



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet
Policy Analyst

DATE: February 6, 2018

**RE: Text Amendment: Global Trade Port in Manufacturing Zones
PLNPCM2017-01038**

Item Schedule: (all dates 2018)

Set Date: February 6
Briefing: February 6
Public Hearing: February 20
Potential Action: February 20

ISSUE AT-A-GLANCE

The Council will be briefed about an ordinance that would amend regulations for railroad freight terminal facilities in manufacturing zoning districts citywide (both M-1 Light Manufacturing and M-2 Heavy Manufacturing). The proposed changes are related to the City's current effort to allow additional railroad freight terminal facilities, in Salt Lake City's Northwest Quadrant. The ordinance would:

- Clarify the definition of a railroad freight terminal facility
- Remove a restriction in the land use table that prohibits a railroad freight terminal facility from being located within 5 miles of another facility
- Add a restriction prohibiting railroad freight terminal facility within 1 mile of residential zoning district
- Allow grain silos and railroad repair shop land uses in the M-1 zoning district
- Allow cranes associated with a railroad freight terminal to be up to a height of 85'

The Planning Commission forwarded a positive recommendation to the City Council, with a recommendation the City Council consider the following questions:

- Should these facilities be buffered from the prison?
- Should these facilities be buffered from the sensitive areas/eco-industrial buffer north of I-80?
- Should these facilities only be allowed south of I-80?
- Should these facilities be buffered from hotels and other similar type of land uses?

The Planning Commission also asked staff to prepare a map that shows where a railroad freight terminal could be located considering the following (*see attachment A*):

- The proposed one mile buffer from residential districts



- Existing rail lines
- Location of the prison
- Location/impact of the Airport Flight Path Overlay

Planning Staff found the proposed changes to be consistent with the Northwest Quadrant Master Plan, which the Council adopted in 2016.

The public hearing has been scheduled for February 20, 2018. Council staff has coordinated with the Recorder's Office, the Attorney's Office and Planning staff to get the public notice legally advertised in time for the February 20 public hearing.

On January 16, the Council authorized development agreements with property owners (Kennecott Utah Copper, LLC and NWQ, LLC) north of I-80 in the Northwest Quadrant master plan area. These property owners are identified as the master developers in the development agreements. These development agreements vested the property owners in current land use and create a process for future tax increment reimbursement requests. This was approved by both the Redevelopment Agency and the City Council.

Based on these development agreements, the text amendment needs to be adopted by February 28, 2018 or the Master Developer can terminate the agreement. Therefore potential action is tentatively scheduled on as the same night as the public hearing.

Development Agreement Provision (See Attachment B)

Pages 4-5 of the development agreement outlines this provision:

2.2 Project Vesting. To the maximum extent permissible under state and federal law, and at equity, City and Master Developer agree that this Agreement confirms that Master Developer is vested with all rights to develop the Property in accordance with City's Current Laws without modification or change by the City except as specifically provided herein. By way of further clarification, Master Developer is vested with the right to develop and locate on the Property the uses and densities including, without limitation, the Intended Uses, and to develop in accordance with dimensional requirements as allowed by City's Current Laws. The Property is also vested with access to all City roads, described below, which adjoin or traverse any portion of the Property. The Parties intend that the rights granted to Master Developer hereunder are contractual vested rights and include the rights that exist as of the Effective Date under statute, common law and at equity. The Parties acknowledge and agree this Agreement provides significant and valuable rights, benefits, and interests in favor of Master Developer and the Property, including, but not limited to, certain vested rights, development rights, permitted and conditional uses (including for industrial and commercial uses), potential rights for new improvements, facilities, and infrastructure, as well as flexible timing, sequencing, and phasing rights to assist in the development of the Property. To the extent the City Council adopts that certain land use ordinance known as Ordinance No. _____, Inland Port in Manufacturing Zones Text Amendment, Petition #PLNPCM2017-01038 ("Text Amendment"), such Text Amendment shall become included in the City's Current Laws and Master Developer shall automatically be vested in the Text Amendment without further action or approval by the City.

2.2.1 Rescission Option. To the extent Master Developer has executed this Agreement in advance of City approval of the Text Amendment, and **if the Text Amendment is not enacted in a form reasonably satisfactory to Master Developer by February 28, 2018, then Master Developer may deliver notice of rescission to City and RDA to terminate this Agreement.** Any such rescission notice must be delivered, if at all, no later than March 14, 2018. Upon Master Developer's delivery of notice of rescission pursuant to this Section, this Agreement shall automatically terminate whereupon the Parties shall have no further rights or obligations under this Agreement.

BACKGROUND

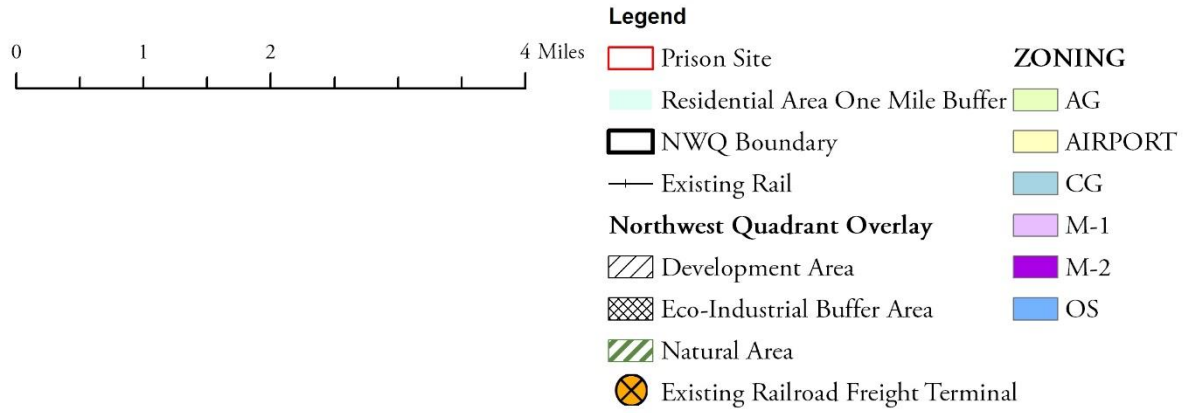
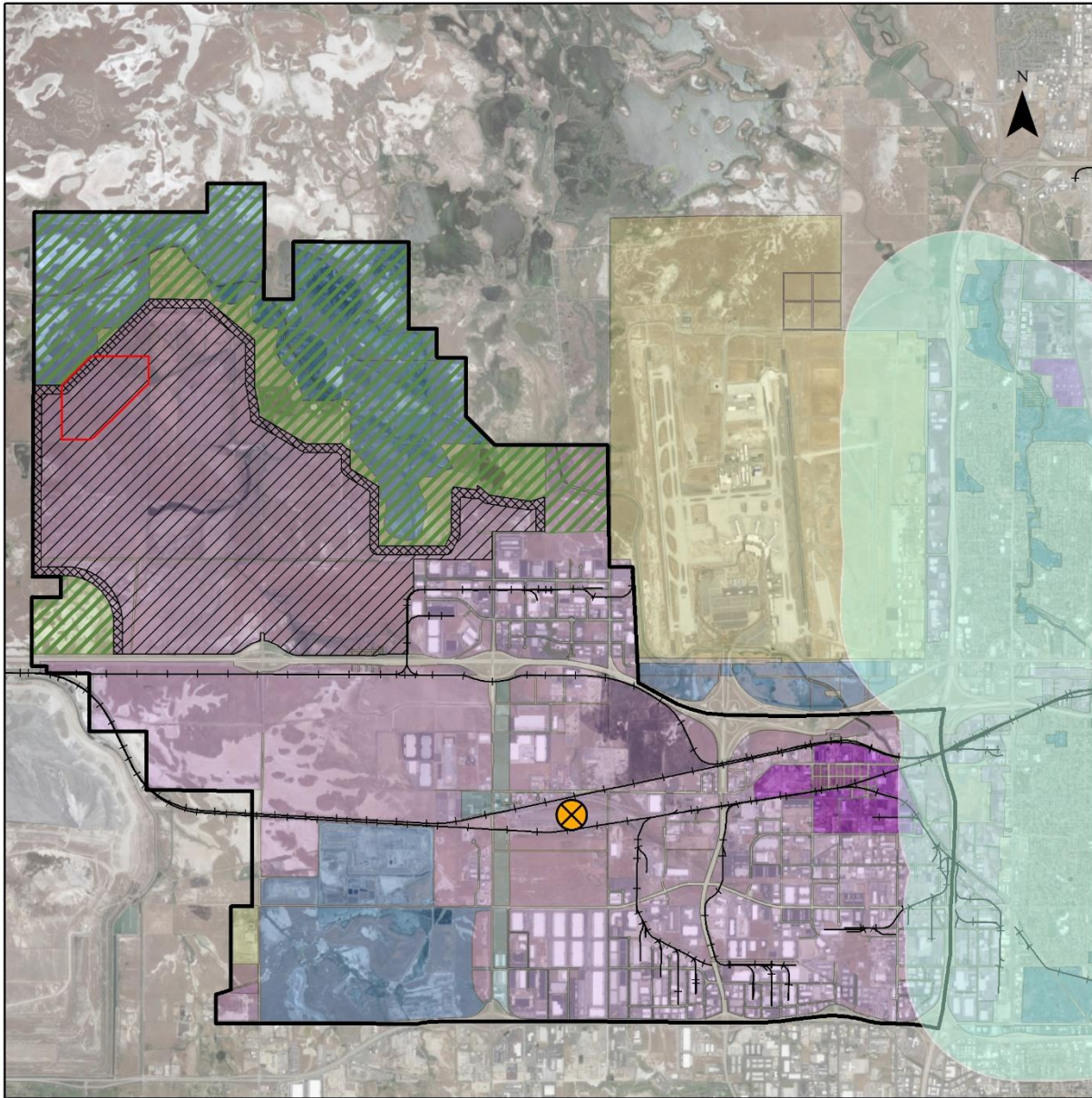
This is the fourth land use petition related to the NWQ, which when all are completed will help facilitate the development of the area.

1. Northwest Quadrant Agricultural (AG) Zoning Text Amendment
PLNPCM2017-00001 (*adopted on September 5, 2017*)
 - Removed residential uses in the zone
 - Permitted the “Duck Hunting Club” use that is currently an existing use in the area
 - Ensured uses associated with agriculture are identified as permitted uses, such as a caretaker home and accessory retail sales associated with agricultural uses
 - Required consultation with the Utah State Division of Wildlife Resources for solar panel installation prior to a building permit being issued in order to mitigate impacts on wildlife

2. Northwest Quadrant Overlay and M-1 Text Amendments
PLNPCM2016-00724 (*adopted on November 21, 2017*)
 - Amend the M-1 zoning district regulations and land use tables
 - Create the NWQ overlay that addresses development areas, Eco-industrial buffer and Natural area
 - Remove the lowland conservancy overlay boundaries within the area identified as “natural area.”

3. Northwest Quadrant Rezoning
PLNPCM2017-00655 (*adopted on December 5, 2017*)
 - Rezoned properties currently zoned Agricultural (AG) and Open Space (OS) to Light Manufacturing (M-1).
 - Removed the mapped Lowland Conservancy Overlay (LCO) from the Northwest Quadrant.
 - Rezoned a parcel that is currently split-zoned AG and OS to AG.

Potential Global Trade Port Locations and Zoning



RESOLUTION _____ OF 2018

Authorizing approval of a Development Agreement between Salt Lake City Corporation, the Redevelopment Agency of Salt Lake City, and NWQ, LLC, a Utah limited liability company

WHEREAS, NWQ, LLC, a Utah limited liability company (“Developer”) owns certain real property (“Property”) located within the Northwest Quadrant Project Area created by the Redevelopment Agency of Salt Lake City (“RDA”).

WHEREAS, the RDA, Salt Lake City Corporation (“City”), and Developer have negotiated a development agreement (“Development Agreement”) which will, among other things, vest Developer in the zoning as it currently exists on the Property, and facilitate a process for Developer to apply for tax increment reimbursement from the Agency as the Property is developed.

WHEREAS, City desires to execute the Development Agreement with Developer and RDA.

THEREFORE, BE IT RESOLVED, by the City Council of Salt Lake City, Utah as follows:

1. It does hereby approve the execution and delivery of the following:

DEVELOPMENT AGREEMENT BETWEEN SALT LAKE CITY CORPORATION, REDEVELOPMENT AGENCY OF SALT LAKE CITY, AND NWQ, LLC, EFFECTIVE ON THE DATE IT IS SIGNED BY ALL PARTIES.

2. Jacqueline M. Biskupski, Mayor of Salt Lake City, Utah or her designee is hereby authorized to approve, execute, and deliver said agreement on behalf of Salt Lake City Corporation, in substantially the same form as now before the City Council and attached hereto as **Exhibit A**, subject to such minor changes that do not materially affect the rights and obligations of the City thereunder and as shall be approved by the Mayor, her execution thereof to constitute conclusive evidence of such approval.

PASSED by the City Council of Salt Lake City this _____ day of _____, 2018.


SALT LAKE CITY COUNCIL

CHAIRPERSON

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:
Salt Lake City Attorney's Office



Katherine N. Lewis

HB_ATTYY-#66298-v1-City_Resolution_NWQ_Development_Agreement_(NWQ_LLC).docx

EXHIBIT A

[Attach Form of Development Agreement]

**Recording Requested By and
When Recorded Return to:**
Salt Lake City Corporation
Attn: _____
451 South State Street
Salt Lake City, UT 84111

Parcel Nos. _____

**MASTER DEVELOPMENT AND
REIMBURSEMENT AGREEMENT**
Northwest Quadrant (West)

This Master Development and Reimbursement Agreement (this “**Agreement**”) is made and entered into and made effective as of the date this Agreement is recorded by the City Recorder (“**Effective Date**”) by and among **SALT LAKE CITY CORPORATION**, a Utah municipal corporation (“**City**”); the **REDEVELOPMENT AGENCY OF SALT LAKE CITY**, a public entity (“**RDA**”); and **NWQ, LLC**, a Utah limited liability company (“**Master Developer**”). City, RDA and Master Developer may from time to time be referred to herein each as a “**Party**” or collectively as the “**Parties**.”

RECITALS

A. Master Developer is the record owner of approximately 1,516 acres of lands located in Salt Lake County, Utah, which are more particularly described on the attached **Exhibit A** (the “**Property**”). The Property is located within an area of Salt Lake City known as the Northwest Quadrant.

B. Master Developer is engaged in planning a large scale, master planned logistics center, industrial and warehousing system and series of projects within portions of the Property, and areas located near the Property.

C. A significant component of the development of the Property is the installation of an infrastructure network in, around and near the Property to facilitate the development of the Intended Uses.

