



# Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Planning Commission  
**From:** Nick Norris, Planning Director  
[Nick.norris@slc.gov](mailto:Nick.norris@slc.gov) or 801-535-6173  
**Date:** May 27, 2026  
**Re:** PLNPCM2026-00274 Daily Water Use Limitations-Text Amendment

## Text Amendment

### REQUEST:

A zoning text amendment initiated by Mayor Erin Mendenhall to modify the daily maximum water consumption allowed by limiting the exemptions to the daily maximum to include only agriculture, schools, government owned or operated facilities that primarily provide social services, places of worship, and hospitals. The zoning code currently places a maximum daily water use of 200,000 gallons per day with exemptions for all institutional uses. This proposal applies to all zoning districts and all property in the city.

### RECOMMENDATION:

That the Planning Commission recommend the City Council adopt the proposed text amendment.

### ATTACHMENTS:

- A. [ATTACHMENT A: Proposed Text Amendment](#)
- B. [ATTACHMENT B: Factors for Text Amendments](#)
- C. [ATTACHMENT C: Department Review Comments](#)
- D. [ATTACHMENT D: Public Input](#)

### PROJECT DESCRIPTION

This request clarifies which land uses are subject to the maximum daily water use limit. Currently, City Code limits the daily water use for commercial and industrial land use to 200,000 gallons per day. This code amendment expands that to include all non-residential land uses, with some exceptions.

The existing code allows exceptions to the 200,000 gallons for agricultural, residential, and institutional uses. The proposal changes the exceptions to the maximum daily water use regulations to include the following institutional land uses: schools, government owned or operated facilities that provide social services, places of worship, and hospitals. A government owned or operated facility that provides social services does not include a land use that includes incarcerated or detained persons, even if those types of land uses also provide social services.

## APPROVAL PROCESS AND COMMISSION AUTHORITY

The Planning Commission is required to make a recommendation to the City Council on all zoning text amendments. This proposal is subject to temporary land use regulations that the City Council adopted on March 24, 2026. The purpose of enacting temporary land use regulations is to respond to the record low amount of snowfall and runoff that has occurred this winter and spring. This gives the city time to further restrict the land uses that are exempt from the maximum daily water use requirement. The temporary land use regulation (TLUR) is valid for 180 days and expires on September 20, 2026. Any land use application submitted to the city during the 180-day period that the TLUR is valid is required to comply with the regulations or be denied.

This petition intends to make the temporary regulations a permanent part of the zoning code by taking the proposal through the normal, legal adoption process. This must occur before the expiration date of the TLUR.

## KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. How the proposal helps implement city goals & policies identified in adopted plans
2. Public Input issues that warrant discussion

### **Consideration 1: How the proposal helps implement city goals & policies identified in adopted plans**

Maximum daily water use is regulated in two different chapters of City Code: Title 17 Public Services and Title 21 Zoning. The City Council adopted changes to Title 17 in March 2026 that are similar to the changes proposed to Title 21A. This amendment will ensure consistency between the two regulations.

The changes were prompted primarily by a record low snowfall season and worsening drought conditions. Plan Salt Lake includes an initiative regarding monitoring impacts on water supply and adjusting regulations as necessary to ensure that supply is adequate to meet demand. With worsening drought, this proposal aligns with the initiative in Plan Salt Lake.

### **Consideration 2: Public Input**

This proposal applies citywide and all registered, recognized community organizations were sent information on April 2, 2026 regarding the proposal. The public comment period was open for the code mandated 45 days and closed on May 17, 2026.

A letter was submitted to the Planning Division on April 26<sup>th</sup> outlining four concerns with the proposal. The first, inconsistency in application, argues that the cap is inconsistently applied to government facilities, but the city continues to approve high density in the Northwest Quadrant that “often use as much water as the federal facility being blocked.” There are no residential developments in the Northwest Quadrant area of the city. Furthermore, no existing residential development in the city exceeds the 200,000 gallons of water per day limit. The second claim is that the exemptions are arbitrary. The argument is that federal law enforcement provides a critical public safety service that should be considered equally essential to the city’s infrastructure. The third argument is that by capping the water use for a federally owned building, city residents “continue to foot the bill for services that should be managed at the federal level.” The author claims there would be a significant drain on Utah households that could be mitigated if the facility were allowed to operate. No data on the fiscal costs were provided in the letter. The last argument is that massive state investments have been made in the NWQ (Utah State

Prison, Inland Port) and high-capacity utilities have been built. The author cites the construction of the airport and new dorms as creating a double standard. However, the mentioned facilities are in a different part of the NWQ and while there are significant infrastructure to provide services to the Utah State Prison and Salt Lake International Airport, other parts of the NWQ are not connected to those systems and those systems were engineered for the development on the north side of I-80, not for development on the south side of I-80.

## **STAFF RECOMMENDATION**

That the Planning Commission recommends that the City Council adopt the proposal.

