOR RENDITION IS IMPORTANT to preserve the effectiveness of the activity. Designation of lighting as *Class 1 lighting* requires a finding by the Planning Director of the essential nature of color rendition for the application. Recognized *Class 1 lighting* uses are: outdoor eating and retail food or beverage service areas; outdoor maintenance areas where regularly scheduled maintenance activity occurs after dark; *display areas*; assembly areas such as concert or theater amphitheaters.

15.5 *Class 2 Lighting*. All outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots and outdoor security where GENERAL ILLUMINATION for visibility, safety or security of the grounds is the primary concern.

15.6 *Class 3 Lighting*. Any outdoor lighting used for DECORATIVE effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of trees, bushes, etc.

15.7 *Development Project*. Any residential, commercial, industrial or mixed-use subdivision plan or development plan which is submitted to the City for approval.

15.8 *Display Area*. Outdoor areas where active nighttime sales activity occurs AND where accurate color perception of merchandise by customers is required.

Recognized *display area* uses include automobile and recreational vehicle sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, swap meets. Uses not on this list must be approved as *display area* uses by the Planning Director.

15.9 *Frontage Row of Vehicle Display Area*. That portion of a *display area* used for vehicles located adjacent to the parcel frontage. Includes only the front row of vehicles adjacent to the parcel frontage; does not include the driving area located behind the parked vehicles or the remainder of the *display area* not adjacent to the frontage.

15.10 *Flood Lamp*. See *Spot Lamp*.

15.11 *Footcandle*. The standard imperial unit used to measure *illuminance*, or the amount of light falling onto a surface, such as a roadway or athletic field. One

*footcandle* equals one *lumen* per square foot. One *footcandle* equals approximately 10 *lux*.

15.12 *Fully Shielded (Light Fixture)*. A *light fixture* constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the *fixture*, is projected below the horizontal. Any structural part of the *light fixture* providing this shielding must be permanently affixed, and part of the fixture, not part of any surrounding building or architectural elements.

15.13 *Glare*. The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light.

15.14 *Illuminance*. The amount of light falling onto a unit area of surface (luminous flux per unit area) - measured in *footcandles* or *lux*.

15.15 *Installed*. The attachment, or assembly fixed in place, whether or not connected to a power source, of any *outdoor light fixture*.

15.16 *LED*. Light emitting diode.

15.17 *Light Fixture, Outdoor*. A complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket). Includes *luminous tubes*, lamps or similar devices, permanently *installed* or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to lights used for:

- A. parking lot or *parking garage* lighting;
- B. roadway and driveway lighting;
- C. pedestrian or walkway lighting;
- D. entryway lighting;
- E. recreational areas;
- F. landscape lighting;
- G. *billboards* and other signs (advertising or other);
- H. *display area* lighting;
- I. building or structure decoration;
- J. building overhangs and open canopies.

For purposes of determining *total light output from a light fixture*, lighting assemblies which include multiple lamps within a single *light fixture* or on a single pole or standard shall be considered as a single unit.

15.18 *Light Trespass*. Light falling across property boundaries, onto property not containing the originating light source.

15.19 *Lumen*. Unit of luminous flux; used to measure the amount of light emitted by lamps.

15.20 *Luminaire*. See *Light Fixture, (Outdoor)*.

15.21 *Luminance*. The intensity of light reflected or emitted from a unit area of surface, such as a sign face - measured in *nits*.

15.22 *Luminous Tube*. A glass tube filled with a gas or gas mixture (including neon, argon, mercury or other gasses), usually of small diameter (10-15 millimeter), caused to emit light by the passage of an electric current, and commonly bent into various forms for use as decoration or signs. A "neon" tube. Does not include common fluorescent tubes or compact fluorescent lamps.

15.23 *Lux*. The standard metric unit used to measure *illuminance*, or the amount of light falling onto a surface, such as a roadway or athletic field. One *lux* equals one *lumen* per square meter. One *lux* equals approximately 0.1 *footcandles*.

15.24 *Multi-Class Lighting*. Any outdoor lighting used for more than one purpose, such as security and decoration, such that its use falls under the definition of two or more Classes as defined for *Class 1, 2 and 3 Lighting*.

15.25 *Neon Tube*. See *Luminous Tube*.

15.26 *Net Acreage*. The remaining area after deleting all portions for proposed and existing streets within a parcel, subdivision or multiple contiguous parcels proposed for development. For parcels including special uses listed in Section 6 that are exempted from the *total outdoor light output* limits of Section 4.2, the area devoted to the special use only shall also be excluded from the *net acreage*.

15.27 *Nit*. The standard unit used to measure the brightness of a surface, such as a sign.

15.28 *Outdoor Light Fixture*. See *Light Fixture, Outdoor*.

15.29 *Opaque*. *Opaque* means that a material does not transmit light from an internal illumination source. Applied to sign backgrounds, means that the area surrounding any letters or symbols on the sign allows no light from an internal source to shine through it.

15.30 *Outdoor Light Output, Total*. The initial total amount of light, measured in *lumens*, from all lamps used in *outdoor light fixtures*. Includes all lights and *luminous tubes* used for *Class 1, Class 2, Class 3* and *multi-Class lighting*, and lights used for external illumination of signs, but does not include lights used to illuminate *internally illuminated signs, luminous tubes* used in *neon signs*, or seasonal lighting from typical low-output lamps permitted between Thanksgiving and January 15th. For lamp types that vary in their output as they age (such as high pressure sodium, fluorescent and metal halide), the initial lamp output, as defined by the manufacturer, is the value to be considered. For *LED* fixtures, the light output of the fixture, as defined by the manufacturer, is the value to be considered. For determining compliance with Section 4.2 [*Total Outdoor Light Output*] of this Code, the light emitted from lamps and *luminous tubes* is to be included in the total output as follows:

A. *outdoor light fixtures* installed on poles (such as parking lot *light fixtures*) and *light fixtures* or *luminous tubes* installed on the sides of buildings or other structures, when not shielded from above by the structure itself as defined in parts B, C and D below, are to be included in the *total outdoor light output* by simply adding the initial *lumen* outputs of the lamps and tubes;

B. *outdoor light fixtures* and *luminous tubes* installed under canopies, buildings (including *parking garage decks*), overhangs or roof eaves where all parts of the lamp, tube or *light fixture* are located at least five (5) feet but less than ten (10) feet from the nearest edge of the canopy or overhang are to be included in the *total outdoor light output* as though they produced only one-quarter (0.25) of the lamp's rated initial *lumen* output;

C. *outdoor light fixtures* and *luminous tubes* installed under canopies, buildings (including *parking garage decks*), overhangs or roof eaves where all parts of the lamp, tube or *light fixture* are located at least ten (10) feet but less than thirty (30) feet from the nearest edge of the canopy or overhang are to be included in the total outdoor light output as though they produced only one-tenth (0.10) of the lamp's or tube's rated initial *lumen* output.

D. *outdoor light fixtures* and *luminous tubes* installed under canopies, buildings (including *parking garage decks*), overhangs or roof eaves where all parts of the lamp or light fixture are located thirty (30) or more feet from the nearest edge of the

canopy or overhang are not to be included in the *total outdoor light output*. Such lamps and tubes must however conform to the lamp source and shielding requirements of Section 4.

15.31 *Parking Garage*. A multi-level or covered structure for parking that is open to the outside air. Includes parking facilities under buildings when the area is open to the outside at more locations than just the automobile entries and exits.

15.32 *Partially Shielded* (Light Fixture). A *light fixture* constructed and mounted such that most light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. Light emitted at or above the horizontal direction (sideways or upwards) arises only from decorative elements or strongly colored or diffusing materials such as "honey" or colored glass or plastic. Fixtures using spot or flood lamps are considered *partially shielded* if the lamps are aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side).

15.33 *Person*. any individual, tenant, lessee, owner, or any commercial entity including but not limited to firm, business, partnership, joint venture, or corporation.

15.34 *Searchlight*. A lighting assembly designed to direct the output of a contained lamp in a specific tightly focused direction (a beam) with a reflector located external to the lamp, and with a swiveled or gimballed mount to allow the assembly to be easily redirected. Such lights are used commonly to sweep the sky for advertisement purposes.

15.35 *Sign, Externally Illuminated*. A sign illuminated by light sources from the outside.

15.36 *Sign, Internally Illuminated*. A sign illuminated by light sources enclosed entirely within the sign cabinet and not directly visible from outside the sign.

15.37 *Sign, Multicolor Changeable-Copy LED*. A sign composed of *LEDs* of more than one color and programmable to allow changing displays.

15.39 *Sign, Multicolor Fixed-Copy LED*. A sign composed of *LEDs* of more than one color with a fixed (not changeable or programmable) copy display.

15.38 *Sign, Neon*. A sign including *luminous tubes* formed into text, symbols or decorative elements and directly visible from outside the sign cabinet.

15.39 *Sign, On-Site Advertising*. A sign used primarily to advertise goods or services offered on the same parcel on which the sign is located. Such a sign may include incidental non-advertising information (for example time and temperature; does not include publicly owned signs providing general interest information exclusively (such as road names or highway conditions)

15.40 *Sports Class I/II/III/IV*. Level of sports play as defined by the Illuminating Engineering Society of North America. This level is primarily determined by the number and distance of spectators; the higher recommended illumination levels facilitate the spectator's ability to view the action. *Sports Class IV* is the most common level, and is typical of municipal and amateur league and social level sports, with minimal accommodations for spectators, typically including bleachers located close to the field. *Sports Class III* includes increased accommodation for spectators. *Sports Class II* and *Sports Class I* apply to large sports facilities where thousands of spectators may be located hundreds of feet from the field, and television broadcasting may be a consideration.

15.41 *Spot Lamp*. A specific form of lamp designed to direct its output in a specific

direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a clear or nearly clear glass envelope: Such lamps are so designated by the manufacturers, and typically used in residential outdoor area lighting.

15.42 *Spot Light*. A *light fixture* containing a *Spot Lamp*.

15.43 *Temporary Lighting*. Lighting which does not conform to the provisions of this Code and which will not be used for more than one thirty (30) day period within a calendar year, with one thirty (30) day extension. Temporary lighting is intended for uses which by their nature are of limited duration; for example holiday decorations, civic events, or construction projects in.

## **ATTACHMENT I: Public Process and Comments**

---

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project. All written comments that were received throughout this process can be found below.

### **Community Council Notice:**

Notices were sent on July 25, 2018 to Westpointe, Rose Park, Jordan Meadows, Fairpark, Poplar Grove, and Glendale Community Councils informing them of the proposed text amendments and asking if they would like Planning staff to present at their community council meeting. Glendale Community Council requested Planning staff to present the proposal.

Planning staff presented at the Glendale Community Council meeting on August 15, 2018. Staff gave an overview of what zoning changes needed to be made in order to comply with the State Code. Staff helped answer questions related to:

- What changes needed to be made
- Why certain components were included
- What natural resource storage entailed
- Impact of trains
- Website information

Notices were sent to all recognized community organizations on August 2, 2018 informing them of the proposed text amendments and all upcoming City-sponsored meetings related to the proposed text changes.

### **Mailings and Listserv**

Notices were mailed to all property owners within the inland port jurisdictional boundary plus properties within 300 feet of the inland port jurisdictional boundary on August 9, 2018. The notices included information for all upcoming city-sponsored meetings including the public hearing notices for the Planning Commission meetings.

Emails were sent to those who had been involved in the past Northwest Quadrant Master Plan and associated zoning amendments. They were informed of the proposal and provided information on all upcoming city-sponsored meetings related to the proposal.

### **Open House:**

Because this zoning amendment impacts multiple community councils, City staff held three open houses on the following dates and locations:

The first two open houses focused on providing the public information on the proposal and understanding the public's concerns about inland port uses and potential impacts.

- August 20, 2018 – Day-Riverside Library, 21 attendees
- August 23, 2018 – Sorenson Unity Center, 3 attendees

The third open house was a follow up to the first two open houses. This open house focused on the issues that came up and Planning staff presented the proposed draft ordinance.