D. Infrastructure planned for the area will require close coordination between property owners, users and public and private service providers and will include rail and road improvements, along with utilities and other improvements reasonable, necessary and useful for the development of the Property.

E. To support the development of the Property and the development of areas within City’s jurisdiction, on January 9, 2018, RDA and City created and approved the Northwest Quadrant Community Reinvestment Project Area (the “**Project Area**”) under Utah Code 17C-5-101, *et seq.*

F. The Project Area includes the Property as well as a neighboring property owned by Kennecott Utah Copper LLC, a Utah limited liability company and other properties.

G. Under Utah Code Title 17C, RDA is entitled to receive certain Tax Increment from the Project Area.

H. City and RDA have executed an interlocal agreement whereby a portion of the Tax Increment received by City shall be paid to RDA for use in accordance with this Agreement, the Project Area Plan, and separate reimbursement agreements entered into between RDA and property owners, including Master Developer.

I. This Agreement provides the core approvals and commitments that will facilitate the commencement of development within the Property and provide a basis for future agreements governing the development of the Property, construction of infrastructure and the reimbursement of costs.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

ARTICLE I DEFINITIONS

1.1 Definitions.

1.1.1 “*Buildout*” means the completion of all development in the Property.

1.1.2 “*City’s Current Laws*” means all laws, ordinances, policies, standards, guidelines, directives, procedures and processing fee schedules of City in effect as of the date of this Agreement.

1.1.3 “*City’s Future Laws*” means the laws, ordinances, policies, standards, guidelines, directives, procedures and processing fee schedules of City which may be in effect in the future at any time when a Development Application is submitted and which may or may not apply to such Development Application based upon the terms of this Agreement.

1.1.4 “*Developer’s Reimbursable Expenses*” means costs incurred by Master Developer or its assigns for the construction of Permitted Improvements.

1.1.5 “*Development Application*” means an application to City for development of a portion of the Property, including, but not limited to applications for site plan, subdivision, building permit or other permit, certificate or authorization from City required for development of the Property.

1.1.6 “*Intended Uses*” means the use of all or portions of the Property for warehouses, logistic centers, intermodal transfer facilities, offices, rail freight terminal facilities,

storage facilities, light manufacturing and supporting or facilitating uses allowed under City's Current Laws.

1.1.7 “*Master Developer*” means NWQ LLC, or its successors and assigns.

1.1.8 “*Offsite Improvements*” shall have the meaning given in Section 3.2 below.

1.1.9 “*Permitted Improvements*” means site improvements; road infrastructure, bridges over and under passes and including heavy haul roads described below; remediation or containment of environmental conditions; water and sewer improvements; storm water improvements; dedications of land for excess capacity in System Improvements or excess capacity in improvements accommodating uses outside of the Project Area; Offsite Improvements; utility infrastructure of every type including, but not limited to, electric, gas, fiber, communications; rail infrastructure; street lighting; developer incentives to facilitate and attract development to the Northwest Quadrant Project Area that has a positive impact for Salt Lake City, including projects that increase property tax value, provide high paying jobs, attract prominent tenants, promote green building standards or encourage good planning design; and other uses as agreed to by RDA and Master Developer in future agreements.

1.1.10 “*Project Area*” means the Northwest Quadrant Community Reinvestment Project Area as may be expanded or modified.

1.1.11 “*Project Area Increment*” shall mean the Tax Increment received by the RDA pursuant to an interlocal agreement executed with any applicable taxing entities in the Project Area, including the interlocal agreement executed January 9, 2018 with City.

1.1.12 “*Project Area Plan*” means the plan for the Project Area approved by RDA and City on January 9, 2018.

1.1.13 “*Project Phase*” means an area designated by Master Developer for development of a particular phase or portion of the Property.

1.1.14 “*Property*” means the real property described on Exhibit A.

1.1.15 “*Reimbursable System Improvement Expenses*” means costs and expenses, as approved by City, incurred by Master Developer, or its contractors or those working on its behalf, in acquiring or dedicating right of way for the location of System Improvements and the construction of System Improvements.

1.1.16 “*Sub Area Plan*” means a plan for a portion of the Property, or Project Area, as may be established by RDA.

1.1.17 “*Sub-developer*” means an owner of development parcel within the Property which is not the Master Developer, or an affiliate of Master Developer.

1.1.18 “*System Improvements*” means improvements included in City's impact fee facility plan now or in the future and are located within or facilitate development of the Property and other properties.

1.1.19 “*Tax Increment*” shall have the same meaning set forth in Utah Code § 17C-1-102(60) which is:

. . . the difference between:

- (i) the amount of property tax revenue generated each tax year by a taxing entity from the area within a project area designated in the project area plan as the area from which tax increment is to be collected, using the current assessed value of the property; and
- (ii) the amount of property tax revenue that would be generated from that same area using the base taxable value of the property.

1.1.20 “*Transfer Acknowledgment*” means an acknowledgment in the form attached hereto as **Exhibit B**.

1.1.21 “*Transfer Deed*” has the meaning set forth in Section 9.2.

ARTICLE II
CITY APPROVALS AND VESTING

2.1 City Approval. City and RDA enter into this Agreement after taking all necessary actions to enter into the agreements and understandings set forth herein. City’s enactment of the resolution approving this Agreement, and entering into this Agreement, are legislative acts allowed and authorized by Utah Code § 10-9a-101, *et seq.*, including specifically Utah Code § 10-9a-102(2).

2.2 Project Vesting. To the maximum extent permissible under state and federal law, and at equity, City and Master Developer agree that this Agreement confirms that Master Developer is vested with all rights to develop the Property in accordance with City’s Current Laws without modification or change by the City except as specifically provided herein. By way of further clarification, Master Developer is vested with the right to develop and locate on the Property the uses and densities including, without limitation, the Intended Uses, and to develop in accordance with dimensional requirements as allowed by City’s Current Laws. The Property is also vested with access to all City roads, described below, which adjoin or traverse any portion of the Property. The Parties intend that the rights granted to Master Developer hereunder are contractual vested rights and include the rights that exist as of the Effective Date under statute, common law and at equity. The Parties acknowledge and agree this Agreement provides significant and valuable rights, benefits, and interests in favor of Master Developer and the Property, including, but not limited to, certain vested rights, development rights, permitted and conditional uses (including for industrial and commercial uses), potential rights for new improvements, facilities, and infrastructure, as well as flexible timing, sequencing, and phasing rights to assist in the development of the Property. To the extent the City Council adopts that certain land use ordinance known as Ordinance No. ____, Inland Port in Manufacturing Zones Text Amendment, Petition #PLNPCM2017-01038 (“**Text Amendment**”), such Text Amendment shall become included in the City’s Current Laws and Master Developer shall automatically be vested in the Text Amendment without further action or approval by the City.

2.2.1 *Rescission Option.* To the extent Master Developer has executed this Agreement in advance of City approval of the Text Amendment, and if the Text Amendment is not enacted in a form reasonably satisfactory to Master Developer by February 28, 2018, then Master Developer may deliver notice of rescission to City and RDA to terminate this Agreement. Any such rescission notice must be delivered, if at all, no later than March 14, 2018. Upon Master Developer's delivery of notice of rescission pursuant to this Section, this Agreement shall automatically terminate whereupon the Parties shall have no further rights or obligations under this Agreement.

2.2.2 *Invalidity.* If any of the City's Current Laws are declared to be unlawful, unconstitutional or otherwise unenforceable then Master Developer will, nonetheless comply with the terms of this Agreement to the extent not precluded by law. In such an event, Master Developer and City shall cooperate to have City adopt a new enactment which is materially similar to any such stricken provisions and which implements the intent of the Parties under this Agreement.

2.2.3 *City's Future Laws.* City's Future Laws with respect to development or use of the Property shall not apply except as follows:

A. City's Future Laws that Master Developer agrees in writing to the application thereof to the Property;

B. City's Future Laws which are generally applicable to all properties in the City's jurisdiction and which are required to comply with State and Federal laws and regulations affecting the Property;

C. City's Future Laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

D. City's Future Laws that are health and environmental standards based on the City's obligations to comply with Federal or State environmental laws;

E. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated;

F. Changes to the amounts of fees (but not changes to the times provided in the City's Current Laws for the imposition or collection of such fees) for the processing of Development Applications that are generally applicable to all development within City's jurisdiction (or a portion of the City as specified in the lawfully adopted fee schedule) and which are lawfully adopted pursuant to State law; or

G. Impact fees or modifications thereto which are lawfully adopted, imposed and collected.

2.2.4 Applications Under City's Future Laws. Without waiving any rights granted or benefits imparted by this Agreement, Master Developer may at any time, choose to submit a Development Application for some or all of the Property under the City's Future Laws in effect at the time of the Development Application. Any Development Application filed for consideration under the City's Future Laws shall be governed by all portions of the City's Future Laws related to the Development Application. The election by Master Developer at any time to submit a Development Application under the City's Future Laws shall not be construed to prevent or limit Master Developer from submitting and relying for other Development Applications on the City's Current Laws.

2.3 Change in Law/Non-Conforming Uses. For the term of this Agreement, City agrees that any City's Future Law shall not apply to the Property where the application would impair or impede development, or eliminate or reclassify a use allowed under City's Current Laws. To the extent any change in law causes a use, structure or parcel to become non-conforming, such non-conforming status shall not impair, impede or prohibit the development of previously approved uses, reconstruction or restoration of developed uses, or the extension of such uses on parcels within the Property. If a City's Future Law applies to any portion of the Property under Section 2.2 above, it shall only apply as may be necessary to meet a legitimate governmental interest and then only to the minimum extent needed to meet such legitimate governmental interest.

2.4 Most Favored Nation. Should any property immediately adjacent to the Property or the Project Area (excluding road rights of way, including interstates) receive a zoning use or development entitlement not included in City's Current Laws, and which use or entitlement could facilitate development within the Project Area, City agrees to cooperate with Master Developer to promptly obtain the same use or entitlements for the Property.

2.5 Term. The initial term of this Agreement shall be forty (40) years beginning on the Effective Date, which term may be extended by written agreement of City, RDA, and Master Developer.

2.6 Development of Property. The development of the Property shall be in accordance with City's Current Laws, City's Future Laws (to the extent that they apply as allowed by this Agreement) and this Agreement. City and RDA agree that Master Developer shall have the full power and exclusive control of the Property. Nothing in this Agreement shall obligate Master Developer (or its successors) to develop the Property or to develop in any particular order or phase and that Master Developer reserves all discretion to determine whether to develop a particular portion or phase of the Property based upon Master Developer's business judgment. The Property may be developed for all uses allowed by City's Current Laws, including, but not limited to, the Intended Uses.

2.7 Design Requirements. City shall not impose design requirements on buildings, improvements and structures located within the Property other than those required by City's Current Laws.

2.8 Open Space Dedications. No further open space dedications shall be required as a condition of Development Application approval; it being acknowledged by the Parties that prior to entering into this Agreement, and as consideration for creating a natural area to the north of the

Property, the Property is located within an area designated by City as suitable for development. So long as there is no residential development within the Property, development within the Property shall not be required to pay open space or park impact fees of any type.

2.9 Recitals and Exhibits. The above recitals and all exhibits hereto are hereby incorporated by reference into this Agreement.

2.10 Separate Development Agreements. Master Developer may elect to propose and enter into separate agreements with City to govern the construction or development of a particular phase or portion of phase within the Property. City agrees to cooperate with the preparation and execution of any such separate agreement with Master Developer.

ARTICLE III ROADS AND UTILITIES

3.1 Roads.

3.1.1 *Major Roads.* The Property includes proposed or existing state roads and City arterial and collector roads. To the extent such roads will be owned by the State of Utah (“**State**”), the State will be responsible for the acquisition of right of way and development of such roads. Prior to development or acquisition of arterial or collector roads, the City shall provide Master Developer nine (9) months advance notice and an opportunity to consult and comment on any proposed plans to acquire or develop arterial and collector roads. City agrees to cooperate with Master Developer in relocating, modifying or removing planned City arterial and collector roads to the extent a Project Phase necessitates or would be improved by a different road configuration.

3.1.2 *Local Roads.* Subject to Section 3.3, Master Developer shall be responsible for the dedication of right of way and the construction of local roads installed in connection with the development of a Project Phase or portion thereof.

3.1.3 *Heavy Haul Road.* Master Developer may elect to plan, designate and construct, or have constructed, certain roads designed and constructed for heavy loads in connection with the uses contemplated for the Property. If such roads will be public roads, City’s prior approval will be required. The Parties agree in coordinating infrastructure locations to accommodate such roads, which may be public or private roads.

3.1.4 *Road Widths.* City agrees that road right of way and pavement widths for local roads, collector roads, arterial roads and any other public roads shall not exceed the standards applicable to other similar developments within Salt Lake City.

3.1.5 *Drainage Areas.* Master Developer may propose that drainage facilities, including swales, berms and surface facilities for the Project Area, or portion thereof, be located within rights of way, including road rights of way, dedicated to City. City agrees to accept such offers of dedication consistent with City standards; provided that Master Developer provide a commitment to have such areas as may be located outside of the typical road rights of way cross sections maintained by an owners association or other form of property owner group.

3.2 Culinary Water and Sanitary Sewer Improvements. Master Developer shall be responsible for constructing and installing the requisite service and water and sewer distribution lines and similar improvements within the Property necessary for City to provide culinary water and sewer service to a particular Project Phase. Master Developer shall not be required to install transmission, service or distribution lines (or other significant infrastructure improvements) outside of the Property, or lines within the Property providing capacity for areas outside of the Property beyond City's normal project level requirements; *provided, however*, Master Developer acknowledges that certain areas within the Property may not be developable without the construction of infrastructure improvements outside the Property that would not be paid for by City ("**Offsite Improvements**"). All such Offsite Improvements shall qualify for reimbursement under the term Permitted Improvements, or other reimbursement provision as provided for in this Agreement. The foregoing limitation shall not prohibit Master Developer from installing improvements, including Offsite Improvements, subject to City's approval, for the benefit of areas outside of the Property, or areas leading to the Property, where the costs for such development will be paid for or Master Developer may be reimbursed by Project Area Increment, fees from a pioneering agreement(s), and/or the payment of impact fees.