## **NEXT STEPS**

After the commission makes a recommendation, the matter will be forwarded to the City Council for consideration. The City Council has until September 20, 2026 to decide and enact the proposal before the 180-day TLUR expires. If the decision is made before the 180-day period ends, the council adopted regulations become permanent. If the decision is made after the 180-day period, the regulations expire until the new regulations become effective. If that happens, any land use application that is a complete application submitted between the end of the 180-day period and the effective date of the TLUR becoming permanent becomes vested in the regulations in effect at the time the application is complete.

# **ATTACHMENT A: Proposed Text Amendment**

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**Project Title:** Daily water use limits on new commercial, industrial and institutional development

<p><b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office</p> <p>Date: _____</p> <p>By: _____ Attorney Name, <i>Senior City</i></p>
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**Petition No.:**

**Version:** Planning Commission Review Draft

**Date Prepared:** 3/31/2026

**Planning Commission Action:** Tentatively scheduled for 5/27/2026

This proposed ordinance makes the following amendments (for summary purposes only):

- Modifies Subsection 21A.33.010.D.1 to clarify land uses subject to the maximum daily water consumption prohibition.

Underlined text is new; text with strikethrough is proposed to be deleted. Modifications made as part of the Planning Commission recommendation are highlighted in yellow. All other text is existing with no proposed change.

*Planning Note:* The proposal is subject to the Temporary Land Use Regulations adopted by the City Council on March 24, 2026.

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If adopted by the City Council, the Salt Lake City Council ordains the following, in substantial compliance with the following:

- 1 1. *Amends Section 21A.33.010.D.1 as follows:*
- 2 D. Prohibited Uses: The following land uses are prohibited in all zoning districts:
- 3 1. Non-Residential Land Uses That Exceed 200,000 Gallons of Water per Day.
- 4 a. New Land Uses: Any new non-residential land use that consumes or uses more than an annual
- 5 average of 200,000 gallons of potable water per day is prohibited in all zoning districts. The use and
- 6 consumption limit is based on the total use from all water meters that serve the land use.
- 7 b. Expansions of Existing Uses: No non-residential land use shall expand to an extent that
- 8 increases its daily potable water consumption or use to exceed an annual average of 200,000 gallons of
- 9 potable water per day. Notwithstanding the provisions of Subsection 21A.38.040.E, an existing land use
- 10 that exceeds the water use threshold may not expand if the expansion will result in a net increase in water

11 consumption or use. The use and consumption limit is based on the total use from all water meters that  
12 serve the land use.

13 c. Water Use Report Required: A land use applicant shall certify the anticipated daily water use of  
14 the proposed land use in a manner satisfactory to the Department of Public Utilities. The Department of  
15 Public Utilities may require an anticipated daily water use report of any land use applicant proposing a  
16 new use or expansion of an existing use.

17 d. Exemption: Agricultural, schools, government owned or operated facilities that primarily  
18 provide social services, places of worship, and hospitals. l

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Effective Date: This ordinance, if passed, shall become effective on the date of its first publication and shall be recorded with the Salt Lake City Recorder. [The Salt Lake City Recorder is instructed to not publish this ordinance until the condition set forth in Section 2 is satisfied as certified by the Salt Lake City Planning Director or his designee.]

Is there a penalty for violating this ordinance? If so, please state penalty or reference another ordinance that prescribes the penalty here. \_\_\_\_\_

\_\_\_\_\_.

If penalty for violation includes possibility of imprisonment, include the following statement:

Per Section 78B-22-301 of the Utah Code, Salt Lake City shall provide for indigent defense services, as that term is defined in 78B-22-102 of the Utah Code.

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

DRAFT

# ATTACHMENT B: Factors for Text Amendments

## Zoning Text Amendments

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

- 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;**

**Finding:** This proposal is consistent with water specific initiatives in Plan Salt Lake.

### Plan Salt Lake

In December 2025 the City Council adopted an amendment to Plan Salt Lake to add the “Water Conservation and Land Use Planning” chapter. This includes an initiative that reads

*“Review allowed land uses in the zoning code and consider prohibiting land uses that consume large amounts of water.”*

This proposal aligns with this initiative. The past winter and rapid onset of drought in most of Utah as a result may warrant additional review of land use and may warrant reducing the maximum allowed daily water use as future text amendments.