- September 5, 2018 (follow up to the previous two Open Houses) – Sorenson Unity Center, 3 attendees

### **Website and Online Survey:**

The Planning staff worked with the City’s Civic Engagement Team to create two online surveys. The first survey was released on August 20, 2018 and was closed on September 5, 2018. The first survey resulted in over 480 respondents with over 3,000 comments. The report generated for the first survey can be found [here](#). The applicable comments focused on the following concerns and impacts:

- Inland port impact on air quality, transportation, infrastructure, sensitive lands and wildlife
- Uses that would be allowed
- Need for transparent process

A second survey was released on September 10, 2018 that allowed the public to respond to the proposed ordinance. As of the date the staff report was published, the survey has resulted in approximately 58 responses. The comments applicable to the zoning amendment include:

- Air quality/environmental concerns
- Impacts on wildlife
- Effectiveness of mitigation plan
- Enforcement of zoning and mitigation efforts
- Concerns over natural resources

### **Meetings**

Planning staff met with various City departments and stakeholders including:

- Army Corps of Engineers
- Environmental/Wildlife Non-Governmental Organizations (NGOs)
- Property owners

### **Planning Commission**

#### *September 12, 2018 Meeting*

Public hearing notice published in the newspaper on September 1, 2018

Public notice posted on City and State websites and Planning Division list serve: August 30, 2018

A public hearing was held on September 12. The overall comments included:

- One-mile buffer needed for prison
- Grain Silos and railroad repair shops should be conditional use
- Coal cannot be covered
- Provide 1,000 foot buffer of natural resource storage from Northwest Quadrant natural areas
- Add landscaping and pavement requirements
- Require energy generation
- Include wildlife corridor study, artificial light study, noise pollution, and bird collision information in mitigation plan
- Greater buffer than 1,000 feet is needed
- Restrict mosquito abatement
- Require energy efficiency standards

#### *September 26, 2018 Meeting*

Public hearing notice published in the newspaper on September 15, 2018

Public notice posted on City and State websites and Planning Division list serve: September 13, 2018

### **Public Input:**

All public comments received to date can be found below.



# Comments in Response to Proposed Ordinance

September 2018

Tracy Tran, Senior Planner  
Planning Division  
Department of Community and Neighborhoods  
Salt Lake City Corp.  
[tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)

Re: Comments on Inland Port Zoning Modifications per HB 2001

Dear Ms. Tran,

I am submitting these comments on behalf of Utah Audubon Council. They are in addition to those you received previously from National Audubon Society and Great Salt Lake Audubon.

We agree with and support the statement of purpose for the Inland Port Overlay District as a guide to development of the Port, but offer this suggestion pertaining to mitigation of impacts in order to strengthen and improve it:

Unless otherwise defined elsewhere in City codes, "mitigation" may be defined as "to make milder, less severe, less rigorous or less painful"<sup>1</sup>. In some contexts, however, mitigation is viewed as compensation after the fact, after harm has been caused or negative impacts have occurred (e.g. wetlands replaced or created off-site to compensate for wetlands lost to development, or endangered species "refugia" created to off-set habitat lost). Since "mitigation" is used throughout the IP Overlay Ordinance, we think it is important that it be understood in a broader context of efforts to avoid, minimize, manage, and monitor potential impacts. Therefore we suggest that the language in the purpose statement be edited as follows:

After "utilizes best available technology and practices to" insert "avoid, minimize, manage, and" "mitigate environmental impacts;"

We suggest you consider adding to the prohibited uses radioactive waste. Similarly, temporary storage of radioactive waste should be a conditional use. The rationale for these suggestions is that rail shipments of radioactive wastes currently traverse the area of the IP on route to Energy Solutions and to the Waste Isolation Pilot Project in New Mexico. The U.S. Senate is poised to vote after the November elections on re-starting the funding and the process for approving the Yucca

---

<sup>1</sup> Webster's New World College Dictionary, Fourth Edition, 2001

Mountain high level nuclear waste repository (the House has already voted to do so). While the prospects that YMP will ever open are slim and at best are in the distant future, those radioactive wastes should not be allowed to park within the IP jurisdictional lands should they ever be transported through Utah.

The IP Overlay Ordinance does not address restrictions of or mitigations for noise or light pollution, nor does it address building height restrictions, as the underlying Northwest Quadrant Master Plan did. What is the rationale for this? Are the standards for these incorporated in the Overlay by reference? To our knowledge, there are no state or federal constraints applicable to noise and lighting, nor to building height concerns (except for aircraft flight paths).

Due to their great height and potential for disrupting migratory bird navigation, construction and use of grain silos should be a conditional use and they should be restricted within the IP to areas south of I-80.

Thank you for the opportunity to comment.

Respectfully,

Steve Erickson, Policy Advocate  
Utah Audubon Council

## Tran, Tracy

---

**From:** Kristin Urry [REDACTED]  
**Sent:** Monday, September 17, 2018 9:10 PM  
**To:** Inland Port  
**Subject:** Comments

I completely disagree with the use of these wetlands to house a "port" through which industry and traffic including large trucks will be rampant. Uncontrolled development in this valley seems to be the norm and there is no concern about how these developments will affect the wildlife and people who currently live here. The quality of life here has steadily reduced over the last 30 years I have been here. Air pollution is out of control and often the worst in the country or the world! This is now a year round problem rather than just the winter "inversion" due to climate change and the governors lack of support for clean air policies affecting traffic and the biggest polluter in the valley Rio Tinto. The only concern in this state is bringing more people and business in with no place to house either. Making more money for developers and corporations is supported to the detriment of the people and animals who call this place home. I am disgusted with what is happening here and will be moving out within a year after 30 years here. The latest "port" boondoggle is just the latest in the process of dismantling any public input or feeling about what happens here. I'm done!

Sent from my iPad

## Tran, Tracy

---

**From:** Tran, Tracy  
**Sent:** Thursday, September 13, 2018 2:16 PM  
**To:** [REDACTED]  
**Subject:** RE: PLNPCM2018-00601: Inland Port

Hi Lynn,

The proposed inland port zoning modifications are in response to the State Legislature's state bill [HB 2001](#), which was passed on July 18, 2018. The now Utah State Code ([11-58](#)) states that "The transporting, unloading, loading, transfer, or temporary storage of natural resources may not be prohibited on the authority jurisdictional land." The State Code *does not* allow Salt Lake City to prohibit these things, but it does allow the City to write in standards. The State Code also gives the City until December 31, 2018 to allow "inland port uses" as permitted or conditional uses in the jurisdictional area. If the City does not make changes, all inland port uses will be considered a permitted use and the City will not be able to regulate these uses.

As a part of the proposed ordinance, we have highlighted a list of prohibited uses that are not considered an inland port use. That list includes uses such as hazardous waste (which includes radioactive material) and refineries. Here is a link to the [website](#) if you would like additional information regarding this project.

Please let me know if you have any additional questions or comments.

Thank you,

TRACY TRAN  
Senior Planner

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

TEL 801-535-7645  
FAX 801-535-6174

[www.SLC.GOV/PLANNING](http://www.SLC.GOV/PLANNING)

**From:** LYNN Pershing [REDACTED]  
**Sent:** Thursday, September 13, 2018 9:59 AM  
**To:** Tran, Tracy <Tracy.Tran@slcgov.com>  
**Subject:** PLNPCM2018-00601: Inland Port

Hi Ms Tran

I would like to know more are the issue listed on the Mayor's report for Planning Commission discussion at the upcoming Planning Commission Meeting.

"Establish standards for the storage of natural resources"

I am strongly AGAINST transfer between storage vessel/containers AND temporary and/or long term storage of hazardous waste, coal, fossil fuel or any form of radioactive material at the INland Port.

Any natural resource material MUST remain within its original container vessel and merely pass through the Inland Port.

The location of the State created Port is of extremely Health, Fire and Safety Concerns to SLC residents and the Great Salt Lake natural reserves.

--

Lynn K. Pershing, Ph.D.



September 18, 2018

To Tracy Tran

Re Noise ordinance for Inland Port overlay

Hello Tracy-

I reviewed Salt Lake City's Noise Control ordinance (Ch. 9.28) and compared it with Denver's noise ordinance (Ch. 36) and guidelines by the World Health Organization. Ch. 9.28 is fine in general but lacks a couple of features that I think would greatly improve conditions for surrounding residential areas and wildlife in and near the Port area.

1. Lowered maximum noise levels. The World Health Organization has published draft recommended guideline noise levels for protection against unwanted noise. These noise levels are designed to prevent sleep disturbance, annoyance, and speech interference. The levels are based upon results from numerous studies in laboratories and field surveys. The levels are as follows:

- To protect the majority from being moderately annoyed, the noise level should not exceed 50 dBA.
- To protect the majority of people from being seriously annoyed during the daytime, the level from steady continuous noise in outdoor living areas should not exceed 55 dBA.
- At night, outdoor levels should not exceed 45 dBA, so that the recommended level of 30 dBA inside bedrooms for steady state continuous noise can be met with the windows open.

Ch. 9.28 allows higher noise levels in residential areas: 50dBA from 9:00 pm – 7:00 am and 55 dBA from 7:00 am – 9:00 pm. The standard of “the majority...being moderately annoyed” seems like a low bar for a residential neighborhood. Studies indicate that the effects of noise on wildlife are observable at levels as low as 40 dBA and are widely observed at 50 dBA. In light of this, please consider including the following maximum levels and time periods in the overlay ordinance:

Receptor premises	Residential		Natural	
	6:00 pm-7:00 am	7:00 am-6:00 pm	6:00 pm-7:00 am	7:00 am-6:00 pm
Source premises				
Commercial other than manufacturing	40 dBA	45 dBA	40 dBA	45 dBA
Manufacturing	45 dBA	50 dBA	45 dBA	45 dBA

2. Motor vehicle noise. Ch. 9.28 doesn't specifically address motor vehicle noise. Considering the heavy volume of train and truck traffic the Port will generate, I think the following language (taken from Denver's ordinance) should be incorporated into the Port overlay ordinance.

Motor vehicle noise

(a) No person shall operate nor shall the owner permit the operation of any motor vehicle or combination of motor vehicles at any time or place when such operation exceeds the sound pressure levels for the corresponding category of motor vehicle as specified in Table B. Except as provided in this subsection (a), the standards in Table B apply to all noise emitted from motor vehicles including any and all equipment thereon, under any condition of acceleration, deceleration, idle, grade or load and regardless of whether in motion. In lieu of Table B, the provisions of [Table 9.28.060.A] apply when a motor vehicle is parked and vehicle auxiliary equipment is in use.

TABLE B Maximum Allowable Noise Sound Pressure Levels for Motor Vehicles

Type of Vehicle	Maximum Allowable Sound Pressure Level	Measurement Distance from Motor Vehicle
Motor vehicles weighing less than 10,000 pounds, manufacturers gross vehicle weight	82 dB(A)	25 feet
Motor vehicles weighing 10,000 pounds or more, manufacturers gross vehicle weight	90 dB(A)	50 feet

(b) It shall be unlawful for any person to operate, or for the owner of any motor vehicle to permit the operation of any motor vehicle or combination of motor vehicles at any time, that is not equipped with any exhaust muffler approved by this chapter.

(c) It is unlawful for any person or for any owner to allow any person to modify, tamper with, alter, or change any motor vehicle in any manner that causes the sound emitted from the motor vehicle to exceed the corresponding sound pressure level in Table B.

(d) No person shall, nor shall the owner allow any person to, operate a motorcycle manufactured after December 31, 1982 that is not equipped with an exhaust muffler bearing the Federal EPA required labeling applicable to the motorcycle's model year, as set out in Code of Federal Regulations Title 40, Volume 24, Part 205, Subpart D and Subpart E; or a muffler or muffler system in compliance with Table B.

I hope this is helpful.

Best,

David



## Tran, Tracy

---

**From:** Jack Ray [REDACTED]  
**Sent:** Tuesday, September 11, 2018 11:01 PM  
**To:** Tran, Tracy  
**Subject:** Inland Port Draft Ordinance Comments by Utah Waterfowl Association

Tracy,

Thanks to you and the rest of the staff for your hard work on this matter. I am submitting the following comments regarding Draft Ordinance 21.34.150 for the IP Inland Port Overlay District.