3.3 Storm Water Improvements. Master Developer shall manage storm water flows within the Property according to the Northwest Quadrant Storm Water Drainage Master Plan or other City-approved Northwest Quadrant master plan. City Agrees to coordinate with Master Developer in advance of approving or amending the Northwest Quadrant Storm Water Drainage Master Plan in a way that will affect the Project Area. City agrees to work with Master Developer to approve storm water systems which account for the large amount of time anticipated that will be required to develop the Property, and to allow the usage of existing drainage areas by Master Developer where possible. City agrees to minimize situations where Master Developer is required to design or construct detention or retention facilities to address storm water flows originating from outside the Property without reimbursement from City or other property owners. Master Developer may be required to provide additional drainage capacity in conveyance channels and associated easements to accommodate pass-through drainage from other properties. Notwithstanding the foregoing, the City may require dedications for storm water drainage within the Property. Any dedications for excess capacity required for flows originating outside of the Project Area shall entitle Master Developer to obtain reimbursement, including under the definition of Permitted Improvements, for the value of the associated land dedications or space set aside for pass-through facilities. City agrees to consider design of drainage systems which incorporate filtering or other methods so a project or property may avoid the costs of designing a system with an oil/water separator, including the installation of swales, bio-filters and other systems best suited for the unique drainage conditions in the Project Area.

3.4 City Services. City agrees that it shall make available (subject to application for service, issuance of applicable permits and payment of connection fees and applicable commodity usage rates) culinary water, sanitary sewer, street light, storm water and other municipal services to the Property. Such services shall be provided to the Property at the same levels of services, on the same terms and at rates as approved by the Salt Lake City Council, which rates may not differ materially from those charged to others in Salt Lake City.

3.5 Installation of Public Improvements. Notwithstanding any other provisions of this Agreement, all improvements to be publically dedicated shall be constructed in compliance with

City's Current Laws and this Agreement. For each Project Phase, or portion thereof that is subject to a Development Application, Master Developer may enter into an improvement construction and assurance agreement in a form consistent with State law and City's Current Laws prior to recording the final plat for such phase, *provided, however*, subject to City's Current Laws, Master Developer may elect to install public improvements associated with such phase in coordination with City, and in advance of plat recordation in order to eliminate or reduce the need for providing financial assurances for public improvements within each phase which are completed in advance of dedication.

3.6 City Cooperation. City agrees to cooperate in making available public rights of way and easements for use by utility and service providers to development within the Property. City further agrees to cooperate with Master Developer in efforts to relocate, reconfigure or upgrade canal facilities which cross onto any portion of the Property. Separate agreements under this Section will not require RDA approval.

ARTICLE IV DEVELOPMENT PROCESSES

4.1 Planning Coordination and Approval. City will use reasonable efforts to process any Development Application promptly. Should City's Current Laws allow discretion as to whether a Development Application should be approved by City staff or a public body, City staff shall initially review the Development Application at the staff-level and make a reasonable determination about whether the land use decision can appropriately be made at staff-level. In the event the Development Application is forwarded to a non-staff land use authority, the City will provide notice to the applicant of the reasons for referring the decision to a non-staff land use authority.

4.2 Conditional Use Permits. City agrees that any conditional use permits shall be approved in accordance with State law and City's Current Laws. City agrees further that no land use authority may impose conditions on a conditional use permit which relate to criteria or detrimental impacts not expressly stated in City's Current Laws. No conditional use permit application shall be the subject to more than two public hearings without the express written consent of Master Developer.

4.3 Processing. City shall promptly process Development Applications. In order to ensure that the Development Applications are promptly reviewed and processed, City will use reasonable efforts to designate one or more City Planning Division staff member(s) as principal liaisons/specialists on the Development Applications. These Planning Division staff members will be fully informed on the terms of this Agreement and will facilitate timely review of any Development Applications submitted hereunder.

4.4 Acceptance of Certifications Required for Development Applications. Any Development Application requiring the signature, endorsement, or certification and/or stamping by a person holding a license or professional certification required by the State of Utah in a particular discipline shall be so signed, endorsed, certified or stamped signifying that the contents of the Development Application comply with the applicable regulatory standards of City. Subject to City's review and confirmation, a Development Application with the foregoing signature,

endorsement, certification or stamp shall be deemed to meet the specific standards which are the subject of the opinion or certification. It is not the intent of this Section to preclude the normal process of City's "redlining", commenting on or suggesting alternatives to the proposed designs or specifications in the Development Application.

4.5 City Denial of a Development Application. If City denies a Development Application then City shall provide a written determination advising the applicant of the reasons for denial including specifying the reasons City believes that the Development Application is not consistent with this Agreement. In the event of a denial, City shall notify Master Developer even if Master Developer is not the applicant. The following provisions shall apply to any such denial:

4.5.1 Meet and Confer regarding Development Application Denials. City and applicant shall, within fifteen (15) days of any denial, discuss possible methods of resolving the issues specified in the denial of a Development Application. These discussions will not stay any appeal deadlines, and any party seeking to appeal should file a formal appeal with the City in order to preserve jurisdiction. The Parties may agree to stay the time for a formal appeal hearing on the denial.

4.5.2 City Denials of Development Applications Based on Denials from Non-City Agencies. If City's denial of a Development Application is based on the denial of the Development Application by a non-City agency, applicant shall appeal any such denial through the appropriate procedures for such a decision and not through the processes specified below.

4.6 Mediation of Development Application Denials.

4.6.1 Issues Subject to Mediation. Issues resulting from the City's denial of a Development Application may, upon the concurrence of both Parties, be mediated.

4.6.2 Mediation Process. If City and applicant mutually agree to mediation, the Parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the issue in dispute. If the Parties are unable to agree on a single acceptable mediator they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days, review the positions of the Parties regarding the mediation issue and promptly attempt to mediate the issue between the Parties. If the Parties are unable to reach agreement, the mediator shall notify the Parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the Parties.

ARTICLE V TAX INCREMENT REIMBURSEMENT

5.1 CRA Project Area. RDA has established a Project Area Plan which includes the Property and other property in the vicinity of the Property. The Project Area is intended to produce Tax Increment available for the purposes described in this Agreement and the Project Area Plan, including the Permitted Improvements, economic development within the Project Area Plan and other purposes as set forth in future agreements relating to the development of the Property. Costs incurred by Master Developer in developing, acquiring or installing Permitted Improvements shall

be reimbursable from Project Area Increment as more particularly set forth in this Article. RDA's obligations under this Agreement are special limited obligations payable solely from the Tax Increment collected from the Property and generated from property taxes paid on behalf of the Property. RDA shall not expand or modify the Project Area without the written consent of Master Developer.

5.2 Project Area Tax Reimbursement Policy. Within six (6) months after the Effective Date, RDA agrees to adopt a Tax Increment reimbursement policy ("**TI Policy**") for the Project Area. The TI Policy shall include the following provisions:

5.2.1 *Reimbursement Applications.* RDA staff shall review each application for a new reimbursement agreement and forward the application to the RDA Board of Directors ("Board") within thirty (30) days of receipt. The TI Policy will also establish that the Board will use best efforts to consider the application within sixty (60) days of the Board's receipt of the application from RDA staff and to decide the application as soon as reasonably practicable thereafter.

5.2.2 *Reimbursement Triggers and Duration.* Each application for a new reimbursement agreement shall include an estimate of anticipated total future value, projected construction schedule and recommended future assessed value "trigger" for commencing tax increment collection and disbursement. The project area funds collection period for each individual reimbursement period shall be for a period not less than twenty (20) years dating from the day on which the first payment of project area funds is distributed to an agency under an interlocal agreement.

5.2.3 *Mutual Cooperation.* RDA agrees to lead and cooperate with efforts of the Parties to have other taxing entities enter into interlocal and other agreements allocating such taxing entity(ies)' tax increment to RDA for use in the Project Area as described in this Agreement.

5.2.1 *Increment Allocations.* Unless otherwise agreed by RDA and Master Developer in writing, RDA shall allocate Project Area Increment received by RDA as follows:

A. *Administrative Increment.* Ten percent (10%) of the Project Area Increment received by RDA may be used by RDA for the payment of RDA administrative costs ("**Administrative Increment**"), provided however, that if any portion of the Administrative Increment is not spent by the RDA on administrative costs in a given year, the RDA shall reallocate the Administrative Increment to become Area-Wide Increment to be used in accordance with Subsection C below.

B. *Developer's Tax Increment.* Seventy percent (70%) of the Project Area Increment, plus any potential reallocated Affordable Housing Increment, shall be available for reimbursement of Developer's Reimbursable Expenses.

C. *Area-Wide Increment.* Ten percent (10%) of the Project Area Increment shall be available for Project Area-wide improvements, including improvements located outside of Project Area but which directly benefit or specifically enhance the Project Area in a way that is measurable and not hypothetical or remote.

D. Affordable Housing Increment. Ten percent (10%) of the Project Area Increment shall be used for affordable housing uses as required by State law, *provided, however*, should the state amend Title 17C of the Utah Code to remove the mandatory ten percent (10%) affordable housing requirement applicable to projects such as the Project Area then such increment may be reallocated in RDA's discretion and pursuant to Utah Code 17C.

5.2.2 Assignable. This Agreement or future reimbursement agreements as to any portion of the Project Area may be assigned, in whole or in part, by Master Developer to successors, including Sub-developers, in writing, and subject to RDA's written approval, which approval shall not be unreasonably withheld, delayed, or conditioned. RDA will be bound by the same terms to the assignees.

5.2.3 Separate Reimbursement Agreements. Separate reimbursement agreements shall be approved by the RDA Board of Directors in accordance with this Agreement and will not require City approval.

ARTICLE VI IMPACT FEE REIMBURSEMENT

6.1 Reimbursements/ Impact Fee Plans. City will, within six (6) months of the Effective Date, create a process by which it will commit to reimburse Master Developer from applicable and available impact fees for Master Developer's Reimbursable System Improvement Expenses, which are not paid for by Project Area Increment or a pioneering or other reimbursement agreement. Nothing in the foregoing process shall preclude expenses from being reimbursed from more than one revenue source so long as Master Developer is only reimbursed once for Permitted Improvements or Reimbursable System Improvement Expenses. Master Developer acknowledges that there are currently no City impact fee facilities plans for System Improvements in the Northwest Quadrant that are water, sewer, storm water, or street lighting improvements. City agrees to consult with Master Developer in advance of amending or enacting any impact fee facilities plan(s) which includes improvements to be located within or directly servicing the Project Area.

6.2 Reimbursement Process. City's impact fee reimbursement process for the System Improvements will include the requirement that, should Master Developer elect to construct any System Improvement, Master Developer shall coordinate such construction with City. The impact fee reimbursement process will also require Master Developer to provide City with estimates for the costs of all System Improvements as they are received, which City may include in updating its impact fee facilities plan. The impact fee reimbursement process will include a requirement that Master Developer provide monthly reports to City of all costs incurred by Master Developer in constructing System Improvements and in calculating Reimbursable System Improvement Expenses, and a requirement that City provide Master Developer with reports on impact fees collected upon reasonable request and without requiring Master Developer to file a records request. The impact fee reimbursement process will only be for impact fees collected for roads, police, and fire under City Code 18.98, *et seq.*, and will not include impact fees collected by the City's Public Utilities Department.

6.3 No Moratorium or Waiver. City shall include the obligations set forth in this Agreement into any subsequently amended or adopted impact fee facilities plan. Should City reduce any impact fees from the amounts set on the date of this Agreement, then City shall deposit a sum equal to the amount of such reduction into each fund for each class or grouping of impact fees at the time of payment to Master Developer hereunder; it being the Parties' intent that the effective amount of the impact fees not be reduced while obligations are outstanding to Master Developer under this Agreement

ARTICLE VII PIONEERING AGREEMENTS AND OTHER METHODS FOR REIMBURSING INFRASTRUCTURE COSTS

7.1 Bonds and Assessment Area. The Parties agree to evaluate and, where feasible, explore the creation of assessment areas and consider the appropriateness of issuing bonds to the extent such actions will facilitate development of the Property in accordance with this Agreement and the Project Area Plan.

7.2 Pioneering Agreements. City and Master Developer shall enter into pioneering agreements for any infrastructure, including System Improvements or Permitted Improvements, where Master Developer and City have mutually determined that a pioneering agreement will facilitate the reimbursement for costs incurred in developing and improving the Property as set forth in such pioneering agreements. Such pioneering agreements shall include provisions requiring others connecting to infrastructure built with excess capacity to pay for their share of such capacity, including construction, and other reasonable costs and expenses incurred in developing the excess capacity. City and Master Developer will include a definition in the pioneering agreements clarifying that "excess capacity" is limited to the cost of upsizing infrastructure. Nothing in a pioneering agreement shall preclude expenses from being reimbursed from more than one revenue source so long as Master Developer is only reimbursed once for Permitted Improvements or Reimbursable System Improvement Expenses.

ARTICLE VIII ANNEXATION AND SUB PROJECTS

8.1 Additional Property. If Master Developer acquires properties immediately adjacent to the Property, Master Developer may elect to include such later acquired properties in this Agreement, subject to City's and RDA's approval, which approval shall not be unreasonably withheld, delayed, or conditioned. Such later acquired properties must be located within the Project Area to be included in this Agreement, which inclusion must comply with Section 5.1 above.

8.2 Sub-developer Agreements. The Parties hereto, or some of them, may enter into separate agreements with Sub-developers or others obtaining rights from Master Developer, provided however that nothing in any separate agreement may conflict with the entitlements and benefits obtained by Master Developer in this Agreement without the express written consent of Master Developer, or, as applicable, City and/or RDA.

ARTICLE IX
ASSIGNMENT AND TRANSFER

9.1 Assignment and Transfer of Development. If Master Developer assigns, transfers, or otherwise conveys the entire Property or any portion thereof to a subsequent owner, and intends to transfer any of the rights and obligations under this Agreement in connection with such transfer, Master Developer shall execute and deliver a “**Transfer Acknowledgment**” in the form attached hereto as **Exhibit B** for the purpose of notifying City of the transfer. Upon delivery of a fully executed Transfer Acknowledgment, the obligations of Master Developer shall automatically be assigned and assumed to the identified assignee and Master Developer shall be released from the obligations that are assumed by the identified assignee.

9.2 Transfer Deeds. Master Developer may make transfers, with or without transferring the rights under this Agreement under Section 9.1 above, in anticipation or furtherance of future land use approvals and development of the Property or a particular portion therein. In accordance with Utah Code § 10-9a-103(57)(c)(v), Master Developer may convey portions of the Project by metes and bounds prior to recordation of a plat of subdivision for such portion and City agrees to execute an acknowledgment on such deeds of conveyance (each a “**Transfer Deed**”) for the purposes of acknowledging only City’s consent to the conveyance by metes and bounds of the real property that is the subject of the applicable Transfer Deed. Master Developer expressly acknowledges that City’s execution of a Transfer Deed shall not in any way be deemed a waiver of the requirement that the property transferred pursuant to such Transfer Deed shall be subject to the approval process set forth in this Agreement or City’s Current Laws.