- 2. Whether a proposed text amendment furthers the applicable purpose statements of the zoning ordinance.**

**Finding:** This proposal generally furthers the purpose of the zoning ordinance.

### Discussion:

#### Zoning Ordinance Purpose Statement

##### **21A.02.030: Purpose and Intent:**

*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, in addition:*

- A. Lessen congestion in the streets or roads;*
- B. Secure safety from fire and other dangers;*
- C. Provide adequate light and air;*
- D. Classify land uses and distribute land development and utilization;*
- E. Protect the tax base;*
- F. Secure economy in governmental expenditures;*
- G. Foster the city's industrial, business, and residential development; and*
- H. Protect the environment.*

This proposal primarily relates to purpose “H” by helping protect the water supply from land uses that consume over 200,000 gallons of water per day. This also helps preserve water for daily necessities, such as housing, and for future land uses that are necessary to achieve city goals, such

as small businesses. In addition, this helps reduce the impact from drought on existing residents and businesses by reducing the types of land uses that are allowed to exceed the maximum daily water use limit to those that provide community essentials, such as agriculture and social services.

**3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;**

**Finding:** No overlay districts are impacted by this proposal.

**Discussion:** No overlay districts are impacted by this proposal.

**4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

**Finding:** This proposal implements best practice of aligning future growth with water supply.

**Discussion:** It is a common best practice to use zoning to limit land uses that have a large impact on the supply of natural resources. This allows more land uses and people to rely on the existing resources instead of having single land uses that consume a large amount of water compared to the broader community need.

**5. The impact that the proposed text amendment may have on city resources necessary to carry out the provisions and processes required by this title.**

**Finding:** This proposal further limits the ability of large water consuming land uses to negatively impact the city resources necessary to serve the other land uses in the city and respond to emergencies.

**Discussion:** Limiting large water consumers helps ensure that more water is available within the existing system for daily needs and to respond to emergencies such as large structural fires and wildfires.

**6. The impact that the proposed text amendment may have on other properties that would be subject to the proposal and properties adjacent to subject properties.**

**Finding:** Reducing the number of large water users is necessary to ensure city resources are available to more land uses and properties within the city.

**Discussion:** Reducing the number of large water uses ensures that all the other land uses that provide housing, jobs, daily needs, and services within the city have adequate water to function and to ensure that future growth is consistent with the water supply and demand projections as identified in the City's Water Master Plan.

**7. The community benefits that would result from the proposed text amendment, as identified in 21A.50.050.C.**

**Finding:** Not applicable.

**Discussion:** The community benefit requirements are not applicable to citywide text amendments.



# ATTACHMENT C: Department Review Comments

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Due to the nature of this proposal, only public utilities reviewed this proposal.

## **Public Utilities:**

Public utilities did not provide any input. The companion regulation found in the Public Services chapter of city code has already been adopted by the City Council and is identical to the changes proposed in Title 21A.

# ATTACHMENT D: Public Input

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## Public Notice, Meetings, Comments

The proposal is a city-wide text amendment and is subject to a public outreach event. The public outreach event for this proposal was an online open house with the required 45-day public engagement period. All recognized organizations within the city received a notice about the proposal with information about where to find more information, how to provide input, and the timeframe for providing input. In addition, the 45-day public engagement period was emailed to all recipients who have signed up to receive email notification of text amendments, open houses, and Planning Commission related information. The public engagement period started on April 2, 2026 and ran through May 17, 2026.

## Public Input:

Public comments submitted in writing are attached below.

**From:** [REDACTED]  
**To:** [Norris, Nick](#)  
**Subject:** (EXTERNAL) Public Comment: Petition PLNPCM2026-00274 (Water Use Limits)  
**Date:** Sunday, April 26, 2026 11:45:51 AM

You don't often get email from [REDACTED] [Learn why this is important](#)

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

**Dear Mr. Norris and the Planning Division,**

As a long-time resident of Salt Lake County and a taxpayer, I am writing to express my **opposition** to making the current temporary water use limits permanent under Petition PLNPCM2026-00274.

I am concerned that this ordinance is being used as a targeted zoning tool rather than a neutral resource management policy. My objections are based on the following:

- **Inconsistency in Application:** The city is proposing a 200,000-gallon cap for "non-residential" government facilities, yet it continues to promote high-density "worker housing" in the same Northwest Quadrant. These residential projects—which are exempt from the cap—often use as much water as the federal facility being blocked.
- **Arbitrary Exemptions:** The proposal exempts government facilities that provide "social services." Federal law enforcement and processing centers provide a critical public safety service that should be considered equally essential to the city's infrastructure.
- **Taxpayer Impact:** By using utility caps to keep a \$145 million federally owned building empty, the city is forcing local residents to continue footing the bill for services that should be managed at the federal level. This creates a significant fiscal drain on Utah households that could be mitigated if the facility were allowed to operate.
- **Infrastructure Reality:** Massive state investments have already been made in the Northwest Quadrant (for the prison and Inland Port) to provide high-capacity utilities. Claiming a sudden "lack of capacity" for a federal law enforcement facility, while grandfathering in airport expansions and new dorms, appears to be a double standard.

I request that the Planning Commission recommend **against** this permanent text amendment and instead look for a balanced approach that respects federal law enforcement needs alongside our water conservation goals.

**Sincerely,**

Janette Barker South Jordan, UT 84095