1. **The phrase "abutting properties" in D.2 and D.2.b(2) should be replaced with the phrase in Utah Code Sec. 11-58-203(1)(c) and (f) "areas in proximity"**. There are properties that are very near the Inland Port that may be heavily impacted by the port development but that do not share a common boundary with the port. This change would be consistent with the language of the statute, avoid confusion and also fulfill the stated objective of sensitivity to the natural characteristics of the area.
2. **The following should be added to E.1.b(2): "any area zoned as a Natural Area by the City . . ."**. The City has zoned an area north of the inland port as a Natural Area, among other reasons, because of its sensitive characteristics. This would reflect the purpose of that designation and the statutory considerations for preserving compatibility with surrounding landscapes.
3. **Add to the mitigation plan as subsection (10): "A description of how the development and uses are compatible with or complement uses in areas in proximity to the authority jurisdictional land."** This simply incorporates language directly from **Utah Code Sec. 11-58-203(1)(f)** regarding development of the inland port.

## Summary of Remarks to Inland Port Authority Board at 2<sup>nd</sup> Meeting August 29, 2018

While we continue to consider both Local Community costs and benefits, in context of State incentives to proceed with Inland Port project planning and development, there remain questions which have been posed to the Sub-committee(s) responsible for:

- 1) How the next phase Research Study funding of \$475,000 will be apportioned:
  - Will it be awarded via competitive bid?
  - Will LOCAL community input be required in the analysis?
  - Where/When will the information for Research Study RFP be posted?
- 2) Removal of funding note from Fiscal Notes of SB234 in HB2001 with respect to UDOT Transportation Investment Fund (it is not on the UDOT web site at this time).
- 3) Bonding Authority of the Inland Port Authority
  - How?
  - Who?
  - When?

Additional considerations which were raised during Salt Lake City Council presentation include:

- When and how will Inland Port Authority Sub-committees integrate Salt Lake City Master Plan for Northwest Quadrant into the Inland Port Business Plan?
- Will Inland Port Authority rely on Market Assessment of the University of Utah Kem C. Gardner Institute, making necessary adjustments based on current market conditions?
- Will Inland Port Authority rely on the Feasibility Study from Cambridge et.al., and make necessary adjustments based on current inputs from Local Communities/Salt Lake City?
- Where will U.S. Federal officials be included in the planning process? (Departments of Transportation, Environmental Protection, Commerce, Homeland Security)
- How and when will Inland Port Authority include private industry in project planning? (Railroads, Trucking Industry, Applied Technologies for Environmental impacts)
- How and when will Inland Port Authority include State and Federal Agencies in presenting Business Incentives to private industry participants?

Dean C. Dinas, Business Economist/Ki Technologies, Inc. (a Utah-based business consultancy)



**UTAHPOLICY.COM** <sup>(f)</sup>  
WHERE POLITICAL JUNKIES GET THEIR DAILY FIX

**Send News Tips**  
(<http://utahpolicy.com/index.php/contact-us>)

Correct Us  
(<http://utahpolicy.com/index.php/contact-us>)

**Newsletter Subscribe**  
(<http://utahpolicy.com/index.php/email-newsletter/subscribe-to-our-newsletter>)

## Guest opinion: Utah port can become the best of the west...if we take action now

### Details

Written by Heal Utah, Breathe Utah and Utah Clean Cities

Category: Featured Articles (<index.php/features/featured-articles>)

Created: 07 August 2018



The proposed inland port could spark innovation, bring economic diversity, and put Utah in a position to be the best of the west -- if it is done correctly.

By "correctly," we mean designing an inland port from the outset that includes clean, low-emission technologies that will reduce the large potential impacts on our airshed and energy grid. There is great opportunity here but it is still unclear how the Inland Port Board Authority will prioritize the assessment of these technologies and what their implementation will look like.

The recent amendments to the inland port bill (HB2001) did address some of the environmental concerns that were raised in the initial bill (SB234, passed during the 2018 regular legislative session). These amendments, which include developing an explicit sustainability plan within the overall business plan, as well as completing an environmental and emissions impact assessment for any development project brought to the board, made the inland port much more palatable. But it still has room to improve and the stakes are too high for the Board and the business community to ignore.

To ensure the inland port will maximize the potential for our economy, health, and environment, sustainable development must be integrated into every aspect of the port. Sustainable development will minimize environmental risk, prioritize public health and safety, and implement new technologies to make the port as clean as possible.

Currently, Salt Lake and Provo are out of attainment with federal health standards for both small particulate matter (PM2.5, mostly a problem in the winter) and ozone (primarily occurring in the summer). Utah's projected population growth, tied to our strong and expanding economy, means that emissions will only continue to increase over time.

This will make attaining federal standards more difficult, which means that many of the manufacturing and logistics operations that will benefit from the port, as well as the residential development associated with these new jobs, could be at risk. Utah has been able to walk the fine line between development and air quality for many years, but we are on the edge of our economy expanding at a rate that our airshed can't keep up with. That means business opportunities, and jobs, are on the line.

While we are hoping to attain federal air quality standards by 2019, the Utah Division of Air Quality (DAQ) has had difficulty explicitly modeling what efforts it will take to get us there. Anticipated diesel emissions from increased freight and heavy-duty truck traffic associated with the port, as well as the construction of the port itself, will add new emissions that are not currently accounted for in DAQ's modeling. This could hinder our progress towards attainment and towards economic growth.

However, we shouldn't lose all hope for our environment and economy yet.

There are many solutions available that can be integrated into the project to protect our health and our air from increased pollution. For example, the Board could require all diesel engines that enter or operate in the port be Tier 4 or better; electrify all possible operations; conduct regular air quality impact assessments of emissions generated both onsite and throughout the nonattainment areas; monitor and control all emissions so that they don't compromise our compliance with federal air quality standards; and determine the best available technologies to implement, based on a prudent review that includes a thorough cost-benefit analysis.

To ensure the Board has access to the expertise needed to best assess appropriate technologies, adding an ex-officio board member that can fairly and accurately represent environmental interests should be considered. In addition, with the new ability enabled by the recent amendments that allow creation of advisory councils, the Board should do their due diligence to create an environmental advisory council that will be able to help them navigate through the intricacies of these technologies and challenges.

Air quality is one of top concerns of Utah citizens. This has been reflected in recent stakeholder-driven visioning processes lead by Wasatch Front Regional Council and Envision Utah, which have resulted in plans to help guide development of the valley. These resources should be not be ignored but instead considered a baseline on which to build. There are other environmental concerns to consider as well, including issues of water quality, the Great Salt Lake ecosystem, local wildlife, and the impacts of light and noise pollution. All of these concerns are just as critical and in line with what citizens of the Wasatch Front desire.

The health of the environment and the economy are not at odds -- they go hand-in-hand. Planning the inland port, including planning for environmental impacts, needs to be deliberate, intentional, and an ongoing part of the conversation. The inland port is a unique opportunity for Utah to become the best in the west and a leader in a clean energy economy, and we shouldn't throw it away.

- HEAL Utah, Breathe Utah, Utah Clean Cities

UtahPolicy.com Comment Policy

Intelligent conversation allowed. Please don't feed the trolls.



1 Comment UtahPolicy.com

2 Dean Dinas

Recommend

Share

Sort by Newest



Start the discussion...



Dean Dinas • a minute ago

Hold on, this is waiting to be approved by UtahPolicy.com.

As a Business Economist (in the Intermountain West) and 25 year Salt Lake City resident, I see several aspects of Environmental and Fiscal policies that need to look OUT to other Best (and Worst) Practices in Inland Ports. But, if UDOT and the Technology Sector are not included —as their counterparts have elsewhere— from the get-go, we will have legal consequences beyond those threatened by Salt Lake City Mayor. For example, in the Fiscal Notes of SB234, there was a reference to [Utah] Transportation Investment Fund, through which "these investments have been programmed". Said reference was removed from HB2001. And, now that the scope of Inland Port has been reduced (from 22,000 to 16,000 acres), where will this be reflected in the next Feasibility Study? Concurrent construction of the State Prison in the same area of the Inland Port must result in more comprehensive assessments of Air/Water Quality degradation, from transportation. Technologies are shelf-ready for Economic Substitution of Natural Gas for Diesel fuel, in trucks, electric generators and even Railroad Freight Trains. Who is looking at these, early in the planning, so a) Businesses can plan equipment upgrades, b) Government can plan Incentives for Businesses, and c) Subcommittees can introduce and evaluate these options (while we wait for Battery technologies and Electric Vehicles to become more economically available)?

Edit • Share

ALSO ON UTAHPOLICY.COM

Reader reaction: Trust us, the ACLU of Utah is busy these ...

2 comments • 2 days ago

ACLU of Utah — Current ACLU of Utah legal cases: ...

Trump & the news media: a battle to the death

4 comments • 2 days ago

Perfidious Trout — Now, what if—and I know this is crazy, so just hold on for a second—but ...

Subscribe Add Disqus to your site Add Disqus Add Disqus' Privacy Policy Privacy Policy Privacy

back to top

FOR ESTABLISHED PRINCIPLES YOU CAN COUNT ON. Zions Bank is for you. Community • Integrity Teamwork • Trust • Value. LEARN MORE. ZIONS BANK. A division of ZB N.A. Member FDIC.

(https://adclick.g.doubleclick.net/pcs/click?xai=AKA0jstmLQG9h7KW5MqmqLgfC8xzUwzNQ\_1GzK9zo32hTKJfdDhY3Xv7p2G-zPgvzUdxsy6kyp-ValixrvvBPA410mgFHyP7goBdddCEj\_0LfrBXW6sSWol-cKmdj10Xjn2QpAa&sig=Cg0ArKJSzMHfjNiMR6m3&urfix=1&adurl=https://zionsbank.com/%3Fcidaff%3DZFNB%26cidch%3DPdDsply%26cidlnchdt%3DJul18%26cidcmpgn%3DPncpls%26cidvsn%

WORLD TRADE CENTER UTAH Utah Governor's Office of Economic Development BUSINESS • TOURISM • TRADE JOIN US FOR A TRADE MISSION TO TAIWAN AND SOUTH KOREA (http://wtcutah.com/trade-missions/taiwan-south-korea-2018/)



Great Salt Lake Audubon  
P. O. Box 520867  
Salt Lake City, UT 84152-0867  
president@greatsaltlakeaudubon.org

[www.greatsaltlakeaudubon.org](http://www.greatsaltlakeaudubon.org)

Sept. 11, 2018

Salt Lake City Planning Commission  
P.O. Box 145476  
Salt Lake City, UT 84114-5476

Sent: Via e-mail  
% Tracy Tran, Principal Planner, Salt Lake City Corporation

Re: Specific Requests Regarding Proposed Ordinance for the Inland Port Zoning Modifications Text Amendment (PLNPCM2018-00601).

Dear Members of the Salt Lake City Planning Commission:

The following provides general comments followed by specific requests regarding the proposed ordinance for the inland port zoning modifications text amendment (PLNPCM2018-00601).

General Comments:

We greatly appreciate that the natural areas as defined in the Northwest Quadrant Plan are not included in the Inland port area.

The text amendments address many of the concerns that have been expressed.

We appreciate that the stated purpose of the port, which says that; *Above all, the district is a model to the nation for sustainable development that:*

- *respects and maintains sensitivity to the natural environment;*
- *helps to achieve City and State goals for air and water quality;*
- *minimizes resource use;*
- *utilizes best available technology and practices to mitigate environmental impacts;*

Given this stated purpose we think it is essential that the document more strongly mandate avoiding uses that degrade the natural environment including air quality for people and wildlife, particularly birds, as well as avoiding uses that degrade quality of the adjacent globally important bird habitat.

## Specific requests:

1. We request that noise and light pollution be included as potential detrimental environmental impacts. Both noise and lighting are major concerns for an inland port. On page 3, Under D. 2. B. (3) the wording that should be added is **in red below**. “A description of any potential detrimental environmental impacts the proposed development may cause including, but not limited to, impacts on air quality, surface water, and groundwater **as well as noise pollution and light pollution**. The plan shall include methods the land use applicant intends to use to mitigate any potential environmental impact, including the extent to which the proposed development will apply the best available technology or systems, and best management practices and controls;”
2. Under D. 2. b. on Page 3 and 4 there are nine items that need to be included in a mitigation plan. However, in reading through the proposed ordinance we see no mention of consequences if the mitigation plan is inadequate and/or unacceptable. We request that a Number (10) be included at the end of the items to be included in the mitigation plan and that it says: **(10) If the land use applicant is unable to adequately mitigate the potential impacts then the use will be disallowed;**
3. We request that the Utah State Correctional Facility be provided a buffer similar to what is provided to residences. This should occur wherever a buffer is mentioned for residences. Prisoners who live full time in an area should be provided at least as much of a buffer from the potential negative environmental impacts as residents in the area.