9.3 Reservation of Reimbursement Rights. Notwithstanding any provision in City’s Current Laws to the contrary, Master Developer reserves unto itself the right to all payments and reimbursements for items constructed within the Property or by Master Developer even if Master Developer sells any portion of the Property to a third-party. Any assignment of the right to receive payments and reimbursements under this Agreement must be in writing, signed by Master Developer, and approved by RDA, and must include specific details regarding the right or amount of reimbursement transferred to a third party. In the event of a transfer of any reimbursement or payment right under this Agreement, both assignor and assignee must provide written notice to RDA and City in accordance with this Agreement. Notwithstanding the foregoing, Master Developer shall not be entitled to retain reimbursements or payments under this Agreement that exceed the actual costs incurred by Master Developer.

ARTICLE X
DISPUTE RESOLUTION

10.1 Default. Except as otherwise expressed herein, in the event of a failure by any Party to comply with the commitments set forth herein, within thirty (30) days of written notice of such failure from the other Party, the non-defaulting Party shall have the right to pursue any or all of the following remedies, which right shall be cumulative:

10.1.1 To cure such default or enjoin such violation and otherwise enforce the requirements contained in this Agreement; and

10.1.2 To enforce all rights and remedies available at law and in equity including, but not limited to, injunctive relief, and/or damages.

ARTICLE XI GENERAL MATTERS

11.1 Amendments. Any alteration or change to this Agreement shall be made in a writing executed by Master Developer and City, after approval by City's appropriate executive or legislative bodies. A provision of this Agreement relating to RDA may be amended with the written consent of RDA but RDA need not be a Party to an amendment that does not alter the reimbursement obligations of RDA hereunder. Master Developer need not obtain the written consent of a subsequent owner of a portion of the Property in order to amend this Agreement.

11.2 Exclusion from Moratoria. The Property shall be excluded from any moratorium adopted pursuant to Utah Code § 10-9a-504 unless such a moratorium is found on the record by the City Council to be necessary to avoid jeopardizing a compelling, countervailing public interest.

11.3 No Waiver. Nothing in this Agreement shall be construed as waiving Master Developer's rights under the United States and Utah constitutions, and the land use and development laws of the state of Utah.

11.4 Captions and Construction. This Agreement shall be construed according to its fair and plain meaning and as if prepared by all Parties hereto and shall be interpreted in accordance with Utah law. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates. Furthermore, this Agreement shall be construed so as to effectuate the public purposes, objectives and benefits set forth herein. As used in this Agreement, the words "include" and "including" shall mean "including, but not limited to" and shall not be interpreted to limit the generality of the terms preceding such word. To the extent a general provision of City's Current Laws or Future Laws, or any other law, conflicts with a specific provision of this Agreement or an interpretation necessary to give effect to the Agreement, then this Agreement shall control.

11.5 Laws and Forum. This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective successors and assigns, and shall be construed in accordance with Utah law. Any action brought in connection with this Agreement shall be brought in a court of competent jurisdiction located in Salt Lake County, Utah.

11.6 No Third Party Rights. Unless otherwise specifically provided herein, the obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any other persons or third parties.

11.7 Force Majeure. Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes; labor disputes; inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature; governmental restrictions, regulations or controls; judicial orders; enemy or hostile government actions; wars; civil commotions; fires, floods, earthquakes or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by

that Party for a period equal to the duration of that prevention, delay or stoppage. Any Party seeking relief under the provisions of this section must have notified the other Party in writing of a force majeure event within thirty (30) days following occurrence of the claimed force majeure event.

11.8 Notices. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, or delivered by a reputable overnight courier that keeps receipts of delivery (such as UPS or Federal Express), or when deposited in the United States mail, by registered or certified mail, addressed as follows:

City: Salt Lake City
451 South State Street
Salt Lake City, UT 84111
Attention: City Recorder

With a copy to: Salt Lake City
Office of the City Attorney
451 South State Street
Salt Lake City, UT 84111
Attention: City Attorney

RDA: Salt Lake City Redevelopment Agency
451 South State Street
Salt Lake City, UT 84111
Attention: Chief Administrative Officer

With a copy to: Salt Lake City
Office of the City Attorney
451 South State Street
Salt Lake City, UT 84111
Attention: Chief Counsel, RDA

Master Developer: NWQ, LLC
166 East 14000 South, Suite 210
Draper, UT 84080
Attn: Lance Bullen

With a copy to: Snell and Wilmer L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, UT 84101
Attn: Wade R. Budge

Such addresses may be changed by notice to the other Party given in the same manner as above provided. Any notice given hereunder shall be deemed given as of the date delivered or mailed.

11.9 Entire Agreement. This Agreement, together with documents and all regulatory approvals given by City for the Property, contain and constitute the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the Parties which are not contained in such agreements, regulatory approvals and related conditions. It is expressly agreed by the Parties that this Agreement and additional planned agreements between Master Developer and City, or between Master Developer and RDA, as contemplated and referred to elsewhere in this Agreement, are intended to and shall govern and facilitate the development of the Property.

11.10 Termination. If not timely rescinded in accordance with Section 2.2.1. above, this Agreement shall terminate upon the first of the following to occur: (i) mutual written agreement of the Parties, (ii) Buildout, or (iii) forty (40) years after the Effective Date, unless extended by in writing by City, RDA, and Master Developer, whichever occurs first.

11.11 Further Action. The Parties hereby agree to execute and deliver such additional documents and to take all further actions as may become necessary or desirable to fully carry out the provisions and intent of this Agreement.

11.12 Agreement Runs with the Land. This Agreement shall be recorded against the Property as described in the Exhibit A. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. Successors in title are on record notice of the provisions of this Agreement. Notwithstanding the foregoing, each successor in interest shall accede only to the benefits and burdens of this Agreement pursuant to an assignment by Master Developer which pertain to that specific portion of the Property to which such successor holds fee title or leasehold estate, and shall not be deemed to be the "Master Developer" or a third party beneficiary of any of the rights, interests, or benefits relating to other portions of the Property. The provisions, responsibilities and benefits relating or appertaining to a specific portion of the Property may be assigned to such portion of the Property, or owner thereof, by specific written instrument executed by Master Developer and approved by City and RDA, which approval shall not be unreasonably withheld, delayed, or conditioned.

11.13 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

11.14 Representation Regarding Ethics. Master Developer represents and warrants that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

IN WITNESS WHEREOF, the Parties have executed this Development Agreement on January ___, 2018.

CITY:

SALT LAKE CITY CORPORATION, a Utah municipal corporation

ATTEST:

Jacqueline M. Biskupski, Mayor

Cindi Mansell, City Recorder

Approved as to form:
Salt Lake City Attorney's Office

E. Russell Vetter

ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
County of Salt Lake)

On this ___ day of January, 2018, before the undersigned notary public in and for the said state, personally appeared Jacqueline M. Biskupski, known or identified to me to be the Mayor of Salt Lake City, who executed the foregoing instrument on behalf of said City and acknowledged to me that said City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for Utah
Residing at: _____
My Commission Expires: _____

RDA:

**REDEVELOPMENT AGENCY OF SALT
LAKE CITY, a public entity:**

Jacqueline M. Biskupski, Executive Director

Approved as to form:
Salt Lake City Attorney's Office

Katherine N. Lewis

ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
County of Salt Lake)

On this ____ day of January, 2018, before the undersigned notary public in and for the said state, personally appeared Jacqueline M. Biskupski, known or identified to me to be the Executive Director of the Redevelopment Agency of Salt Lake City, and who executed the foregoing instrument on behalf of said Redevelopment Agency of Salt Lake City and acknowledged to me that said Redevelopment Agency of Salt Lake City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for Utah
Residing at: _____
My Commission Expires: _____

MASTER DEVELOPER:

NWQ, LLC, a Utah limited liability company:

By: _____
Its: _____

ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
County of Salt Lake)

On this ____ day of _____, 20__, before the undersigned notary public in and for the said state, personally appeared _____, known or identified to me to be the _____ of **NWQ, LLC**, a Utah limited liability company, and the person who executed the foregoing instrument and acknowledged to me that said company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for Utah
Residing at: _____
My Commission Expires: _____

EXHIBIT A
[Legal Description of the Property]

DRAFT

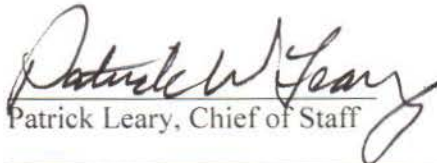
EXHIBIT B

[Form of Transfer Acknowledgment]

DRAFT




CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff

Date Received: January 29, 2018
Date sent to Council: January 29, 2018

TO: Salt Lake City Council
Erin Mendenhall, Chair

DATE:

FROM: Mike Reberg, Community & Neighborhoods Director 

SUBJECT: Petition PLNPCM2017-01038 – Global Trade Port in Manufacturing Zones Text Amendment

STAFF CONTACT: Tracy Tran, Principal Planner
801-535-7645, tracy.tran@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Planning Commission's recommendation to approve the proposed zoning text amendments and take into account the considerations suggested by the Planning Commission

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: On December 8, 2017, Mayor Biskupski initiated a petition requesting the Planning Division amend the zoning ordinance to allow for the development of a global trade port (also referred to as an inland port) in Salt Lake City's manufacturing zoning districts (M-1 Light Manufacturing and M-2 Heavy Manufacturing). The intent of this petition is to further the purpose of the district and to implement City goals to promote economic development in the area. There has been a lot of interest on the city, state, and county levels in having a global trade port, which can spur economic activity in the area by allowing for additional opportunities for international trade and distribution facilities. The market assessments and feasibility studies of a Global Trade Port point to Salt Lake City, particularly the Northwest Quadrant area of the City, as an ideal location due to its advantageous location near major interstates, rail access, and the airport.

The City Council recently approved a development agreement with the property owners to address long term land use and tax increment collection in the area. That agreement references the proposed

zoning changes as a necessary part of the agreement. Throughout the planning process for the Northwest Quadrant, the City Council has supported the idea of a global trade port in the Northwest Quadrant and has considered a railroad freight terminal facility as a necessary component of the global trade port.

Proposed Text Amendments

With the momentum and signs pointing to Salt Lake City as an ideal location for a global trade port, the zoning ordinance requires changes in order to accommodate the needs and functions of this type of facility. The proposed zoning amendments focus on the “railroad freight terminal facility” use in the zoning ordinance. The proposed amendments include:

- Clarifying the definition of a railroad freight terminal facility
- Removing a restriction in the land use table that prohibits a railroad freight terminal facility from being located within 5 miles of another facility
- Prohibiting railroad freight terminal facility within 1 mile of residential zoning district
- Allowing grain silos and railroad repair shop land uses in the M-1 zoning district
- Allowing cranes associated with a railroad freight terminal to be up to a height of 85’

A railroad freight terminal facility use is proposed to remain as a conditional use in both the M-1 Light Manufacturing and M-2 Heavy Manufacturing zoning districts to ensure that any potential impacts related to a railroad freight terminal facility are addressed. Issues such as air quality concerns, impacts to sensitive areas, lighting, etc. would be evaluated against the Conditional Use standards within the zoning ordinance.

For the details regarding the amendments, please see the staff report from the January 24, 2018 Planning Commission meeting (Exhibit 3A).

Key Considerations

Below are some key issues and considerations regarding the proposed text amendments. For detailed information including specific studies and links, please see the Planning Commission staff report in Exhibit 3A.

1. Economic Development

The proposed changes support the City’s economic development goals and implements the Northwest Quadrant Master Plan. The Northwest Quadrant Master Plan highlights this area as an economic engine for the City, region, and State with a focus on warehousing and light industrial development. With a global trade port facility, materials will be delivered to a central location, making it more desirable for warehousing and other businesses to locate near the facility.

2. Air Quality Impacts and Advances in Technology

One of the biggest concerns with railroad freight terminal facilities are the impact to local air quality. One of the arguments of the benefits of a global trade port is that rail transport can more efficiently move more products than trucks, which can take a large number of trucks off the road regionally and throughout the nation, resulting in less

overall pollution. However, a large number of trucks end up at the terminal to distribute the freight from the trains to other locations, and overall, a global trade port may create more concentrated pollution as a large number of trains and trucks concentrate at these intermodal terminals. The diesel particulate emissions from the number of trains, trucks, as well as the cranes and lifts, could add to the localized air quality issues. In contrast, there have been studies that have shown that ports have been able to significantly decrease emissions and the changes in technology have allowed for railroad facilities to be a sustainable form of transportation.

3. *Public Comments*

Many public comments have been received regarding this proposal. Overall comments include:

- Impacts to the environment and sensitive areas
- Inconsistency with city policies and rules
- Prohibit uses north of I-80
- Rail is sustainable solution and opportunity for Salt Lake to be a leader in the global logistics supply chain
- Additional information and public input is necessary

Please see the detailed comments within Attachment E of the Staff Report (Exhibit 3A) and the additional comments received (Exhibit 3B) and the comments from the public hearing (Exhibit 3D).

Planning Commission

The Planning Commission had in depth discussions regarding the proposal. Discussion included:

- Why the petition was not included in the previous Northwest Quadrant zoning amendments
- The public outreach completed and the overall timeline of the proposal
- Impacts of a proposed railroad freight terminal
- Impacts of a grain elevator and railroad freight terminal facility
- Where a facility could be located and how a proposal could impact sensitive areas
- Impacts of the Airport Flight Path Overlay

Eleven individuals spoke at the public hearing. Approximately five comments were in support of the petition stating the benefits of an intermodal center on overall air quality and sustainability. The additional six comments focused on the unknowns regarding these facilities, the large scale nature of an intermodal hub, impacts to sensitive areas, and the tight timeframe of the proposal. Details from the public hearing can be found in the Planning Commission minutes in Exhibit 3D.

After the discussion, the Planning Commission found that the impacts of the proposal are generally low, the proposal is consistent with the area, and rail is a sustainable way to transport goods. The Planning Commission transmitted a positive recommendation to City Council with no specific conditions. However, due to the necessity of an expedited process, the Planning

Commission ask that the City Council consider the following questions regarding railroad freight terminal facilities, railroad repair shops, and grain elevators:

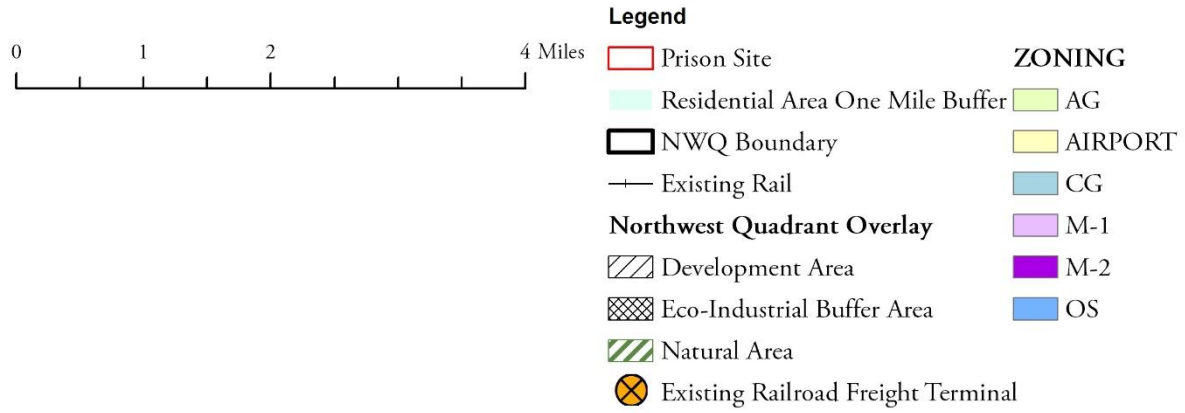
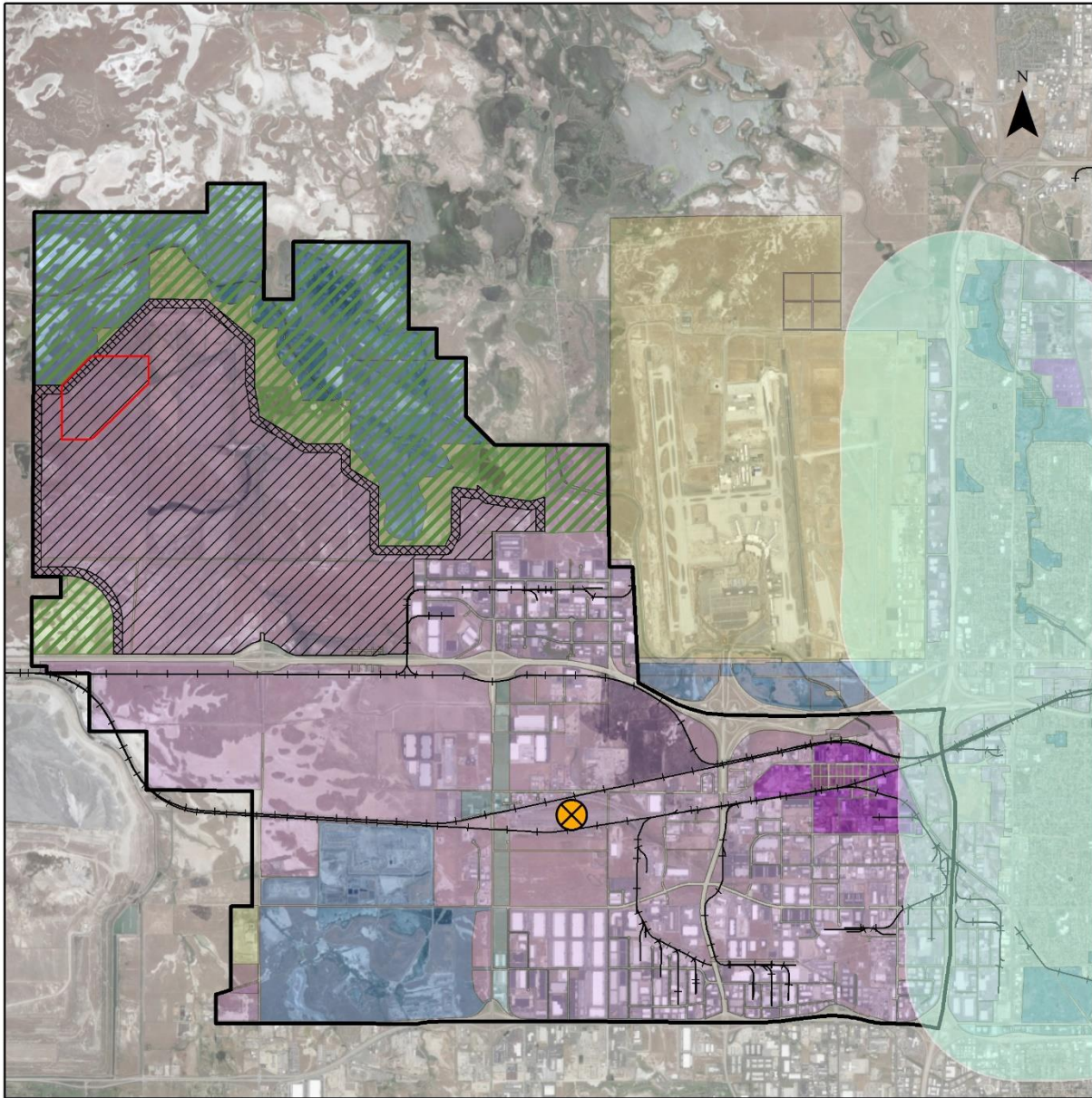
- Should these facilities be buffered from the prison?
- Should these facilities be buffered from the sensitive areas/eco-industrial buffer north of I-80?
- Should these facilities only be allowed south of I-80?
- Should these facilities be buffered from hotels and other similar type of land uses?

The Planning Commission also asked staff to prepare a map that shows where a railroad freight terminal could be located considering the following:

- The proposed one mile buffer from residential districts
- Existing rail lines
- Location of the prison
- Location/impact of the Airport Flight Path Overlay

Staff has provided the requested map below. However, staff will need to work with the Airport to provide the information regarding heights within the Airport Flight Path Overlay.

Potential Global Trade Port Locations and Zoning



PUBLIC PROCESS:

Community Council Notice

Notices were sent to all recognized community organizations regarding the proposed text changes on December 8, 2017. Staff provided the organizations with information regarding the proposed changes and the Open House information.

The Westpointe Community Council provided written comments/questions. These comments can be found within Attachment E of the staff report (Exhibit 3A).

Open House

Because this zoning impacts the entire city and not just a specific community council, an open house was held on January 3, 2018 at the City and County Building. Approximately nine individuals showed up at the Open House.

All recognized community based organizations were notified of the Open House.

Northwest Quadrant E-mail List

Individuals who were involved throughout the Northwest Quadrant Master Plan and zoning amendments process were informed of the proposal, open house, and Planning Commission meetings via email.

Planning Commission

The Planning Commission held a public hearing on January 24, 2018. Eleven individuals spoke regarding the proposed text amendments. Details regarding their comments can be found in Exhibit 3D.

EXHIBITS:

- Exhibit 1: Project Chronology
- Exhibit 2: Notice of City Council Hearing
- Exhibit 3: Planning Commission – January 24, 2018 Public Hearing
 - A. Staff Report
 - B. Additional Public Comments
 - C. Hearing Notice
 - D. Agenda and Minutes
- Exhibit 4: Original Petition

SALT LAKE CITY ORDINANCE

No. ____ of 2018

(An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to railroad freight terminal facilities in manufacturing zoning districts)

An ordinance amending Section 21A.28.020, Section 21A.28.030, Section 21A.33.040, and Section 21A.62.040 of the *Salt Lake City Code* pertaining to manufacturing zoning districts pursuant to Petition No. PLNPCM2017-01038.

WHEREAS, Salt Lake City Mayor Jacqueline Biskupski requested amendments (Petition No. PLNPCM2017-01038) to Section 21A.28.020, Section 21A.28.030, Section 21A.33.040, and Section 21A.62.040, to modify land use regulations for railroad freight terminal facilities in manufacturing districts; and

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 24, 2018, to consider said petition and voted in favor of transmitting a positive recommendation to the Salt Lake City Council; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.28.020. That Section 21A.28.020 (Zoning: Manufacturing Districts: M-1 Light Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.28.020: M-1 LIGHT MANUFACTURING DISTRICT:

- A. Purpose Statement: 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, that desire a clean attractive industrial setting, and that protects nearby sensitive lands and waterways. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and

provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses and to promote the importance of nearby environmentally sensitive lands.

B. Uses: Uses in the M-1 Light Manufacturing District as specified in Section 21A.33.040, “Table of Permitted and Conditional Uses for Manufacturing Districts”, of this title are permitted subject to the general provisions set forth in Section 21A.28.010 of this chapter.

C. Minimum Lot Size:

1. Minimum Lot Area: Ten thousand (10,000) square feet.
2. Minimum Lot Width: Eighty feet (80’).
3. Existing Lots: Lots legally existing as of April 12, 1995, shall be considered legal conforming lots.

D. Minimum Yard Requirements:

1. Front Yard: Fifteen feet (15’).
2. Corner Side Yard: Fifteen feet (15’).
3. Interior Side Yard: None required.
4. Rear Yard: None required.
5. Accessory Uses, Buildings and Structures in Yards: Accessory uses, buildings and structures may be located in a required yard area subject to Section 21A.36.020, Table 21A.36.020_B of this title.
6. Additional Setback When Adjacent to AG-2 and AG-5 Districts: When adjacent to a lot in the AG-2 or AG-5 zoning district, buildings or portions of buildings, shall be setback one foot (1’) beyond the required landscape buffer as required in Section 21A.48.080 for every one foot (1’) of building height above 30 feet (30’).

E. Landscape Yard Requirements:

1. Front and Corner Side Yards: All required front and corner side yards shall be maintained as landscape yards in conformance with the requirements of Chapter 21A.48 of this title.
2. Buffer Yards: All lots abutting a lot in a residential district shall conform to the buffer yard requirements of Chapter 21A.48 of this title.
3. Properties located within the Northwest Quadrant Overlay District are subject to special landscape requirements as outlined in subsection 21A.34.140_B.2.

F. Maximum Height:

1. No building shall exceed sixty five feet (65') except that emission free distillation column structures, necessary for manufacture processing purposes, shall be permitted up to the most restrictive federal aviation administration imposed minimal approach surface elevations, or one hundred twenty feet (120') maximum, whichever is less. Said approach surface elevation will be determined by the Salt Lake City Department of Airports at the proposed locations of the distillation column structure. Any proposed development in the Airport Flight Path Protection (AFPP) Overlay District, as outlined in sSection 21A.34.040 of this title, will require approval of the department of airports prior to issuance of a building permit. All proposed development within the AFPP Overlay District which exceeds fifty feet (50') ~~will~~ may also require site specific approval from the Federal Aviation Administration.
2. In the M-1 zoning districts located west of the Salt Lake City International Airport and north of Interstate 80 (I-80), buildings may exceed sixty five feet (65') in height subject to the conditional building and site design review standards and procedures of eChapter 21A.59 of this title. In no case shall any building exceed eighty five feet (85').
3. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85') in height and are also subject to the Airport Flight Path Protection (AFPP) overlay district and Federal Aviation Administration (FAA) requirements.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.28.030. That Section 21A.28.030 (Zoning: Manufacturing Districts: M-2 Heavy Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.28.030: M-2 HEAVY MANUFACTURING DISTRICT:

- A. Purpose Statement: The purpose of the M-2 Heavy Manufacturing District is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment. This zone is appropriate in locations that are supported by the applicable Master Plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Due to the nature of uses allowed in this zone, land uses that may be adversely impacted by heavy manufacturing activities are not permitted. Certain land uses are prohibited in order to preserve land for manufacturing uses. Safe, convenient and inviting connections that

provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way.

B. Uses: Uses in the M-2 Heavy Manufacturing District as specified in sSection 21A.33.040, “Table Of Permitted Aand Conditional Uses Ffor Manufacturing Districts”, of this title are permitted subject to the general provisions set forth in sSection 21A.28.010 of this chapter.

C. Minimum Lot Size:

1. Minimum Lot Area: Twenty thousand (20,000) square feet.
2. Minimum Lot Width: Eighty feet (80’).
3. Existing Lots: Lots established prior to April 12, 1995, shall be considered legal conforming lots.

D. Minimum Yard Requirements:

1. Front Yard: Twenty five feet (25’).
2. Corner Side Yard: Fifteen feet (15’).
3. Interior Side Yard: Twenty feet (20’).
4. Rear Yard: Thirty five feet (35’).
5. Accessory Uses, Buildings Aand Structures Iin Yards: Accessory uses, buildings and structures may be located in a required yard area subject to sSection 21A.36.020, ¶Table 21A.36.020.B of this title.

E. Landscape Yard Requirements: The first twenty five feet (25’) of all required front yards and the first fifteen feet (15’) of all required corner side yards shall be maintained as landscape yards in conformance with the requirements of eChapter 21A.48 of this title, including sSection 21A.48.110 of this title.

F. Maximum Height:

1. No building shall exceed eighty feet (80’), except that chimneys and smokestacks shall be permitted up to one hundred twenty feet (120’) in height.
2. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85’) in height and are also subject to the Airport Flight Path Protection (AFPP) Overlay District and Federal Aviation Administration (FAA) requirements.

SECTION 3. Amending the Text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 (Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

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

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 ⁷
Agricultural use		P	P
Alcohol:			
	Brewpub	P ^{6,10}	P ^{6,10}
	Distillery	P	P
	Social club	C ^{6,10}	C ^{6,10}
	Tavern	C ^{6,10}	C ^{6,10}
	Winery	P	P
Ambulance services (indoor and/or outdoor)		P	P
Animal:			
	Cremation service	P	P

	Kennel	P ¹³	P
	Pet cemetery	P ²	P ²
	Pound	P ^{12,13}	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	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 ¹²	P
	Check cashing/payday loan business	P ⁹	
	Chemical manufacturing and/or storage		C
	Commercial food preparation	P	P

Community correctional facility, large	C ^{8,16}	
Community correctional facility, small	C ^{8,16}	
Community garden	P	
Concrete and/or asphalt manufacturing	C ^{12,13}	P ¹²
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 ¹²
Financial institution with or without drive-through facility	P ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		P ¹²
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 ¹²	P
Greenhouse	P	
Heavy manufacturing		P ¹²
Home occupation	P ¹⁵	P ¹⁵
Hotel/motel	P	
Impound lot	P ¹²	P ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P ^{13,14}	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 ¹²
Printing plant		P	
Radio, television station		P	
Railroad, freight terminal facility		C ^{4,12}	C ^{4,12}
Railroad, repair shop		<u>P</u>	P
Recreation (indoor)		P	
Recreation (outdoor)		P	
Recycling:			
	Collection station	P	P

	Processing center (indoor)	P	P
	Processing center (outdoor)	C ^{12,13,14}	P ¹²
Refinery, petroleum products			C ¹²
Restaurant with or without drive-through facilities		P ¹¹	
Retail goods establishment with or without drive-through facility		P ¹¹	
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 ⁵	P ⁵
Sign painting/fabrication		P	P
Slaughterhouse			P ¹²
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 ¹²	P ¹²
Urban farm	P	P
Utility:		
Building or structure	P	P
Electric generation facility	C ^{3,12}	C ^{3,12}
Sewage treatment plant	C	P
Solid waste transfer station	C ¹²	P ¹²
Transmission wire, line, pipe or pole	P ¹	P ¹
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 ^{12,13,14}	P ¹²
	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 sSection 21A.40.090, ¶Table 21A.40.090_E of this title)		
	Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050_B 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~~ may be located within a ~~5-mile radius of any other existing railroad freight terminal facility~~ one mile of a residential zoning district.
5. Pursuant to the requirements set forth in sSection 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 ~~e~~Chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than $\frac{1}{2}$ mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in ~~s~~Section 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in ~~s~~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 ~~s~~Section 21A.36.030.
16. Prohibited within one-half (1/2) mile of any residential zoning district boundary and subject to ~~s~~Section 21A.36.110.