There are two places where a buffer for residences is mentioned in the proposed ordinance. The wording that should be added **is in red below**. On Page 5, E. 1. a. Standards applicable to outdoor storage of natural resource and bulk materials: (1) Storage areas shall not be located within one thousand (1,000) feet of a residential zone **and the Utah State Correctional Facility**. b. The unloading, loading, transfer, or temporary storage of coal, coal byproducts (such as coke, fly ash, bottom ash, synthetic gypsum and similar products), and crude oil shall be: (3) Located a minimum of one thousand (1,000) feet from a residential zone **and the Utah State Correctional Facility**.

There is also a reference to residences in regards to freight terminals in manufacturing zones. Specifically in Chapter 21A.33.040 a one mile buffer for residences is provided. **We request that similar to residences a one mile buffer be included for the Utah State Correctional Facility in Chapter 21A.33.040.** This request was made earlier this year (see attached) and was not acted upon. Although, we do think it is very important to add this.

*To protect and enhance habitat for wild birds, animals and plants, and to maintain healthy and diverse environments for wildlife and people throughout the State*

*Great Salt Lake Audubon*

[www.greatsaltlakeaudubon.org](http://www.greatsaltlakeaudubon.org)

Thank you for considering these comments and requests.

Sincerely,

Heather Dove,  
President, Great Salt Lake Audubon

Wayne Martinson  
Member of Conservation Committee, Great Salt Lake Audubon

*To protect and enhance habitat for wild birds, animals and plants, and to maintain healthy and diverse environments for wildlife and people throughout the State*

February 16, 2018

Salt Lake City Council  
458 South State Street, Room 304  
PO Box 145476  
Salt Lake City Utah,  
84114-5476

Sent: Via e-mail  
% Nick Tarbet, Senior Public Policy Analyst, Salt Lake City Council

Re: **Request concerning the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones – 21A.28.020**

Dear Members of the Salt Lake City Council:

This letter provides specific requests regarding the Global Trade Port in Manufacturing Text Amendment (PLNPCM2017-01038). It also provides additional background information. *Great Salt Lake Audubon* and *National Audubon Society* are joined in these requests by *FRIENDS of Great Salt Lake and League of Women Voters of Salt Lake*.

On February 5, 2018, Dorothy Owen, Chair, Westpointe Community Council submitted a letter to the Salt Lake City Council concerning the proposed zoning amendments (see attached). The February 5th letter described a community meeting held on February 1, 2018, where representatives of community councils, landowners, environmental community members, and others discussed the inland port concept. During this meeting, items that the Salt Lake City Planning Commission recommended for further analysis were also discussed and points of consensus were outlined in the February 5<sup>th</sup> letter.

We strongly support and urge the Council to include in the zoning text amendments those consensus items listed in the February 5, 2018 letter – specifically:

1. *The provision prohibiting a railroad freight terminal within one mile of a residential area needs to **include a similar one-mile buffer around the new Utah State Prison.***
2. *If grain silos and railroad repair shops are to be included under M-1 zoning, they should be included as **conditional** uses rather than permitted uses.*

As stated in our previous letters to the Salt Lake City Planning Commission dated January 16, and 23, 2018, (see attached), the conservation community was heavily involved in the development of the Northwest Quadrant Plan. We are particularly interested in *ensuring the integrity of the Natural Areas and the Eco-Zone Buffer* and the process involved to reach that accord.



We are aware that the buffer proposed above for the Utah State Prison for a railroad freight terminal would also provide some additional buffer for the Natural Areas north and east of the State Prison as well as for the Inland Sea Shorebird Reserve west of the prison.

While there are concerns regarding the inland port, we fully support the items mentioned above and ask that they be included in the zoning text amendments that the City Council will be considering for adoption at the February 20, 2018 meeting.

As indicated in our earlier letters, increasing the opportunity for the City and members of the public to better understand the social, human health, environmental and economic aspects of any global trade port facility is critical.

An open, collaborative process is more likely to lead to more acceptable outcomes for all concerned and we would very much appreciate the opportunity to participate more fully in such a process.

Thank you for considering our comments.

Sincerely,

*Marcelle Shoop*

Marcelle Shoop  
Director, Saline Lakes Program  
National Audubon Society

*Wayne Martinson*

Wayne Martinson, Member  
Great Salt Lake Audubon Conservation  
Committee

cc:

Tracy Tran, Principal Planner, Salt Lake City Corporation  
Heather Dove, President, Great Salt Lake Audubon  
Deb Drain, Conservation Chair, Great Salt Lake Audubon  
Ella Sorensen, Gillmor Sanctuary Manager, National Audubon Society  
Heidi Hoven, Gillmor Sanctuary Assistant Manager, National Audubon Society  
Lynn De Freitas, Executive Director, Friends of Great Salt Lake  
Ann O'Connell, League of Women Voters of Salt Lake  
Dorothy Owen, Chair, Westpointe Community Council  
John Birkenshaw, Rio Tinto Corporation  
Lance Bullen, Northwest Quadrant LLC

Attachments:

1. February 5, 2018, letter from Dorothy Owen, Chair, Westpointe Community Council to Salt Lake City Council
2. January 23,, 2018, letter from NAS, GSLA and others to Salt Lake City Planning Commission
3. January 16, 2018 letter from NAS, GSLA and others to Salt Lake City Planning Commission

February 5, 2018

Westpointe Community Council  
793 North Sir Patrick Drive  
Salt Lake City, UT 84116

Honorable Salt Lake City Mayor Biskupski and Members of Salt Lake City Council  
City and County Building  
451 South State Street  
Salt Lake City, UT 84116

RE: Community response to an Inland Port in the Northwest Quadrant of Salt Lake City

To Our Elected Officials:

On Thursday, February 1<sup>st</sup>, nineteen people from many different organizations with the common interest of the Northwest Quadrant came together. This meeting's main item of discussion was the potential development of a Global Trade/Inland Port/railroad freight terminal facility in the Northwest Quadrant of Salt Lake City. Attendees included:

- Representatives of the two major property owners within the Northwest Quadrant – Rio Tinto and Northwest Quadrant, LLC.
- Elected officers and board members from the three community councils (Jordan Meadows, Poplar Grove and Westpointe) whose neighborhoods either encompass portions of the Northwest Quadrant or are adjacent to it.
- Officers, members, and staff from the environmental community including the National Audubon Society, Great Salt Lake Audubon, and Utah Moms for Clean Air.
- Representatives of the League of Women Voters of Salt Lake and the Utah Prison Advocate Network.
- Two career government staff members who were available to respond to questions regarding zoning and redevelopment issues.

The purpose of this meeting was to first gain a better understanding of the development and overall vision of such an effort among the property owners, community groups, and the adjacent neighborhood community councils. An overview presentation included a review of the Northwest Quadrant Plan including the value of the natural areas, proposed zoning changes, and additional details regarding the development of an inland port. For most attendees this was the first time they learned of potential inland port sites within the Northwest Quadrant. There were many questions and considerable discussion regarding the development and location of a facility. However, there was no agreement on a potential location. If an inland port rail facility is developed additional time, information, and study will be needed before determining a specific site.

Second, the meeting addressed the related zoning amendments recommended by the Salt Lake City Planning Commission regarding an "inland port in manufacturing zones." There was consensus on two items:

1. The provision prohibiting a railroad freight terminal within one mile of a residential area needs to **include a similar one-mile buffer around the new Utah State Prison.**
2. If grain silos and railroad repair shops are to be included under M-1 zoning, they should be included as **conditional** uses rather than permitted uses.

We seek a collaborative, open planning process with decision makers and are very concerned when critical public policy decisions are rushed without full information and open dialogue. We thank you for your time and consideration and look forward to working together in the future.

Sincerely,

Dorothy P. Owen, Chair

Westpointe Community Council

cc: Bobbi Brooks, Chair Jordan Meadows Community Council

Dennis Faris, Chair Poplar Grove Community Council

Terry Thomas, Vice-chair, Westpointe Community Council

Allan Phelps, Board of Directors, Westpointe Community Council

Heather Dove, President, Great Salt Lake Audubon

Wayne Martinson, Great Salt Lake Audubon

Marcelle Shoop, Saline Lakes Director, National Audubon Society

Skye Sieber, Outreach, National Audubon Society

Steve Erickson, Consultant, National Audubon Society

Ann O'Connell, Natural Resources Chair, League of Women Voters of Salt Lake

Jan Striefel, FASLA/FAICP, League of Women Voters of Salt Lake

Terry Marasco, Utah Moms for Clean Air

Michael McAnish, Utah Prison Advocate Network

John Birkinshaw, Rio Tinto Corporation

Lance Bullen, Northwest Quadrant LLC

Wayne Mills, Planning Manager, Salt Lake City Planning Division

Tammy Hunsaker, Project Manager, Salt Lake City Redevelopment Agency

January 23, 2018

Salt Lake City Planning Commission  
P.O. Box 145476  
Salt Lake City, UT 84114-5476

Sent: Via e-mail  
% Tracy Tran, Principal Planner, Salt Lake City Corporation

Re: **Supplemental Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones – 21A.28.020**

Dear Members of the Salt Lake City Planning Commission:

This letter supplements our January 16, 2018 comments concerning the above-referenced draft zoning text amendment concerning Global Trade Port in Manufacturing Zones. *National Audubon Society* and *Great Salt Lake Audubon* are joined in these comments by *FRIENDS of Great Salt Lake*, *South Shore Wetlands and Wildlife Management, Inc.*, and *League of Women Voters of Salt Lake*.

Again, we appreciate the opportunity to provide input to this process and actively seek to broaden those opportunities looking forward. We recognize the pressures facing the City of Salt Lake to facilitate the permitting processes for locating a global trade port within the City. However, the process for the proposed zoning changes has been constrained with the compressed timeline (particularly over the year-end holiday season) and limited nature of the available background information provided during the review period.<sup>1</sup> Increasing communication and consultation processes may help avoid confusion, concern and misunderstanding.

Our organizations and many members who engaged with city representatives during the development of the NWQ Master Plan greatly appreciated the outcomes of that process and are particularly interested in ensuring that the integrity of the Natural Areas and Eco-Buffer Zone remain intact.

As explained in our first set of comments, the magnitude and types of the facilities being contemplated for global trade port and related proposed zoning changes are more extensive than previously understood. The NWQ M-1 development area was understood to be for light manufacturing (e.g., offices, warehousing, wholesale distribution, etc.). Until the zoning text amendments were proposed, grain elevators and railroad repair facilities were not within the category of light manufacturing – that is, either

---

<sup>1</sup> The background and information made available during this timeframe was limited, including proposed text amendments, a short FAQ and a brief open house without presentations. For example, during the review period, it would have been helpful to have had access to the “Utah Inland Port-Feasibility Analysis” dated December 29, 2017.

Supplemental Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones –  
21A.28.020  
January 23, 2018  
Page 2 of 3

permitted or conditional uses in M-1 areas. Consequently, we want to more fully understand the issues and be able to provide meaningful input on what the proposed changes could mean for the NWQ area.

The Staff Report explains that *“Currently the table of permitted and conditional uses for the manufacturing zoning districts does not allow grain elevators or a railroad repair shop within the M-1 zoning district. These uses may be necessary with a global trade port as a grain elevator could be developed nearby as shipments of grain come in through the railroad freight terminal.”* The rationale is unclear why a zoning change for grain elevators or a railroad repair shop within M-1 would need to be designated as a permitted use rather than a conditional use – particularly since those facilities are identified as associated land uses for the railroad freight facilities, which are themselves a conditional use.

To the extent those facilities would be allowed in M-1 areas, a conditional use designation seems more appropriate than a permitted use designation. The conditional use approval process can provide a more detailed analysis of the impacts and how they can be mitigated or minimized.