SECTION 4. Amending the Text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the Salt Lake City Code shall be and hereby is amended to modify the definition of "RAILROAD, FREIGHT TERMINAL FACILITY" to read as follows:

RAILROAD, FREIGHT TERMINAL FACILITY: A major railroad track yard area ~~for primary use by railroad employees for regional scale interstate mainline oriented intermodal freight transfers of:~~ a) multimodal (sea, rail, truck transport) self-contained cargo containers from train to train, train to semitruck trailer, and semitruck trailer to train loading; and b) for new motor vehicle train transports to semitruck trailer transports for regional distribution purposes. Also includes storage of train vehicles and temporary storage of bulk materials at the facility while the material awaits distribution. ~~No breakdown of self-contained cargo containers occurs at intermodal railroad freight terminal facilities.~~

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2018.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2018.

Published: _____.

HB_ATT#67174-v1-Ordinance_amending_manufacturing_districts_regulations_rail_freight_terminal.docx

LEGISLATIVE VERSION

SALT LAKE CITY ORDINANCE

No. _____ of 2018

(An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to railroad freight terminal facilities in manufacturing zoning districts)

An ordinance amending Section 21A.28.020, Section 21A.28.030, Section 21A.33.040, and Section 21A.62.040 of the *Salt Lake City Code* pertaining to manufacturing zoning districts pursuant to Petition No. PLNPCM2017-01038.

WHEREAS, Salt Lake City Mayor Jacqueline Biskupski requested amendments (Petition No. PLNPCM2017-01038) to Section 21A.28.020, Section 21A.28.030, Section 21A.33.040, and Section 21A.62.040, to modify land use regulations for railroad freight terminal facilities in manufacturing districts; and

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 24, 2018, to consider said petition and voted in favor of transmitting a positive recommendation to the Salt Lake City Council; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.28.020. That Section 21A.28.020 (Zoning: Manufacturing Districts: M-1 Light Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.28.020: M-1 LIGHT MANUFACTURING DISTRICT:

- A. Purpose Statement: 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, that desire a clean attractive industrial setting, and that protects nearby sensitive lands and waterways. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service

to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses and to promote the importance of nearby environmentally sensitive lands.

B. Uses: Uses in the M-1 Light Manufacturing District as specified in Section 21A.33.040, “Table of Permitted and Conditional Uses for Manufacturing Districts”, of this title are permitted subject to the general provisions set forth in Section 21A.28.010 of this chapter.

C. Minimum Lot Size:

1. Minimum Lot Area: Ten thousand (10,000) square feet.
2. Minimum Lot Width: Eighty feet (80’).
3. Existing Lots: Lots legally existing as of April 12, 1995, shall be considered legal conforming lots.

D. Minimum Yard Requirements:

1. Front Yard: Fifteen feet (15’).
2. Corner Side Yard: Fifteen feet (15’).
3. Interior Side Yard: None required.
4. Rear Yard: None required.
5. Accessory Uses, Buildings and Structures in Yards: Accessory uses, buildings and structures may be located in a required yard area subject to Section 21A.36.020, Table 21A.36.020.B of this title.
6. Additional Setback when Adjacent to AG-2 and AG-5 Districts: When adjacent to a lot in the AG-2 or AG-5 zoning district, buildings or portions of buildings, shall be setback one foot (1’) beyond the required landscape buffer as required in Section 21A.48.080 for every one foot (1’) of building height above 30 feet (30’).

E. Landscape Yard Requirements:

1. Front and Corner Side Yards: All required front and corner side yards shall be maintained as landscape yards in conformance with the requirements of Chapter 21A.48 of this title.
2. Buffer Yards: All lots abutting a lot in a residential district shall conform to the buffer yard requirements of Chapter 21A.48 of this title.
3. Properties located within the Northwest Quadrant Overlay District are subject to special landscape requirements as outlined in Section 21A.34.140.B.2.

F. Maximum Height:

1. No building shall exceed sixty five feet (65') except that emission free distillation column structures, necessary for manufacture processing purposes, shall be permitted up to the most restrictive Federal Aviation Administration imposed minimal approach surface elevations, or one hundred twenty feet (120') maximum, whichever is less. Said approach surface elevation will be determined by the Salt Lake City Department of Airports at the proposed locations of the distillation column structure. Any proposed development in the Airport Flight Path Protection (AFPP) Overlay District, as outlined in Section 21A.34.040 of this title, will require approval of the department of airports prior to issuance of a building permit. All proposed development within the AFPP Overlay District which exceeds fifty feet (50') may also require site specific approval from the Federal Aviation Administration.
2. In the M-1 zoning districts located west of the Salt Lake City International Airport and north of Interstate 80 (I-80), buildings may exceed sixty five feet (65') in height subject to the conditional building and site design review standards and procedures of Chapter 21A.59 of this title. In no case shall any building exceed eighty five feet (85').
3. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85') in height and are also subject to the Airport Flight Path Protection (AFPP) Overlay District and Federal Aviation Administration (FAA) requirements.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.28.030. That Section 21A.28.030 (Zoning: Manufacturing Districts: M-2 Heavy Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.28.030: M-2 HEAVY MANUFACTURING DISTRICT:

- A. Purpose Statement: The purpose of the M-2 Heavy Manufacturing District is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Due to the nature of uses allowed in this zone, land uses that may be adversely impacted by heavy manufacturing activities are not permitted. Certain land uses are prohibited in order to preserve land for manufacturing uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way.

B. Uses: Uses in the M-2 Heavy Manufacturing District as specified in Section 21A.33.040, “Table of Permitted and Conditional Uses for Manufacturing Districts”, of this title are permitted subject to the general provisions set forth in Section 21A.28.010 of this chapter.

C. Minimum Lot Size:

1. Minimum Lot Area: Twenty thousand (20,000) square feet.
2. Minimum Lot Width: Eighty feet (80’).
3. Existing Lots: Lots established prior to April 12, 1995, shall be considered legal conforming lots.

D. Minimum Yard Requirements:

1. Front Yard: Twenty five feet (25’).
2. Corner Side Yard: Fifteen feet (15’).
3. Interior Side Yard: Twenty feet (20’).
4. Rear Yard: Thirty five feet (35’).
5. Accessory Uses, Buildings and Structures in Yards: Accessory uses, buildings and structures may be located in a required yard area subject to Section 21A.36.020, Table 21A.36.020.B of this title.

E. Landscape Yard Requirements: The first twenty five feet (25’) of all required front yards and the first fifteen feet (15’) of all required corner side yards shall be maintained as landscape yards in conformance with the requirements of Chapter 21A.48 of this title, including Section 21A.48.110 of this title.

F. Maximum Height:

1. No building shall exceed eighty feet (80’), except that chimneys and smokestacks shall be permitted up to one hundred twenty feet (120’) in height.
2. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85’) in height and are also subject to the Airport Flight Path Protection (AFPP) Overlay District and Federal Aviation Administration (FAA) requirements.

SECTION 3. Amending the Text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 (Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts) of the Salt Lake City Code shall be and hereby is amended to read as follows:

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

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 ⁷
Agricultural use		P	P
Alcohol:			
	Brewpub	P ^{6,10}	P ^{6,10}
	Distillery	P	P
	Social club	C ^{6,10}	C ^{6,10}
	Tavern	C ^{6,10}	C ^{6,10}
	Winery	P	P
Ambulance services (indoor and/or outdoor)		P	P
Animal:			
	Cremation service	P	P

	Kennel	P ¹³	P
	Pet cemetery	P ²	P ²
	Pound	P ^{12,13}	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	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 ¹²	P
	Check cashing/payday loan business	P ⁹	
	Chemical manufacturing and/or storage		C
	Commercial food preparation	P	P

Community correctional facility, large	C ^{8,16}	
Community correctional facility, small	C ^{8,16}	
Community garden	P	
Concrete and/or asphalt manufacturing	C ^{12,13}	p ¹²
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 ¹²
Financial institution with or without drive-through facility	P ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		p ¹²
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 ¹²	P
Greenhouse	P	
Heavy manufacturing		P ¹²
Home occupation	P ¹⁵	P ¹⁵
Hotel/motel	P	
Impound lot	P ¹²	P ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P ^{13,14}	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 ¹²
Printing plant		P	
Radio, television station		P	
Railroad, freight terminal facility		C ⁴	C ⁴
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 ^{12,13,14}	P ¹²
Refinery, petroleum products			C ¹²
Restaurant with or without drive-through facilities		P ¹¹	
Retail goods establishment with or without drive-through facility		P ¹¹	
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 ⁵	P ⁵
Sign painting/fabrication		P	P
Slaughterhouse			P ¹²
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 ¹²	P ¹²
Urban farm		P	P
Utility:			
	Building or structure	P	P
	Electric generation facility	C ^{3,12}	C ^{3,12}
	Sewage treatment plant	C	P
	Solid waste transfer station	C ¹²	P ¹²
	Transmission wire, line, pipe or pole	P ¹	P ¹
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 ^{12,13,14}	P ¹²
	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 sSection 21A.40.090, ¶Table 21A.40.090_E of this title)		
	Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050.B 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 one 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 $\frac{1}{2}$ 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.
16. Prohibited within one-half (1/2) mile of any residential zoning district boundary and subject to Section 21A.36.110.

SECTION 4. Amending the Text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the Salt Lake City Code shall be and hereby is amended to modify the definition of "RAILROAD, FREIGHT TERMINAL FACILITY" to read as follows:

RAILROAD, FREIGHT TERMINAL FACILITY: A major railroad track yard area for regional scale interstate mainline oriented intermodal freight transfers of: a) multimodal (sea, rail, truck transport) self-contained cargo containers from train to train, train to semitruck trailer, and semitruck trailer to train loading; and b) for new motor vehicle train transports to semitruck trailer transports for regional distribution purposes. Also includes storage of train vehicles and temporary storage of bulk materials at the facility while the material awaits distribution.

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2018.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2018.

Published: _____.

HB_ATTYY-#67174-v2-Ordinance_amending_manufacturing_districts_regulations_rail_freight_terminal.docx

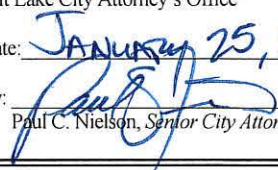
APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: JANUARY 25, 2018
By: 
Paul C. Nielson, Senior City Attorney

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4. ORIGINAL PETITION

1. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2017-01038

- December 8, 2017 The mayor initiated a petition requesting the Planning Division to amend the zoning ordinance to allow for the development of a global trade port/inland port.
- December 8, 2017 Petition PLNPCM2017-01038 assigned to Tracy Tran, Principal Planner, for staff analysis and processing.
- December 8, 2017 Email sent to Recognized Community Organizations informing them of the petition and Open House information.
- January 3, 2018 Petition was presented at the Planning Division Open House.
- January 11, 2018 Planning Commission hearing notices posted on City and State websites and Planning Division list serve.
Notices sent to current railroad freight terminal facility.
- January 13, 2018 Planning Commission hearing notice was published in the paper.
- January 22, 2018 Ordinance Requested from City Attorney's office.
- January 24, 2018 Planning Commission reviewed the petition and conducted a public hearing. The commission voted unanimously to send a positive recommendation to the City Council.
- January 24, 2018 Ordinance Received from City Attorney's office.
- January 25, 2018 Transmittal was sent to the CAN Director for review.

2. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2017-01038 Global Trade Port in Manufacturing Zones**- A request by the Salt Lake City Mayor to amend the zoning text in our Manufacturing zoning districts to allow for the development of a global trade port (railroad freight terminal facility). Changes include:

- Clarifying the definition of a railroad freight terminal facility
- Amending the distance provisions from a railroad freight terminal facility
- Allowing additional height for supporting structures
- Assessing the permitted and conditional uses in the land use tables

The amendments will affect Section 21A.28: Manufacturing Districts; 21A.33.040: Table of Permitted and Conditional Uses for Manufacturing Districts; and 21A.62: Definition of Terms. Other related provision of Title 21A may be amended as part of this petition

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Tracy Tran at 801-535-7645 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at tracy.tran@slcgov.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com, 801-535-7600, or relay service 711.

3. PLANNING COMMISSION
A. STAFF REPORT



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Tracy Tran, 801-535-7645 or tracy.tran@slcgov.com
Date: January 24, 2018
Re: PLNPCM2017-01038 – Global Trade Port in Manufacturing Zones Text Amendment

Zoning Text Amendment

PROPERTY ADDRESS: City-wide
PARCEL ID: N/A
MASTER PLAN: N/A
ZONING DISTRICT: M-1, M-2

REQUEST: The Mayor formally requested that the Salt Lake City Planning Division amend the zoning ordinance to allow for the development of a global trade port (referred to as a railroad freight terminal facility in our zoning ordinance).

RECOMMENDATION: Based on the analysis and findings of this report, it is the opinion of staff that the proposed zoning text amendments meet the intent of the Mayor's direction and standards for a zoning ordinance amendment. Staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2017-01038 to the City Council.

ATTACHMENTS:

- [A. Proposed Text Amendments](#)
- [B. Map of Manufacturing Zoning Districts in Salt Lake City](#)
- [C. Conditional Use Standards for reference](#)
- [D. Analysis of Standards](#)
- [E. Public Process and Comments](#)
- [F. Department Comments](#)

PROJECT DESCRIPTION:

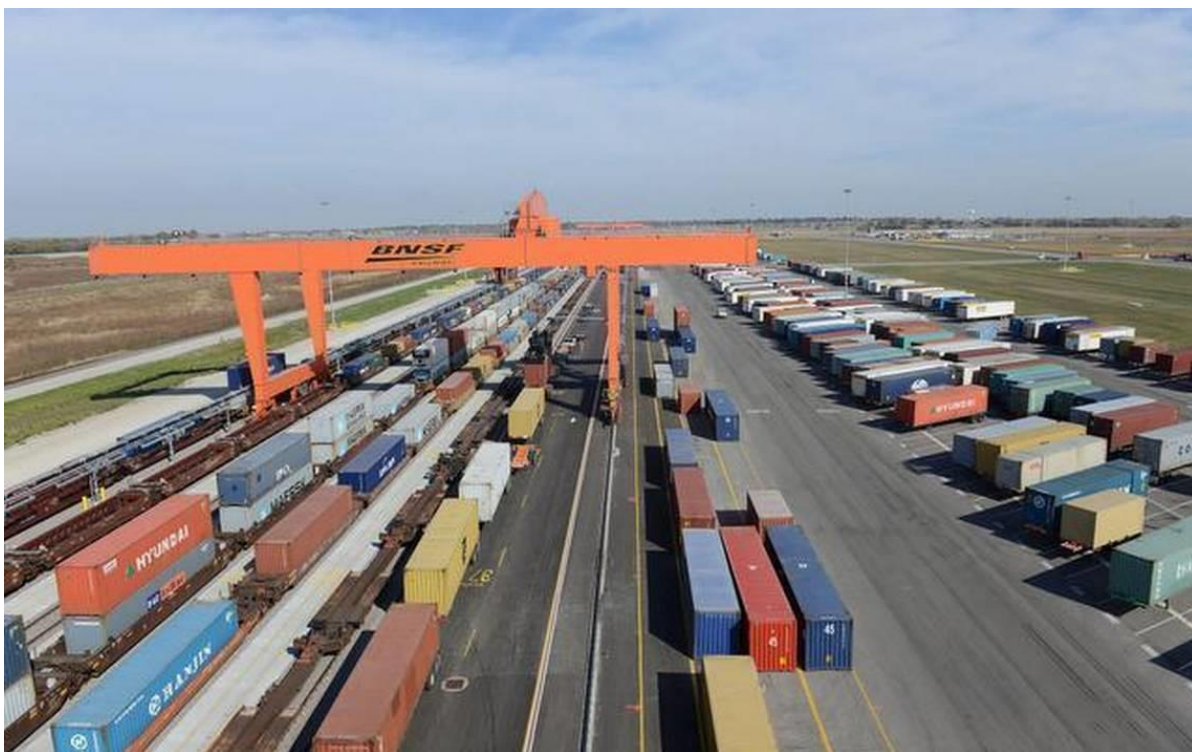
On December 8, 2017, the Mayor initiated a petition requesting that the Planning Division amend the zoning ordinance to allow for the development of a global trade port (also referred to as an inland port) in Salt Lake City's manufacturing zoning districts (M-1 Light Manufacturing and M-2 Heavy Manufacturing). The purpose of this petition would be to further the purpose of the district and to implement City goals to promote economic development in the area. There has been a lot of interest on the city, state, and county levels in having a global trade port, which can spur economic activity in the area by allowing for additional opportunities for international trade and distribution facilities.

The City recently adopted the Northwest Quadrant Master Plan, which includes the majority of the City's industrial development and the City has recently adopted many zoning amendments for this area that include re-zoning a large portion of land from AG (agricultural) to M-1 (light manufacturing). The plan and recent zoning amendments call for light industrial development in much of the Northwest Quadrant as it is located near the interstates, rail, and the airport. This would be the targeted area for uses such as warehousing, distribution, and light manufacturing, which furthers the economic development of the light industrial area. Although the proposed text amendments impact the manufacturing zoning districts city-wide, much of the interest in developing a global trade port has been centered in the Northwest Quadrant area of the City, both north and south of I-80.

Global Trade Port

A global trade port is a transportation facility that moves goods in for distribution and warehousing and also moves goods out for transportation elsewhere. These ports can help move international freight inland more efficiently by providing a customs clearance terminal instead of solely relying on a coastal port. A global trade port has also been referred to as an inland port, logistics park, or intermodal facility. Benefits of these ports include, greater efficiency in both amount of goods that can be distributed, time saved as rail freight is not limited by the maximum number of hours a truck driver can drive, and reduction in transportation costs. The importance of freight terminals has grown with the expansion of globalization and e-commerce.

A global trade port will usually consist of rail line that transfers freight to another mode of transportation, such as trucks for distribution to warehouses. Large cranes are used to move freight from the different transportation modes and to temporarily store them as they wait to be transported elsewhere. A trade port typically may include warehousing as part of its development. As an example, the [Logistics Park Kansas City](#) shows how an inland port can operate.



Inland port in Kansas City

http://www.kansascity.com/news/business/qgoxc8/picture11244200/alternates/LANDSCAPE_1140/kansas.jpg

The State of Utah has had a long history of considering an inland port in Utah. However, it was in 2014 when government entities prioritized the study of an inland port. In August 2016, the Kem C. Gardner Policy Institute published [Salt Lake Inland Port Market Assessment](#) which explored an initial assessment of the feasibility and market for the potential development of an inland port in Salt Lake County. The study looked at essential characteristics of an inland port and key findings that included:

- Significant nationwide interest in inland port development
- Salt Lake City is favorably positioned
- Salt Lake City's Northwest Quadrant has emerged as a regional supply chain hub
- Creation of an inland port has a potential to become a jobs center
- Development of an inland port would require significant transportation investments and collaboration
- Concerns regarding environmental impacts – requires in-depth research and analysis

Salt Lake City's advantageous location near rail, interstates, and the airport make it a desirable location for an inland port. In August 2017, the State commissioned an additional feasibility study of an inland port. The final report titled [Utah Inland Port – Feasibility Analysis](#) was completed by GLD Partners in December 2017. The report provides a breakdown of the feasibility of an inland port and includes:

- Inland port typology
- Logistics environment in the region
- Competitiveness
- Market demand
- Environment
- Site requirements; and
- Recommended next steps

Overall, the report states that the market and overall opportunities in Utah could make for a successful global trade port in Salt Lake City, but it will require thoughtful planning and management.

Proposed Text Amendments

With the momentum and signs pointing to Salt Lake City as an ideal location for a global trade port, the zoning ordinance requires changes in order to accommodate the needs and functions of this type of facility. The proposed amendments address the following issues within the current zoning ordinance:

- Definition of "Railroad Freight Terminal"
- The distance a Railroad Freight Terminal can be from another Railroad Freight Terminal
- The distance a Railroad Freight Terminal can be from residential uses
- Crane and lift heights
- Land uses that may relate to the function of a railroad freight terminal

Definition

The current definition of a Railroad Freight Terminal Facility may pose an issue for how a global trade port operates today. Below is the current definition that includes the proposed changes in underlines and strikethroughs:

~~RAILROAD, FREIGHT TERMINAL FACILITY: A major railroad track yard area for primary use by railroad employees for regional scale interstate mainline oriented intermodal freight transfers of: a) multimodal (sea, rail, truck transport) self-contained cargo containers from train to train, train to semitruck trailer, and semitruck trailer to train loading; and b) for new motor vehicle train transports to semitruck trailer transports for regional distribution purposes. Also includes storage of train vehicles and temporary storage of bulk materials at the facility while the material awaits distribution. No breakdown of self-contained cargo containers occurs at intermodal railroad freight terminal facilities.~~

The proposed changes reflect current global trade port practices. The proposal removes the language that mentions “for primary use by railroad employees” as a global trade port can primarily be used by operators beyond railroad employees. The second strikethrough involves the breakdown of self-contained cargo containers, which is necessary as part of the customs clearance for a global trade port. Lastly, a global trade port may include temporary storage of bulk materials as it awaits distribution so this proposed change is also added to clarify what’s allowed as part of the operation of a railroad freight terminal facility.

Conditional Use

The current ordinance allows a railroad freight terminal facility as a conditional use in both the M-1 (light manufacturing) and M-2 (heavy manufacturing) zoning districts. The railroad freight terminal facility will remain as a conditional use. Any development application for a railroad freight terminal facility submitted will be reviewed to ensure any detrimental impacts could be mitigated or eliminated.

Once a development plan is received, City staff would analyze the details of the proposal against the conditional use standards in chapter 21A.54 of the zoning ordinance. The Conditional Use process allows the City to evaluate the proposed development and ensure that the proposal does not cause any detrimental impacts. A proposed project could be approved, denied, or approved with conditions applied that ensure impacts are mitigated. One of the standards includes impacts to air quality. The standards for Chapter 21A.54: Conditional Uses are located in [Attachment C](#) to understand what a development project would need to meet.

Proximity Provisions

In addition, the zoning ordinance includes two provisions related to a Railroad Freight Terminal in both the M-1 and M-2 zoning districts. The provisions:

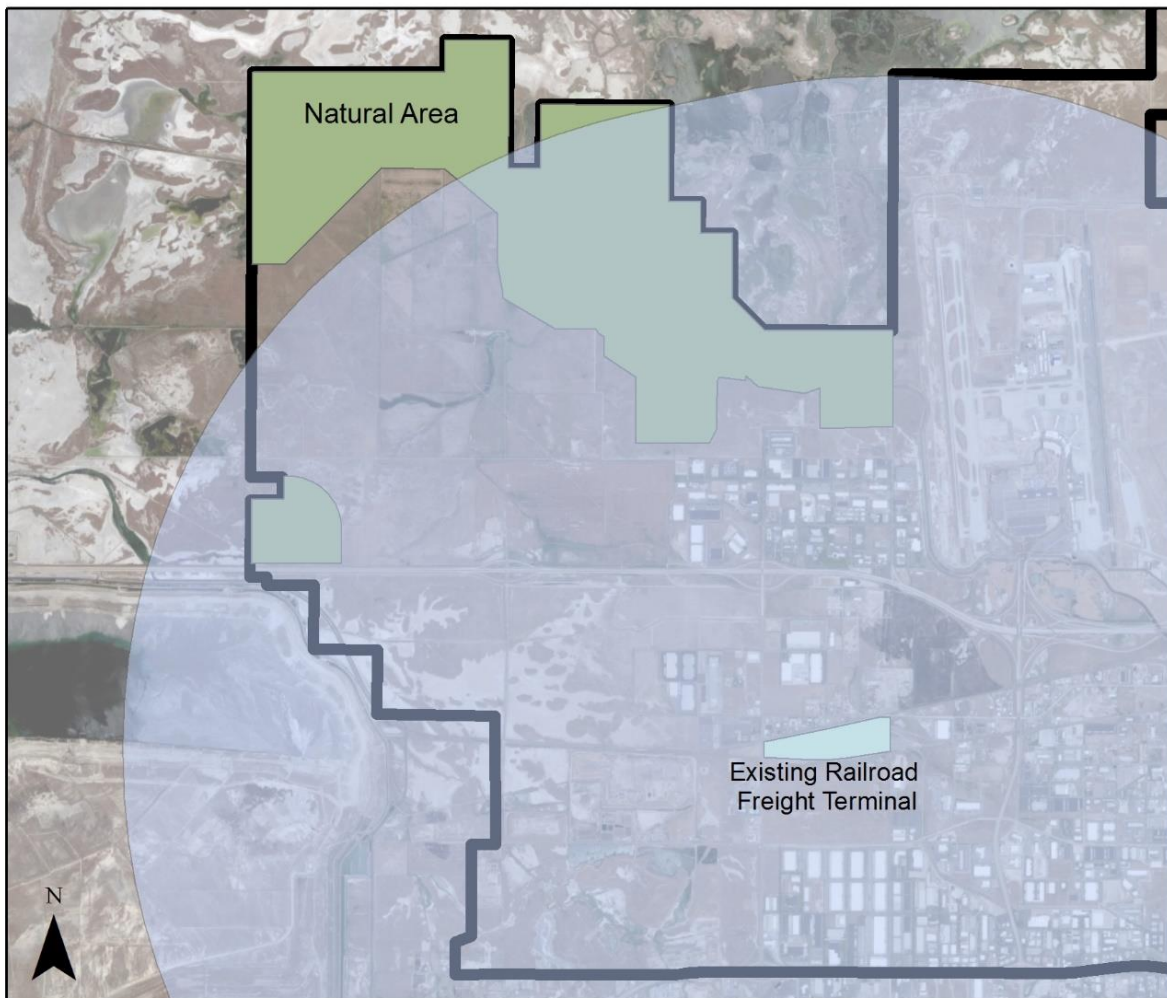
- Restrict a railroad freight terminal within 1,000 feet of single or-two family residential zoning districts
- Restrict a railroad freight terminal from being built within 5 miles of another railroad freight terminal

There is currently an existing railroad freight terminal located south of I-80 at approximately 900 South and 5600 West. Under the current zoning ordinance, an additional railroad freight terminal would not be allowed within five (5) miles of the existing railroad freight terminal, which would greatly limit the addition of a global trade port within Salt Lake City. A map showing the five (5) mile radius can be found below. The purpose of the 5 mile radius was to protect residential areas from additional railroad freight terminal facilities. Since the radius was adopted, research of other similar facilities is showing that a best practice is to prohibit these facilities from being located within one mile of residential areas. A 5 mile buffer is not necessary to achieve the goal of limiting the impact these

facilities have on residential areas. The [minutes](#) from the City Council meeting where this provision was adopted mentioned that the Council may want to at some point consolidate the railroad freight terminals so the provision will likely force the issue back to Council at a future date.

The proposed text amendments would remove the five (5) mile restriction to an existing railroad freight terminal. In addition, to address potential impacts to residential land uses, the regulation that prohibits railroad freight terminals within 1,000 feet of a single or two-family zoning district is proposed to be changed to restrict these uses within one mile of any residential zoning district. This one mile provision is in line with policy suggestions from a report stating new rail yards should not be located within one mile of homes and schools.

5 Mile Radius from Existing Railroad Freight Terminal Facility



Crane and Lift Heights

Cranes and lifts that stack and move storage containers from one train to another train or truck for distribution are an essential part of the operation of a global trade port. Typical heights for cranes and lifts for global trade ports are approximately eight-five feet (85'). The current zoning ordinance does not specify the heights of structures such as cranes and lifts. The maximum building height in most

areas located in the M-1 district is 65 feet; however, there is a provision that allows buildings up to 85 feet in the area west of the airport and north of I-80 through the Conditional Building and Site Design Review process. There is also a provision that allows distillation columns up to a maximum height of 120 feet. In the M-2 zone the maximum building height is 80 feet with the exception of chimneys and smokestacks, which are allowed up to 120 feet in height. To ensure a global trade port would be able to operate with the necessary equipment, a standard has been added to allow for cranes, lifts, and similar offloading structures related to the operation of a railroad freight terminal facility up to eighty-five feet (85'). Staff is of the opinion that this is consistent with existing height exceptions in the M-1 and M2 zoning districts.

Associated Land Uses

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. In addition, with the presence of railroad cars and locomotives, a railroad repair shop will be a necessary land use to service the railroad cars and locomotives. Currently, the M-1 and M-2 zoning districts allow for large truck repair use as a permitted use, which would include large diesel trucks that are in excess of one ton, which has similar impacts to a railroad repair shop. A grain elevator is a structure that is used to store grain which has minimal impacts. One potential impact could be that the movement of grain could produce dust. This use is proposed to be a permitted use within the M-1 zoning district with a provision that restricts it from being located within 1,000 feet of single or two family residential districts to ensure dust does not become an issue for residences.