We also note that Ordinance 59 of 2017 including the NWQ Master Plan explains that the Eco-Industrial Buffer Area, is *“[m]eant to provide an area of transition from the natural environment to the built environment that will limit impacts to wildlife and sensitive areas.”* We recognize that certain types of development can take place in this buffer zone. However, it seems reasonable to conclude that facilities such as a grain elevator (height, lighting, noise, invasive species /vermin, etc.), railroad repair shop (noise, lighting), railroad freight facilities (air quality, cranes/height, noise, lighting, etc.) do not fit the intent of the Eco-Industrial Buffer Area. Therefore adding Qualifying Provision 13<sup>2</sup> to such uses (railroad freight, railroad repair and grain elevators), would be consistent with the terms of the NWQ Master Plan.

As indicated in our initial letter, increasing the opportunity for the City and members of the public to better understand the social, human health, environmental and economic aspects of any global trade port facility is critical.

The Planning Commission could provide more opportunities to learn about the proposed zoning changes and the types of facilities contemplated as part of a global trade port. Preferably this could occur prior to acting on the proposed changes, or at least prior to a City Council meeting to address the Commission’s recommendations.

---

<sup>2</sup> Qualifying Provision 13 – “Prohibited within the Eco-Industrial Buffer Area of the Northwest Quadrant Overlay District.”

Supplemental Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones –  
21A.28.020  
January 23, 2018  
Page 3 of 3

We would very much appreciate the opportunity to participate in a collaborative open process on the plans for a global trade port, particularly one designed to facilitate suitable outcomes for the wide range of interested stakeholders. The City could even consider establishing a community advisory/consultative group to engage in the planning process.

Thank you for considering these comments.

Sincerely,

*Marcelle Shoop*

Marcelle Shoop  
Director, Saline Lakes Program  
National Audubon Society

cc:

Tracy Tran, Principal Planner, Salt Lake City Corporation  
Ella Sorensen, Manager and Heidi Hoven, Assistant Manager – Gillmor Sanctuary, National Audubon Soc.  
Heather Dove, President, Great Salt Lake Audubon  
Deb Drain, Conservation Chair, Great Salt Lake Audubon  
Wayne Martinson, Great Salt Lake Audubon  
Lynn De Freitas, Executive Director, Friends of Great Salt Lake  
Ann O’Connell, League of Women Voters of Salt Lake  
Richard West, *South Shore Wetlands and Wildlife Management, Inc.*

January 16, 2018

Salt Lake City Planning Commission  
P.O. Box 145476  
Salt Lake City, UT 84114-5476

Sent: Via e-mail  
% Tracy Tran, Principal Planner, Salt Lake City Corporation

Re: **Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones – 21A.28.020**

Dear Members of the Salt Lake City Planning Commission:

Thank you for the opportunity to provide comment on the above-referenced draft zoning text amendment concerning Global Trade Port in Manufacturing Zones. *National Audubon Society* and *Great Salt Lake Audubon* are joined in these comments by *FRIENDS of Great Salt Lake, South Shore Wetlands and Wildlife Management, Inc.*, and *League of Women Voters of Salt Lake*.

We understand there is interest within the State of Utah in developing a global trade port (sometimes referred to as an inland port). It appears that the zoning text amendments as currently proposed may be intended to apply in manufacturing zones city-wide, including the Northwest Quadrant (NWQ). Our organizations and many members have actively engaged with city representatives during the development of the NWQ Master Plan to try and ensure that the special nature of the environment adjacent to Great Salt Lake was taken into account in the NWQ Overlay. Our concerns have focused on ensuring that development in this area does not create unacceptable or unmitigated negative impacts to the important ecological and economic interests of Great Salt Lake, associated wetlands and water resources, birds, brine shrimp, brine flies and other biological resources.

In that light, we respectfully request the Planning Commission to consider the following comments and requests concerning the proposed text amendments to Salt Lake County Zoning Ordinances 21A.28.020 for Global Trade Port in Manufacturing Zones.

We urge the Commission to recommend excluding the uses: (i) "Railroad, freight terminal facility" and (ii) "Railroad, repair shop" from being located within either the or Eco-Industrial Buffer zones Development Area (M-1) of the NWQ overlay in the area north of the current I-80 footprint. For reasons explained in more detail below, we specifically request that:

1. Qualifying Provisions 13 and 14<sup>1</sup> be added to the “Conditional” use designation for the “Railroad, freight terminal facility.”
  - a. We recognize there is much pressure on the City to make the proposed changes, but at a minimum, we request that the conditional use Qualifying Provision 14 be included at least until such time as the environmental impacts of a global trade port facility in proximity to Great Salt Lake are further studied and ways of minimizing impacts are better understood. Regardless, Qualifying Provision 13 (prohibited in eco-industrial buffer zone) should apply permanently.
2. The proposed “Permanent” designation for “Railroad, repair shop” for M-1 zones be rejected and that the current non-permitted use status in M-1 zones be retained.
  - a. At a minimum, we request that the use designation for “Railroad, repair shop” be no more than a “Conditional” use for M-1 zones, with appropriate Qualifying Conditions.
  - b. Additionally, we request that if either a “Permanent” or “Conditional” use is retained for “Railroad, repair shop” in M-1, that Qualifying Provisions 13 and 14 (or a new Qualifying Provision e.g., 14a restricting development in the NWQ north of I-80) be added to the designation.

### Rationale

The existing zoning ordinances specify that *“The purpose of the M-1 light manufacturing district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting.”* SLC Zoning Ordinances 21A.28.020(A). Although railroad and freight terminal facilities were previously defined in relevant ordinance and listed as a conditional use in M-1 and M2, the proposed text amendments to the ordinance and the nature and magnitude of “global trade port” or “inland port” facilities being contemplated in various regional study efforts are not the type that had been envisioned as light industrial uses in the development area of the NWQ overlay north of I-80. Moreover, railroad repair shops were never contemplated for any M-1 zones, and particularly in the NWQ north of I-80.

Although to our knowledge, Salt Lake City has not been asked to consider a specific proposal, in an article in *Industry Today / US Translation Company* by Jacob Andra, *“An Inland Port in Utah? A Salt Lake City inland port is in the discussion phase, but is it a good idea?”*,<sup>2</sup> the following description highlights the potential magnitude of an inland / global trade port in Salt Lake City.

*“An inland port would multiply Utah’s cargo and goods traffic many times over, making current volumes appear miniscule in comparison. Salt Lake City would sit on one end of a logistics barbell, with a seaport on the other end; a robust rail line would form the “handle” connecting the two ports. Incoming containers would bypass customs at the seaport, traveling straight for the inland*

---

<sup>1</sup> Qualifying Provisions 13 and 14 provide: “13. Prohibited within the Eco-Industrial Buffer Area of the Northwest Quadrant Overlay District. 14. Prohibited within the Development Area of the Northwest Quadrant Overlay District.”

<sup>2</sup> <https://industrytoday.com/article/inland-port-utah/> (Last accessed January 2018).



*port instead of being parceled out. At Salt Lake City, containers would be unloaded and all goods would clear customs. Post-customs, goods could be warehoused and shipped on via rail, air, or truck.*

*Naturally, the inland port would be a massive operation — some inland ports handle “as much cargo volumes as their coastal counterparts,” per a report by Jones Lang LaSalle — and would demand a significant infrastructure investment. We’re talking about dockyard cranes. Vast storage capacities. Clearinghouses. A foreign trade zone. Major surface road access to the port. And much more. Additionally, environmental impacts must be factored.”*

The August 2016 Research Brief, “Salt Lake Inland Port Market Assessment,” prepared by the Kem C. Gardner Policy Institute of the University of Utah also notes that: “*Because of the state of Utah and Salt Lake City’s commitment to improving air quality, the environmental impact of a proposed inland port deserves in-depth research and analysis.*” Air quality is a serious issue that should be considered by the City in any of its deliberations concerning zoning and siting of “global trade ports” within the city boundaries. And, air quality is just one of the many health and environmental issues associated with the siting and operation of such facilities.

For the area north of I-80 in the NWQ, other potential environmental impacts from a global inland port and railroad facilities, although not fully known, could create substantial risks to the millions of migratory birds and other important ecological resources that rely on Great Salt Lake and the wetlands in this vicinity. Just a few of these issues are discussed in this letter.

For example, noise, lighting, increased traffic and congestion associated with such facilities would most likely negatively affect birds and other wildlife in the area. Additionally, permanent tall (85’) crane operations can pose a bird collision hazard, particularly in the vicinity of Great Salt Lake, which supports millions of migratory birds.

Moreover, a global trade [inland] port typically is “[d]esigned to move international shipments more efficiently and effectively from maritime ports inland for distribution.”<sup>3</sup> The nature of a global inland port business model<sup>4</sup> and its size, could potentially increase the risk of introducing invasive species (plants,

---

<sup>3</sup> Jones Lang LaSalle, “Emergence of the inland port.” <http://www.us.jll.com/united-states/en-us/pages/research-industrial-wp-inland-ports.aspx> (Website, last accessed January 2018, but underlying report inaccessible.)

<sup>4</sup> The August 2016 Research Brief in its description of the “essential characteristics of an inland port” explains that “*We define an inland port as a site located away from traditional land, air, and coastal borders that contains a portfolio of multimodal transportation assets and the ability to allow global trade to be processed and altered by value-added services as goods move through the supply chain. [Citation omitted.] An inland port can also fulfill many additional beneficial functions, such as a satellite customs clearance terminal, intermodal distribution facility, and a customs pre-clearance for international trade.*” August 2016 Research Brief, “Salt Lake Inland Port Market Assessment,” prepared by the Kem C. Gardner Policy Institute of the University of Utah. <http://gardner.utah.edu/wp-content/uploads/2016/10/IP-Brief-FINAL.pdf> (Last accessed January 2018).

Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones – 21A.28.020  
 January 16, 2018  
 Page 4 of 5

insects, rodents, and aquatics).<sup>5</sup> Increased risk of invasive species could have particularly serious negative consequences for the ecological balance of the area in the NWQ near Great Salt Lake and its wetlands and potentially for other aspects of the city's infrastructure.<sup>6</sup>

The proposed zoning text amendments also would allow *“storage of train vehicles and temporary storage of bulk materials while the material waits distribution.”* The potential for storage (even temporarily) of bulk materials such as chemicals or petroleum products is of great concern. Spills or major releases of chemicals or petroleum products could have serious consequences for the ecology of the area. A major chemical or petroleum release entering the wetlands or Great Salt Lake could be devastating for birds, for brine shrimp, brine flies, other macro-invertebrates, phyto-plankton or other food sources that are important not only to birds, but also economic interests like the brine shrimp industry.

Hydrologic impacts to water sources for the wetlands and Great Salt Lake also need to be carefully considered. There also are many geologic risks (e.g., liquefaction, flooding) that would particularly make siting a large global trade port or railroad repair shop in the NWQ north of I-80 a concern given the types of materials that likely would be handled at such facilities. (See, Utah Geologic Survey, Geologic Hazard Maps – Salt Lake County.)<sup>7</sup>

## Conclusion

We have appreciated the City's willingness to consider our concerns and suggestions throughout the process of developing the NWQ Master Plan. The proposed zoning ordinance text amendments for the global trade port facilities also could affect the NWQ in ways not fully contemplated during previous discussions and we urge the Planning Commission to act favorably on our comments. We are willing to discuss our concerns in more detail with the Planning Commission or planning staff.

Additionally, while there is much discussion about the potential economic and trade aspects of such facilities, we urge the City, the Planning Commission and the Council to take steps to gain a better understanding of the potential environmental and social impacts of “global trade port” facilities and also help the public to do so, well before the City is faced with a specific proposal.

---

<sup>5</sup> “[The rapid movement of shipping containers on trucks and railroad cars facilitates the movement of invasive species from ports to the rest of the country (Levinson 2006). Inland distribution centers being developed in Kansas City, MO; Columbus, OH; Tennessee, and other inland locations will likely become focal points for invasive species introductions in the future.” A Dynamic Invasive Species Research Vision: Opportunities and Priorities 2009–29, *“Invasive Species and Disturbances: Current and Future Roles of Forest Service Research and Development”* Mary Ellen Dix, Marilyn Buford, Jim Slavicek, Allen M. Solomon, and Susan G. Conard. [https://www.fs.fed.us/research/docs/invasive-species/wo\\_gtr79\\_83/wo\\_gtr79\\_83\\_091.pdf](https://www.fs.fed.us/research/docs/invasive-species/wo_gtr79_83/wo_gtr79_83_091.pdf) (Last accessed January 2018).

<sup>6</sup> See for example, *“Invasive Species Impacts on Infrastructure,”* Invasive Species Advisory Committee, U.S. Department of the Interior, December 6, 2016. <https://www.doi.gov/invasivespecies/invasive-species-that-impact-infrastructure> (Last accessed January 2018).

<sup>7</sup> <https://geology.utah.gov/map-pub/maps/geologic-hazard-maps/#toggle-id-18>

Comments on the December 21, 2017 Draft Text Amendment – Global Trade Port in Manufacturing Zones – 21A.28.020  
January 16, 2018  
Page 5 of 5

Thank you for considering these comments.

Sincerely,

*Marcelle Shoop*

Marcelle Shoop  
Director, Saline Lakes Program  
National Audubon Society

cc:

Tracy Tran, Principal Planner, Salt Lake City Corporation  
Heather Dove, President, Great Salt Lake Audubon  
Deb Drain, Conservation Chair, Great Salt Lake Audubon  
Lynn De Freitas, Executive Director, Friends of Great Salt Lake  
Ann O'Connell, League of Women Voters of Salt Lake



Molly G. Prince, LCSW  
Utah Prisoner Advocate Network  
P.O. Box 464  
Draper, UT 84020  
utahprisoneradvocate@gmail.com

September 10, 2018

Salt Lake City Planning Commission  
PO Box 145476  
Salt Lake City, UT 84114-5476

Via Email to Tracy Tran, Principal Planner, Salt Lake City Corporation

Re: Concerns regarding inland port as they pertain to well-being of both the residents and staff at the new Utah State Prison

Dear Planning Commission Members:

As a founder and a Board of Director of the Utah Prisoner Advocate Network (UPAN), I am submitting some concerns regarding the proposed Inland Port and how it may impact both inmates and correctional officers and staff of the Utah State Prison that is in the process of being built in the area. The new prison is expected to begin housing prisoners by 2021.

It is my understanding that there is a current ordinance that would restrict the inland port and railroad from being within a mile from any residence, which should include the Utah State Prison, since it will be a long-term residence to up approximately 3000 individuals, not to mention a place where an equal number of correctional officers, staff, and volunteers will spend a significant amount of time during any 24 hour period. It is also my understanding that there is a required 1000 foot buffer between storage areas and residential areas. I would recommend that the new Utah State Prison also be identified as part of this requirement, considering it will be a residential community that houses up to 3000 individuals..

UPAN is a private, non-profit organization made up of family members of incarcerated individuals, former inmates, as well as a wide variety of community members and supporters from a variety of political persuasions that work to improve conditions in the Utah prison system, and in Utah's criminal justice system. UPAN has an interest in seeing that development of the Inland Port does not result in negative impact on the residents of the Utah State Prison in terms of noise pollution, decreased air quality, light pollution, contamination of surface and ground water that could be caused by the port and the unloading, transfer, or storage of coal, coal byproducts and crude oil.

Thank you for addressing this concern by amending your proposed ordinance to include the Utah State Prison in protected / buffer zones in addition to residential areas.

Sincerely,

  
Molly G. Prince, LCSW

September 11, 2018

Re: Staff Report Re PLNPCM2018-00601 Inland Port Text Amendments

To the Members of the Planning Commission:

On page 6 of this Staff Report, it is mentioned that “[s]taff considered developing a more specific energy efficiency standard, but is unsure if there is a broad enough standard to cover the different uses and scenarios that would be going through the Conditional Use process.”

I would like to suggest that a standard provided by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) could serve as this standard. The standard I refer to, ASHRAE 90.1-2016, is widely used as a benchmark for mandated improvements in building energy performance. It provides specific benchmarks for all of the wide variety of building types and uses that may be located within the inland port. Applicants should be required to demonstrate that their building(s) achieve a 5% or greater improvement over the ASHRAE 90.1 benchmark for that building type/ use.

ASHRAE 90.1 provides for several methods of demonstrating compliance. This is often done by a whole-building energy model of the proposed structure(s). Alternatively, applicants can demonstrate compliance by meeting or exceeding prescriptive requirements. Most architecture and mechanical engineering firms are now experienced in constructing energy models, so requiring such a model does not impose an unreasonable burden on applicants. The prescriptive requirements offer an easy solution for applicants who do not want to use an energy model.

This type of energy performance requirement is usually found in building codes, not zoning codes. However, as the Staff Report makes clear, zoning regulations in Utah may be creating for the purpose of promoting energy efficiency. Evaluating compliance with ASHRAE 90.1 is within the capabilities of the planning staff. It does not require knowledge of construction. The reports themselves state whether the relevant benchmark is exceeded by the required amount. An architect’s or engineer’s professional standard of care ensures that the reports are accurate.

I would be happy to assist the planning staff in incorporating this standard in the ordinance pro bono.

Respectfully



David R. Scheer, Architect and Planner

## Tran, Tracy

---

**From:** Pamela Starley [REDACTED]  
**Sent:** Tuesday, September 11, 2018 6:31 PM  
**To:** Tran, Tracy  
**Subject:** Re: RE: Citizen thoughts

Thank you. I left out a word in a certain sentence. You could either it in, or replace the whole thing, whichever you think best... It is "It is exactly the kind of *thing* the community needs..."

Thank you.

On Tuesday, September 11, 2018, 5:29:38 PM MDT, Tran, Tracy <Tracy.Tran@slcgov.com> wrote:

Hi Pamela.

Thank you for your comments. We will forward these on to the Planning Commission.

Please let us know if you have additional questions.

TRACY TRAN

Senior Planner

PLANNING DIVISION

DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION


TEL 801-535-7645

FAX 801-535-6174

[www.SLC.GOV/PLANNING](http://www.SLC.GOV/PLANNING)

---

**From:** Pamela Starley [REDACTED]  
**Sent:** Tuesday, September 11, 2018 2:33 PM  
**To:** Inland Port <inlandport@slcgov.com>  
**Subject:** Citizen thoughts

Hello, I read much of the material, and I also had a conversation with a woman named Tracy, but I still do not fully understand all the issues. From what I do understand though, I want to say thank you to the person who was initially inspired to develop this proposal, and to all of those who have worked on it... listing and considering the various 8 issues... researching the practices and mitigating factors. Thank you for doing this. It is exactly the kind of the community needs to have people caring about and working on. Good watch-dogging, good stewardship, good neighborliness-ness of you. 

Thank you for thinking of this and for taking it on.

Because I don't fully understand all the details and cannot even think of specific examples, I will say, only rather broadly perhaps (but I hope not fruitlessly) that it's my opinion all of these ideas should move forward. Since the inland port is going to be there, almost non-negotiably, and since they will have their methods and ways in almost every fashion they desire, I believe the local municipalit(ies) should indeed exert the maximum amount of regulation possible to declare any standards or boundaries upon the inland port. Wherever we can have influence on their practices, we should grab that foothold and claim it. I like all of the categories you've listed... such as reining in pollution aspects, forbidding animal rendering facilities, requiring or insisting on water usage and proper storage ... everything you can think of to not have the space completely under the control of others outside our municipality.

I was hungry for some specific examples of things, and if there are certain topics you wish to elucidate and solicit input, then please share them very clearly with me. I wish I could come to the meeting, but I am homebound.

Sincerely,

Pamela Starley

Marmalade District, SLC

# General Comments Received During Public Engagement Period





Salt Lake City Planning Department

RE: Request for input on Inland Port zoning

CC: Mayor Jackie Biskupski, Dr. Jen Seelig, Councilman Andrew Johnston

Dear Mr. Norris,

I'm writing on behalf of the River District Chamber which represents business interests on the west side of Salt Lake City to its westernmost boundary. We have been actively involved in the legal development of the Inland Port over the past year. While there are many affected residents and environmental groups who have weighed in on the port's development, our concerns differ in a few ways.

There are four areas of concern we are addressing in this letter.

First, we would like to see a landscaping overlay to try and preserve the environmental look of the Northwest Quadrant. It will be costly and challenging to install sod and sprinklers for this very sandy area of the valley. We request an overlay to help preserve the existing nature of the property, lower costs for land owners/tenants and maintain the habitat for the many species of animals living in the area.

Secondly, we are concerned with the possibility of installed concrete or asphalt changing water flow from rainfall to neighboring areas and businesses. We would like to see zoning mitigate rainwater flow requirements in the Inland Port zone.

Thirdly, the size of the buildings being proposed are enormous. Some of the smaller buildings are a minimum of 500,000 square feet footprints while others are one million. We hope the builders would want to construct buildings with efficiency in construction, operation, maintenance and utility in mind. The Chamber asks planning to consult with the state department of environmental quality to create standards that are ecologically and operationally efficient without an undue cost attached. Further, we support the idea of offering incentives to incorporate green/sustainable building technologies, reduction of energy consumption and maximizing generation of renewable energy sources

Finally, as we look at the way railroad lines divide the area we represent, we're extremely concerned additional rail traffic will create both a commuting and distribution nightmare for businesses and neighborhoods in the area. We've been told Colmena Group doesn't anticipate sending rail traffic east after a new rail hub is completed. This in itself should mitigate the traffic concern we have, but we would like to see what the City can do to codify this protection for the neighborhoods we represent.

Thank you for your consideration in these matters.

Respectfully submitted,

Nigel Swaby  
Chair, River District Chamber

## Tran, Tracy

---

**From:** Greg G. [REDACTED]  
**Sent:** Tuesday, September 4, 2018 1:32 AM  
**To:** Tran, Tracy  
**Subject:** Inland Port

I've done the survey but forgot the effects of the extra heavy trucks on the roads and how that should be considered on ordinances and extended costs.

Thanks.

**To: Tracy Tran, Senior Planner, Salt Lake City Planning**

**Re: Comments on Inland Port Zoning Modifications per HB2001**

**Date: August 31, 2018**

The Inland Port and related facilities will be situated adjacent to hemispherically and globally important bird habitat of Great Salt Lake and its wetlands. Birds migrate to the lake and wetlands by the millions to feed, rest, and breed before moving to northern destinations or returning southward. Disturbances inherent with industrial uses associated with an inland port will have detrimental effects on birds and their habitat. Many of these disturbances can be mitigated to a degree, which would greatly decrease potentially harmful impacts to certain bird populations. We would like to see the Port Authority push for industry standards that raise the bar toward environmental (and human) protections such that they incentivize implementation of new technologies that reduce carbon emissions, as well as noise, water, light and other air pollutants. The following lists suggested conditional uses to address some of the environmental concerns for wildlife, some of which are also applicable for mitigating negative impacts to humans.

- Set industry standards that are exemplary in mitigating environmental impacts to human communities and wildlife
- Permit only non-reflective roofing surfaces so that migrating birds will not mistake them for ponded water and collide
- Limit structures more than 60 ft in height to areas near I-80, away from the lake and wetlands to reduce fatal bird collisions
- Permit only “bird friendly” windows such as frosted / non-reflective, screened, patterned glass, louvers, or awnings that reduce the apparent fly-through space to less than 2 inches of horizontal patterning and less than 4 inches of vertical patterning, etc.
- Reduce the use of lighting at night, particularly during peak bird migration periods (March – June, and August – December) by:
  - Turning off or dimming lights from 11:00 p.m. to 6:00 a.m.
  - Turning off lights of unused parking lots
  - Restrict the use of cosmetic light (e.g., neon signage, floodlighting building facades) by limiting lighting to that which is necessary for operations
  - Permit only downward directional lighting with shielding to block upward light
  - Exclude use of globe lighting
  - Locate facilities that will be active during the night in close proximity to I-80
  - Locate facilities that will not be active during the night within the northern extremities of the buildable area
- Reduce the noise level near the lake and its wetlands by locating the more active and noise producing facilities closer to I-80 (away from the lake)
- Direct gray water / waste water to Salt Lake City sewer districts so that the effluent will be directed toward Farmington Bay and its wetlands
- Require runoff from buildings, parking lots and streets to be filtered through bioswales or other comparable system before draining into the Goggin Drain or other canals and ditches

- Require xeroscaping with drought tolerant, native plants and modern water conservation technology for irrigation
- Require water conservation technology within buildings:
  - low volume flush toilets or composting toilets
  - low water consumption appliances
  - restrictions on industries that require heavy water use
- Require clean air technologies that reduce or eliminate carbon footprint on all industrial activities within the Port Authority's jurisdiction
- Require a limited time-frame on storage of hazardous and toxic materials, coal, oil and gas, with temporary storage status only
- Require that processing and transporting of all hazardous and toxic materials, coal, oil and gas be restricted to upland areas closest to I-80 and not adjacent to waterways in the event of spills and accidents so that emergency assistance and clean-up can access the location quickly, and so that hazardous and toxic materials, coal, oil and gas are not introduced into Great Salt Lake and its wetlands
- Require contingency planning to effectively manage large-scale emergencies related to hazardous and toxic materials so that local human communities and wildlife are minimally impacted and safe
- Require enclosing solid waste in animal-proof containers
- Restrict on-site incineration or solid waste disposal to that which implements waste-to-energy (WTE) solutions. Energy recovered by incineration of refuse (refuse-derived fuel, or RDF) could be used to heat buildings and water, however fly ash and scrubber residues would need to be processed with state of the art technologies such as thermal processes (sintering and vitrification) or chemical transformation processes

Sincerely,

Heidi M. Hoven, PhD, Assistant Gillmor Sanctuary Manager, National Audubon Society

Heather Dove, President, Great Salt Lake Audubon

# Utah Waterfowl Association

*To Preserve Utah's Waterfowl, Waterfowl Habitat and Waterfowling Heritage*

August 23, 2018

To: Salt Lake City Planning Department ([tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com))

Re: Comments to Salt Lake City regarding Inland Port Zoning

The Utah Waterfowl Association and Southshore Wildlife and Wetlands Management, Inc. submit the following comments to Salt Lake City as it develops plans, zoning and ordinances that will govern development of the Inland Port. The UWA's mission is to "preserve and protect Utah's waterfowl and rich waterfowling heritage". Southshore Wildlife is comprised of landowners in the area surrounding the Inland Port who manage their land for wildlife related values and activities and have been doing so, in many instances, for well over 100 years.

Both nature and heritage combine in the lands surrounding the Inland Port. As explained below, these values have been recognized in the City's prior planning efforts, reaffirmed by the State of Utah in HB 2001 and should be reflected as the City moves forward with planning and zoning. We do not ask that development be barred; we ask only that it be managed in a way that allows the wildlife areas to continue as they have for over a century.

## **History and Significance of the South Shore of the Great Salt Lake**

The Great Salt Lake is a cardinal feature of the Salt Lake Valley and the City's namesake. The Great Salt Lake, at its average elevation of 4,200' above sea level, covers about 1,700 square miles.<sup>1</sup> It provides respite and nutrition to seemingly untold numbers of migratory fowl. The lake annually hosts millions of birds (some 250 species) including 75% of the continental population of tundra swans, 40% of the continental population of eared grebes, 12% of the continental breeding population of American pelican (one of the four largest breeding colonies in North America), 27% of the continental breeding population of cinnamon teal (the single most important breeding site in North America for this small duck), 52% of the continental population of American Avocets and 50% of the continental population of Wilson's Phalaropes. The GSL hosts more bird life than any other saline lake in North America and possibly the entire Western Hemisphere. If it were lost, several bird populations in the western half of North America would risk collapse and the effects would be felt as far as South America.

---

<sup>1</sup> The lake is rarely at average elevation. As a terminal basin, the elevation fluctuates dramatically with wet and dry spells. As a shallow basin, these elevation shifts can stretch or contract the lake's footprint by hundreds of square miles. This is a good thing as the fluctuation refreshes the vegetation regime that is so important to the lake's bird life.

Other than brine shrimp and brine fly larvae-eating species like eared grebes and Wilson's Phalaropes<sup>2</sup>, 90% of all bird life on the lake eschews its highly saline western two thirds and concentrates instead on the fertile crescent of freshwater marshes, adjacent salt-loving vegetated mudflats and pen-adjacent saltwater that curves roughly from Saltair on the south to the Promontory Peninsula on the north. As a result, the habitat in this crescent plays an outsize part in preserving the lake's critical wildlife role. Without it, the lake would be wholly unsuitable for sustaining the overwhelming majority of bird life.

In the Salt Lake Valley, the fertile crescent historically extended south along the Jordan River and in a succession of lakes, sloughs and playas<sup>3</sup> that ended around 2700 South. Most of those in Salt Lake County south of I-80 or east of Redwood Road are long since lost to memory and buried under refineries, rail yards and houses. The fertile crescent also extended east to Hot Springs Lake (on Beck Street), a several hundred-acre geothermal marvel that was drained in 1915. What is left is largely concentrated north or west of the NWQ. Without it, the south shore would become a comparatively sterile area and the lake would lose a large portion of its wildlife value.

This south shore area has only survived because of the tenacious stewardship and perseverance of its owners over many decades. By the 1870's, duck hunting was gaining in popularity in Utah. Duck became a staple of the local diet and duck hunting a prominent feature in the local culture. One traveler to the City reportedly said, when offered duck by a landlady "No, madam, I thank you. I've eaten so much duck at Salt Lake recently that I'm almost ashamed to look at a duck's face." SLTrib, September 20, 1878. More often the sentiment was anticipation for the ability to again eat duck. "No table will be complete without a [duck]." SLTimes, September 20, 1892. "Anything tame on the bill of fare will be out of season after this morning at early candlelight. Nothing but game goes. Ducks boiled, stewed and roasted will be all the go; duck a la marchand; braised duck with apple sass [sic]; plain duck; duck with dressing; duck on the half shell and duck." SLH, October 1, 1898.

As the 20<sup>th</sup> century opened, duck hunting became all the rage locally and groups of waterfowlers began to acquire land north, west or south of the City in order to have reliable access to hunting grounds. The Salt Lake Herald noted "As the duck season approaches, new duck clubs are springing up like mushrooms after a rain storm." SLH, September 26, 1901. One example of a description of the interest comes from a 1902 news account: "Duck hunting has always been a favorite pastime with the hunters of this state, and each year finds hundreds of recruits to the already filled ranks. . . . It would not be an exaggeration to say that nearly 10,000

---

<sup>2</sup> Grebes and Wilson's phalaropes will about double their body weight in a few weeks on the lake before embarking on a nearly non-stop migration that will carry the grebes to the Sea of Cortez and the phalaropes to Argentina, Paraguay and Ecuador.

<sup>3</sup> A playa is a dry shallow basin much of the year. As the lake gets bigger, the usual marshes are submerged and the playas become even more important as the new fringe wetlands. Most playas associated with the south shore are gone, except on duck clubs and two private preserves by Saltair.

men and boys and, in many cases, women and girls, will be ready to take a shot at the first ducks that put in their appearance this morning. . . . All day yesterday and all night long the trains and streets leading from the city to the numerous haunts of the wild ducks were crowded with shooters anxious to bring home a bag as the result of their day's sport. . . . From the mouth of the Jordan to the Decker's lake there will be one stream of fire that in a distance will look not unlike the long snake-like blaze on a prairie fire." SLH, October 1, 1902. "The opening of duck season in Utah is one of the memorable days of the year among a large class of its citizens, for Utah has more duck hunters than any other state in the Union. . . . Duck hunting could properly be called the national sport of Utah." SLH, September 25, 1904.

The duck clubs were credited with preserving, enhancing and creating habitat on the south shore. Characteristic of what many observers noted, one reporter wrote: "The advent of the duck club, an organization hardly known a couple of years back, is doing wonders for the game in this state. Nearly all of the available duck shooting grounds [by Salt Lake City] are now controlled by some one or other of these clubs and the club members are doing more to protect the nests, the young and the ducks out of season than the law itself." SLH, September 25, 1904. It is important to remember that in that era in our nation, draining marshes and building over playas was almost considered a duty to civilized society. Reflecting this attitude, there was a steady stream of proposals to dewater or plow under all the land north and west of the City. Although extensive wetland areas were incrementally lost over the years, many of Utah's citizens chose instead to acquire this land, on the margins of the state's largest city, for its wildlife values and to nurture and preserve it in the face of development pressures. Because their dedication has persevered over the past century, we have a natural realm on the south shore that is vibrant, productive and irreplaceable. Waterfowlers and the owner-managers of these areas simply wish to keep it that way.

### **Salt Lake City has Recognized the South Shore Natural Values in its Northwest Quadrant Planning Efforts**

At various times, the City has undertaken efforts to plan for the development of the Northwest Quadrant. When Suburban Land Reserve acquired a large portion of the NWQ, the City again acted to guide and manage the development of the area. A key component of the eventual plan was the creation of a Natural Area that arced across the northern margin of the NWQ. It is important that the Natural Area reflected a consensus agreement of the NWQ landowners, City, NGOs and surrounding landowners. This was intended both to preserve the environmentally sensitive and low lying areas within the Natural Area as well as to provide an essential buffer to the adjacent migratory bird production areas. Other design features were also incorporated to reduce the development's impact on surrounding wetland complexes.

SLR eventually abandoned its plans for the area and divested its ownership of lands within the NWQ but many of the key components of that planning effort were incorporated and even expanded in the next phase of planning and zoning that concluded shortly before the

2018 legislative session. This included the consensus reaffirmation of the Natural Area, bird friendly design features and a small buffer strip just south of the Natural Area.

### **State Legislative Recognition of the Importance of the South Shore Natural Values**

The State has also recognized the value of these privately managed areas by enacting legislation that provides them certain protections and classifies them under Utah law as “migratory bird production areas.”<sup>4</sup> Further, each version of the Inland Port legislation has incorporated policy language and explicit mandates to consider the importance of south shore habitats when planning or making development decisions. These portions of the legislation are consistent with the City’s prior planning efforts and should be considered in developing the City’s zoning and ordinances.

Among the provisions of the Inland Port legislation that reflect the need to safeguard natural areas are the following:

1. Exclusion of the Natural Area from the Inland Port. It will now be protected under prior City zoning.
2. 11-58-202(1)(a): The port’s business plan is to include “an environmental sustainability component, developed in conjunction with the Department of Environmental Quality, incorporating policies and best practices to meet or exceed applicable federal and state standards, including: . . . (ii) strategies that use the best available technology to mitigate environmental impacts from development and uses on the authority jurisdictional land”.
3. 11-58-203(1)(c): “respect and maintain sensitivity to the unique natural environment of areas in proximity to the authority jurisdictional land”. (f): “promote and encourage development and uses that are compatible with or complement uses in areas in proximity to the authority jurisdictional land”.
4. 11-58-403(4)(d)(ii)(A)[relating to appeals]: “any environmental impact the proposed development will have, including on air quality, surface water, and ground water; and (B) how the land use applicant proposes to mitigate any impacts, including the extent to which the proposed development will apply the best available technology or systems to mitigate any environmental impacts of the development; (III) the potential impact of the proposed development on abutting property owners or on a migratory bird production area, as defined in Section 23-28-102, and how the land use applicant proposes to mitigate those impacts;”

### **Specific Considerations Relating to Inland Port Plans and Zoning**

1. Location of high impact development away from wetlands and MBPAs: High impact uses such as rail lines, rail yards, high structures, heavy industry, and natural resource

---

<sup>4</sup> On the south shore, these MBPAs include various duck clubs, the Audubon Gillmor Sanctuary and the Inland Sea Shorebird Reserve.



storage should occur close to I-80. Development in the northern parts of the Inland Port should be reserved for uses that are most compatible with uses on surrounding land.

2. Surface water flow: Water that is used onsite or stormwater should not be diverted away from the wetlands. Water should be treated in a location and way that will require it to transit through the migratory bird production areas north of the Inland Port. Proposals to send the water west of Antelope Island should not be permitted. This would bypass almost all of the wetlands. Such a proposal might be made because lower water quality standards apply to the lake west of Antelope Island than apply to Farmington Bay. In short, development should not diminish or relocate current flows to the wetlands. The wetlands require a constant flow of water in order to avoid stagnation and excessive salinity.
3. Surface water quality: Surface water and ground water should be protected from leaks, discharges and fugitive dust. Storage tanks, oil and gas transfer and other liquids should not be permitted where a leak may occur into wetlands or waterways north and west of the Inland Port. An incident response plan should be required.
4. No effect on traditional activities: Compatibility with existing uses is one of the policy mandates. Development that would be incompatible with (by restricting, limiting or precluding) wildfowl management, hunting and associated activities should modified, changed in location or not be permitted.
5. Light pollution: Lighting should incorporate best practices for bird friendly lighting, particularly in the areas close to the Natural Area and nearby wetlands.
6. Utility and transportation corridors: Development that requires a utility corridor, road or access through or adjacent to MBPAs and similar areas should be modified, changed in location or not be permitted. Such corridors should avoid those areas. They are directly incompatible with and do not complement uses on MBPAs and similar areas.
7. Noise pollution: Development should minimize noise disruption. Development that is likely to have considerable noise should be sited away from wetland areas. A noise barrier (such as a berm) between development and the Natural Area might be appropriate.
8. Bug abatement: Higher levels of mosquito abatement will be requested. Also, more toxic pesticides may be needed for deer flies and other biting insects. Both of these will adversely affect the macroinvertebrates that form the nutritional backbone of the marshes for many bird species. Alternatives should be explored regarding this issue.
9. Invasive species: Plant species that might become invasive in the wetland areas should be avoided.
10. Trespass prevention: Consideration for fencing, gates or other barriers.
11. Access preservation: Access for the owners and users of the MBPAs and similar areas should be preserved.
12. Bird friendly design: Best practices should be required, particularly close to the Natural Area. This includes issues such as glass and guy wires on towers.

## Tran, Tracy

---

**From:** Dane Hess <Dane.Hess@slcschools.org>  
**Sent:** Thursday, August 16, 2018 3:22 PM  
**To:** Tran, Tracy  
**Subject:** Fw: Utah Inland Port

Hello Tracy,

Thank you again for coming out last night to provide such a meaningful engagement opportunity for our community.

Please see the email below that includes comments from a community member.

Best,  
Dane

---

**From:** Naomi Franklin [REDACTED] >  
**Sent:** Thursday, August 16, 2018 12:54 PM  
**To:** Dane Hess  
**Cc:** Naomi Franklin  
**Subject:** Utah Inland Port

Dear Dane,

THANK YOU for

1. Thinking that it was I who alerted you call discussion of Inland Port,
2. YOU being there with ability to respond— and doing so!

You certainly lined up a terrific crew of speakers. I just wish there had been more Glendale citizens hearing them.

I write below my first draft of response, not particularly directed to your points. And I'll mail to you a 2006 article by David Korten that made sense to me a while back.

Again, great thanks,  
Naomi Franklin

First response to Glendale discussion of Utah Inland Port proposal from Utah Legislature: SB234 and HB2001.

I cannot begin to solve the complexity of the Inland Port proposal. The information provided is ridiculously small. And such an anti-Earth/ high consumption plan must be driven by forces that must be understood before any action is decided upon. A clue was revealed near the end of the discussion when it was mentioned that Kennecott is seeing the end of its copper extraction business and looking for another mega operation.

Curiously, the situation exemplifies the Human position on Earth at this time: Our over-consumption of natural resources is releasing pollution that endangers human survival and drives us towards exhaustion of our golden goose, planet EARTH.

Deep thinking and caution are needed at this junction, NOT fast action. The 2016 commitment by Salt Lake City to SUSTAINABLE energy is an opportunity that should be foremost in our forward actions!  
Scanned By Microsoft EOP

## Tran, Tracy

---

**From:** [REDACTED]  
**Sent:** Sunday, August 12, 2018 12:21 PM  
**To:** Tran, Tracy  
**Subject:** Planning for port  
  
**Categories:** To Do

As a truck driver ... I see the need if not already addressed that there needs a large truck stop and additional truck parking with rest area type facilities ... take a clue from what is happening near Vegas as the newly constructed distribution centers open ... I see there is little truck parking in the area and it seems to me to be a problem that will only get worse... hope the input is seen as valuable  
Grant Ziegler

Sent from my T-Mobile 4G LTE Tablet

# Comments from Open House



# OPEN HOUSE PUBLIC COMMENT FORM August 20, 2018

Planning Division  
Department of Community and  
Neighborhoods

## *Inland Port Zoning Modifications*

Name:

Dorothy Owen

Address:

793 Sir Patrick Dr  
SLC UT 84116

Zip Code

Phone:

[REDACTED]

E-mail

[REDACTED]

Comments:

Need to include zoning changes proposed in Feb 5 letter to City Council. Need to address impact on prison inmates, vol & employees. They are members of our community. Most critical issue is restoring trust in the process. Open mtg in area with access by people. No more 60 sec testimonies. Need to understand why changes made to law to expand port uses while at same time eliminate need to mitigate neg consequences. Need to involve comm college

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com) or via mail at the following address: Tracy Tran, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by August 27, 2018. [www.sl.gov/inlandport](http://www.sl.gov/inlandport)

February 5, 2018

Westpointe Community Council  
793 North Sir Patrick Drive  
Salt Lake City, UT 84116

Honorable Salt Lake City Mayor Biskupski and Members of Salt Lake City Council  
City and County Building  
451 South State Street  
Salt Lake City, UT 84116

RE: Community response to an Inland Port in the Northwest Quadrant of Salt Lake City

To Our Elected Officials:

On Thursday, February 1<sup>st</sup>, nineteen people from many different organizations with the common interest of the Northwest Quadrant came together. This meeting's main item of discussion was the potential development of a Global Trade/Inland Port/railroad freight terminal facility in the Northwest Quadrant of Salt Lake City. Attendees included:

- Representatives of the two major property owners within the Northwest Quadrant – Rio Tinto and Northwest Quadrant, LLC.
- Elected officers and board members from the three community councils (Jordan Meadows, Poplar Grove and Westpointe) whose neighborhoods either encompass portions of the Northwest Quadrant or are adjacent to it.
- Officers, members, and staff from the environmental community including the National Audubon Society, Great Salt Lake Audubon, and Utah Moms for Clean Air.
- Representatives of the League of Women Voters of Salt Lake and the Utah Prison Advocate Network.
- Two career government staff members who were available to respond to questions regarding zoning and redevelopment issues.

The purpose of this meeting was to first gain a better understanding of the development and overall vision of such an effort among the property owners, community groups, and the adjacent neighborhood community councils. An overview presentation included a review of the Northwest Quadrant Plan including the value of the natural areas, proposed zoning changes, and additional details regarding the development of an inland port. For most attendees this was the first time they learned of potential inland port sites within the Northwest Quadrant. There were many questions and considerable discussion regarding the development and location of a facility. However, there was no agreement on a potential location. If an inland port rail facility is developed additional time, information, and study will be needed before determining a specific site.

Second, the meeting addressed the related zoning amendments recommended by the Salt Lake City Planning Commission regarding an "inland port in manufacturing zones." There was consensus on two items:

1. The provision prohibiting a railroad freight terminal within one mile of a residential area needs to **include a similar one-mile buffer around the new Utah State Prison.**
2. If grain silos and railroad repair shops are to be included under M-1 zoning, they should be included as **conditional** uses rather than permitted uses.

We seek a collaborative, open planning process with decision makers and are very concerned when critical public policy decisions are rushed without full information and open dialogue. We thank you for your time and consideration and look forward to working together in the future.

Sincerely,

Dorothy P. Owen, Chair

Westpointe Community Council

cc: Bobbi Brooks, Chair Jordan Meadows Community Council

Dennis Faris, Chair Poplar Grove Community Council

Terry Thomas, Vice-chair, Westpointe Community Council

Allan Phelps, Board of Directors, Westpointe Community Council

Heather Dove, President, Great Salt Lake Audubon

Wayne Martinson, Great Salt Lake Audubon

Marcelle Shoop, Saline Lakes Director, National Audubon Society

Skye Sieber, Outreach, National Audubon Society

Steve Erickson, Consultant, National Audubon Society

Ann O'Connell, Natural Resources Chair, League of Women Voters of Salt Lake

Jan Striefel, FASLA/FAICP, League of Women Voters of Salt Lake

Terry Marasco, Utah Moms for Clean Air

Michael McAnish, Utah Prison Advocate Network

John Birkinshaw, Rio Tinto Corporation

Lance Bullen, Northwest Quadrant LLC

Wayne Mills, Planning Manager, Salt Lake City Planning Division

Tammy Hunsaker, Project Manager, Salt Lake City Redevelopment Agency





**OPEN HOUSE  
PUBLIC COMMENT FORM  
August 20, 2018**

Planning Division  
Department of Community and  
Neighborhoods

***Inland Port Zoning Modifications***

Name: Martha Borden

Address: 246 N. Borden Ct

SLC UT 84116

Zip Code 84116

Phone: [REDACTED] E-mail \_\_\_\_\_

Comments: \_\_\_\_\_

Be cautious of the future, SLC is growing  
and will continue to expand. ① Putting the jail  
close to a port could lead to higher crime  
and mixed with a higher population ② more  
traffic and ③ worse air quality. This  
port ideally should move further out of  
the city.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com) or via mail at the following address: Tracy Tran, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by August 27, 2018. [www.sl.gov/inlandport](http://www.sl.gov/inlandport)



**OPEN HOUSE  
PUBLIC COMMENT FORM  
August 20, 2018**

Planning Division  
Department of Community and  
Neighborhoods

***Inland Port Zoning Modifications***

Name: Dean C. Dinas kiTechnologies, Inc.

Address: 1094 Saget Hill Dr.

Millcreek, UT 84124

Zip Code \_\_\_\_\_

Phone: [REDACTED] E-mail [REDACTED]

Comments: ① Who will oversee Bonding Authority of the Inland Port Authority? ② Where will intent to issue Bonds be posted?

③ Will there be competition for Rail access?

④ When will opportunity be to introduce technologies for Fuels in Transportation Freight Ground vehicles (Rail+Truck)?

⑤ Where will Incremental Air Emissions E.I.S. or NEPA statements appear in Plan?

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com) or via mail at the following address: Tracy Tran, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by August 27, 2018. [www.sl.gov/inlandport](http://www.sl.gov/inlandport)

# Comments from Glendale Community Council

What questions do you have regarding the information presented?

If this is an international port - with supposed benefit to the entire state, why is it a local project? Shouldn't it be mostly federally supported - and state financed. Not local - especially since we have no say but will experience the greatest derelict impact. B7W - the affordable housing will go to their workers not present Utah, SIC residents.

What feedback do you want to make sure is received?

★ → It feels like we are victims of blackmail by an outgoing Governor building his legacy and meeting promises to big investors in his career.

Can Utahns actually sue the State/Governor to slow this down and redirect it to a more suitable use or about it.

What suggestions do you have and for whom as this project moves forward?

- ① Several states on our borders will not allow transport of volatile "natural resources" - how then do they leave Utah safely?
- ② If the precedent of acknowledging that these resources are unsafe - why would our public representatives consider bringing it here? (To do damage to our population?)

① How much has the Federal Govt committed to? - this is international and will have Homeland Security oversight - how much will be revenue or controllable by state? Security? Jobs will not be filled by locals +

② There is precedent @ Sacramento, Kansas City, Charleston of great social devastation - how will this be avoided?

1st presenter seem biased - who does he represent.  
What questions do you have regarding the information presented?

Are there other places with similar governance

what is the ~~business~~ necessity of trucks

How does this compare w/ no inland port,

What feedback do you want to make sure is received?

I think the port is GREAT  
will help local economy.

please look for solutions  
and cooperate to make this a success

What suggestions do you have and for whom as this project moves forward?

What questions do you have regarding the information presented?

*Why not sue the state?*

What feedback do you want to make sure is received?

*Fight the state to make the port out of Salt Lake City.*

What suggestions do you have and for whom as this project moves forward?

*I suggest the Mayor and city council fight the state in courts.*

What questions do you have regarding the information presented?

for a agent ✓

What feedback do you want to make sure is received?

Ground System Working  
Someone who know how  
to make it work!!

What suggestions do you have and for whom as this project moves forward?

Left hand Turn Lights  
on 900W-

Glendale resident

8/15/2018

What questions do you have regarding the information presented?

What is going to be our compensation for being the closest community on the frontier to this facility with its huge increase in pollution generation?

What feedback do you want to make sure is received?

Whom is the revenue from this facility going to go?

What suggestions do you have and for whom as this project moves forward?



- WHO IS DRIVING THE TOTAL INITIATIVE
  - ALL BENEFITS ACCRUE TO PRIVATE COMPANIES
  - ALL DRAWBACKS ARE BORNE BY PUBLIC
  - DOES "NATURAL RESOURCE STORAGE" INCLUDE
- WHO ARE THE PRIVATE PROPERTY OWNERS ?
- URANIUM  
THORIUM  
ETC