KEY CONSIDERATIONS:

Consideration 1: Economic Development

The proposed changes support the City's economic development goals and implements the Northwest Quadrant Master Plan. The Northwest Quadrant Master Plan highlights this area as an economic engine for the City, region, and State with a focus on warehousing and light industrial development. With a global trade port facility, materials will be delivered to a central location, making it more desirable for warehousing and other businesses to locate near the facility.

Consideration 2: Air Quality Impacts and Advances in Technology

One of the biggest concerns with railroad freight terminal facilities are the impact to local air quality. One of the arguments of the benefits of a global trade port is that rail transport can more efficiently move more products than trucks, which can take a large number of trucks off the road regionally and throughout the nation, resulting in less overall pollution. However, a large number of trucks still end up at the terminal to distribute the freight from the trains to other locations, and overall, a global trade port may create more concentrated pollution as a large number of trains and trucks concentrate at these intermodal terminals. The diesel particulate emissions from the number of trains, trucks, as well as the cranes and lifts, could add to the localized air quality issues.

A few studies have shown that there are high amounts of emissions, particularly diesel particulate emissions at these rail yards. In a report [Tracking Harm: Health and](#)

[Environmental Impacts of Rail Yards](#), compiled by The Impact Project in 2012 that studied rail yards in California, policy recommendations included:

- Use land use rules and alternative transportation strategies to limit health impacts – The California Air Resources Board included a guideline that include “Avoid new sensitive land uses within 1,000 feet of a service or maintenance yard” and it also mentioned that a new rail yard should not be located within a mile of homes and schools
- Use city and county level measures such as limiting truck operating capacity limit, restricting hours of operation

In contrast, there have also been studies that have shown significant decreases in emissions at ports. In the [Utah Inland Port – Feasibility Analysis](#), the report provided two cases studies on existing ports regarding some of their environmental efforts. The analysis looked at the Port of Los Angeles and the World London Gateway. The best practices highlighted the following:

- The Port of Los Angeles created an Air Quality Report Card to see the progress of their clean air program. The report card showed the progress in reducing harmful emissions from port-related sources, which displayed the following gross reductions:
 - Diesel Particulate Matter (DPM) 85%
 - Fine Particles (PM2.5) 83%
 - Course Particles (PM10) 84%
 - Nitrogen Oxide (NOx) 51%
 - Sulphur Oxide (SOx) 97%
- The Port of Los Angeles implemented a zero-emission vehicle program and converted their entire fleet of vehicles to clean trucks. All port vehicles are powered by electric propulsion equipment and they have a stringent truck idling program
- The World London Gateway has a sustainability strategy that includes:
 - Creating an advisory committee on sustainability
 - Defining next-generation building guidelines
 - Launching a Go Green Campaign

In regards to local emissions in Salt Lake County, The Utah Department of Environmental Quality has 2014 statewide emission inventories that include [Non-Road Mobile Summary](#) for [aircrafts](#), [locomotives](#), and [miscellaneous non-road engines](#). This data shows that locomotives account for a relatively small percentage of the pollutants of the overall Non-Road Mobile sources:

Salt Lake County Tons per year	Locomotives	Total Non-Road Mobile Sources (Locomotives, Aircraft, Misc)	Locomotives % of Total Non- Road Sources
CO	128.37	121,315.93	0.1%
NOx	764.5	17,287.85	4.4%
Exhaust PM 10	18.87	1,528.08	1.2%
Exhaust PM 2.5	18.31	1,449.41	1.3%
SO2	5.74	214.30	2.7%
VOC	38.78	20,066.45	0.2%

Air quality is a big concern for Salt Lake City and the Salt Lake Valley, particularly in the summer and winter months when the inversion occurs and traps pollution in our air shed. To address the air quality concerns with the concentration of particulate emissions, a provision was added to the land use tables that requires a railroad freight terminal to be at least one mile away from any residential zoning district. This one mile restriction reflects the policy recommendation from the study above. Many of the studies and research on railyards highlight the proximity to living near these railyards as a great concern. In addition, railroad freight terminal facilities remain as a conditional use in the land use tables in both the M-1 and M-2 zoning districts to ensure that any detrimental impacts could be analyzed and mitigated.

As noted above and in many studies, air quality impacts from the large number of vehicles at these facilities is a significant concern. However, technology has continued to advance in developing more efficient, cleaner-burning rail engines. EPA mandates were implemented in 2008 that required cleaner fuel in 2012 and cleaner-burning engines in 2015.¹ Maintaining railroad freight terminal facilities as a conditional use allows for these facilities to be evaluated on a development by development basis to ensure the best technology is being considered.

The [Utah Inland Port – Feasibility Analysis](#) lists strategy considerations that should shape a project’s focus on sustainability. These considerations include the rapidly changing industry practices and advances in truck transportation technology. Rapid changes in transportation technology means that in the next few years a variety of new technologies will be available that will allow for truck autonomy (driverless vehicles), truck platooning, and incorporation of alternative propulsion systems (such as electric vehicles) that should greatly reduce negative air quality impacts.

Consideration 3: Public Comments – Concerns

A few public comments have been received concerning the proposed text amendments. The public comments also included some questions from Westpointe Community Council. Staff responded to some of those questions within the comments submitted in [Attachment E](#). All the comments can be found in [Attachment E](#). The comments include:

Impacts to environment and sensitive areas:

- Negative impacts on ecological and economic interests of the Great Salt Lake, wetlands, biological resources
- Use is too large-scale and intensive, which impact sensitive lands
- Concerns regarding environmental impacts and the impact on the Great Salt Lake, wetlands, water resources, and migratory birds.
- Introducing invasive species
- Concerns regarding the temporary storage of material such as chemicals or petroleum and the potential for spills
- “Temporary” storage is not defined - leaving questions unanswered and potential abuse

¹ Eiguren-Fernandez, Arantzazu. “Exposure to Rail Yard Emissions and Possible Health Impacts on Adjacent Communities.” Center for Occupational and Environmental Health. <http://www.scientificintegrityinstitute.org/coehrail100410.pdf>

Inconsistency with city policies and rules:

- A global trade port use is inconsistent with purpose of the M-1 zoning district and the facilities that are being contemplated are not what has been envisioned as light industrial uses in the developable area of the Northwest Quadrant Overlay north of I-80.
- Not consistent with the Northwest Quadrant Master Plan
- Global trade port is more suited in the heavy industrial zone

Restrict railroad freight terminal facilities, railroad repair shop, and grain elevators:

- Exclude Railroad freight terminal facility and railroad repair shop north of I-80(NWQ overlay)
 - Restrict from buffer at the least
 - Restrict from development area until environmental impacts can be further studied and minimizing impacts are better understood
 - Railroad repair shop – should be a conditional use and restricted north of I-80 within overlay

These comments are addressed as follows:

Impacts to Sensitive Areas

Many of these comments reflect why the City is maintaining the railroad freight terminal facility as a conditional use. There are concerns regarding the potential environmental impact of these uses; however, recent studies show that with improvements in technology, these uses are not as impactful as they were in the past. In addition, there are unknowns that cannot be addressed until a detailed development is planned and submitted.

As mentioned above in the *Conditional Use* section of the Proposed Text Amendments heading, once a development plan is received, City staff would analyze the details of the proposal against the conditional use standards in chapter 21A.54 of the zoning ordinance, which include impacts to air quality and impacts to adjacent properties. The Conditional Use process allows the City to analyze any proposed development and ensure that a proposal does not create any detrimental impact to Salt Lake City. A proposed project could be approved, denied, or approved with conditions applied that ensure impacts are mitigated. The standards for Chapter 21A.54: Conditional Uses have been attached to [Attachment C](#) to help understand the standards a development project would need to meet.

The City recognizes the great interest in an inland port and that Salt Lake City has been identified as the ideal location. Not allowing an avenue for a global trade port through City zoning regulations could have a greater impact on the City. Allowing these uses through the Conditional Use process could help to ensure that the City has regulatory authority and allows the City to require measures to mitigate future impacts. If, for whatever reason the City's land use authority is diminished, the City would not be able to control the approval process and may not be able to use the conditional use process to address potential detrimental impacts

City Policies and Rules/Restricting Railroad Freight Terminal

The Northwest Quadrant Master Plan envisions an area that balances economic development with protection of sensitive lands. Depending on the details of the design, a global trade port and the supporting warehousing and distribution that would come along with a global trade port could fit in within that vision. In the [Utah Inland Port – Feasibility Analysis](#), the report states that the port should be a sustainable port as part of its mission. However, there could also be models or plans for a global trade port that are not compatible with the vision of the Northwest Quadrant. Thus, it is important to allow railroad freight terminal facilities as a conditional use. In addition, within the newly created Northwest Quadrant Zoning Overlay, the area north of I-80 contains additional provisions within the Eco-Industrial Buffer Area and the Development Area to address items such as lighting, glass treatments, landscaping requirements, and required fencing to mitigate impacts on the migratory bird population and sensitive areas.

As part of the Northwest Quadrant Master Plan and zoning amendment process, the property owners north of I-80 and the environmental groups agreed to a development line that delineates where development should occur and where it should not. According to the property owners and the environmental groups, the development boundary line was established in a location that had a built in buffer within the conservation zone. This means that the sensitive lands are located further from the development boundary to ensure adequate buffer to protect the sensitive areas, wildlife, and habitat.

Railroad Repair Shop and Grain Elevators

With the presence of rail within the Northwest Quadrant and the potential for a global trade port, railroad repair will be a necessary function for rail uses within the manufacturing zoning districts. Staff finds a railroad repair shop (a covered facility where railcars/locomotives are repaired) as having similar impacts to a large truck repair use, which is currently a permitted use in both the manufacturing zones. In addition, staff finds that a grain elevator may also be a practical use related to a railroad freight terminal and a structure that stores grains has minimal impacts on surrounding uses. In cases where dust may be of concern, the proposal prohibits these uses within 1,000 feet of single and two family residential districts.

Consideration 4: Public Comments – Supportive of Proposal

As of the date the staff report was published, we have received one letter in support of the proposal. The full comments can be found in [Attachment E](#). The comments include:

- Opportunity for Salt Lake to be a leader in the global logistics supply chain
- Current rail infrastructure not adequate to handle logistics growth and growth will burden existing roads and infrastructure
- Rail is a sustainable solution where one modern unit train can take as many as 280 trucks off the same route and less fuel is used in the transportation of goods
- Modern rail is efficient and sustainable, will ensure best practices to respect storm water treatment, and features dark skylighting to reduce impact on natural habitats

- Dedicated to working with Salt Lake City and will not adversely impact the sensitive nature of the Northwest Quadrant

DISCUSSION:

The Mayor has recommended that staff review and update the city's zoning ordinance to accommodate the future development of a global trade port. The proposed changes would amend language within the zoning ordinance that would allow for the operation of an inland port and associated uses to occur.

The City Council recently approved a development agreement with the property owners to address long term land use and tax increment collection in the area. That agreement references the proposed zoning changes as a necessary part of the agreement. Throughout the planning process for the Northwest Quadrant, the City Council has supported the idea of a global trade port in the Northwest Quadrant and has considered a railroad freight terminal facility as a necessary component of the global trade port.

A global trade port would be considered a railroad freight terminal facility use that is considered a conditional use in both the M-1 Light Manufacturing and M-2 Heavy Manufacturing zoning districts. Issues such as air quality concerns, impacts to sensitive areas, lighting, etc. would be evaluated against the Conditional Use standards. The process required for a conditional use would ensure detrimental impacts related to a railroad freight terminal facilities are addressed

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: PROPOSED TEXT AMENDMENTS

21A.28.020: M-1 LIGHT MANUFACTURING DISTRICT:

- A. Purpose Statement: 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, that desire a clean attractive industrial setting, and that protects nearby sensitive lands and waterways. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses and to promote the importance of nearby environmentally sensitive lands.
- B. Uses: Uses in the M-1 light manufacturing district as specified in Section 21A.33.040, “Table of Permitted and Conditional Uses for Manufacturing Districts”, of this title are permitted subject to the general provisions set forth in Section 21A.28.010 of this chapter.
- C. Minimum Lot Size:
1. Minimum Lot Area: Ten thousand (10,000) square feet.
 2. Minimum Lot Width: Eighty feet (80’).
 3. Existing Lots: Lots legally existing as of April 12, 1995, shall be considered legal conforming lots.
- D. Minimum Yard Requirements:
1. Front Yard: Fifteen feet (15’).
 2. Corner Side Yard: Fifteen feet (15’).
 3. Interior Side Yard: None required.
 4. Rear Yard: None required.
 5. Accessory Uses, Buildings and Structures in Yards: Accessory uses, buildings and structures may be located in a required yard area subject to Section 21A.36.020, Table 21A.36.020.B of this title.

6. Additional Setback when Adjacent to AG-2 and AG-5 districts: When adjacent to a lot in the AG-2 or AG-5 zoning district, buildings or portions of buildings, shall be setback one foot (1') beyond the required landscape buffer as required in Section 21A.48.080 for every one foot (1') of building height above 30 feet (30').

E. Landscape Yard Requirements:

1. Front and Corner Side Yards: All required front and corner side yards shall be maintained as landscape yards in conformance with the requirements of Chapter 21A.48 of this title.
2. Buffer Yards: All lots abutting a lot in a residential district shall conform to the buffer yard requirements of Chapter 21A.48 of this title.
3. Properties located within the Northwest Quadrant Overlay District are subject to Special Landscape requirements as outlined in Section 21A.34.140B.2.

F. Maximum Height:

1. No building shall exceed sixty five feet (65') except that emission free distillation column structures, necessary for manufacture processing purposes, shall be permitted up to the most restrictive federal aviation administration imposed minimal approach surface elevations, or one hundred twenty feet (120') maximum, whichever is less. Said approach surface elevation will be determined by the Salt Lake City Department of Airports at the proposed locations of the distillation column structure. Any proposed development in the airport flight path protection (AFPP) overlay district, as outlined in Section 21A.34.040 of this title, will require approval of the department of airports prior to issuance of a building permit. All proposed development within the AFPP overlay district which exceeds fifty feet (50') ~~will~~ may also require site specific approval from the federal aviation administration.
2. In the M-1 zoning districts located west of the Salt Lake City International Airport and north of Interstate 80 (I-80), buildings may exceed sixty five feet (65') in height subject to the conditional building and site design review standards and procedures of Chapter 21A.59 of this title. In no case shall any building exceed eighty five feet (85').
3. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85') in height and are also subject to the Airport Flight Path Protection (AFPP) overlay district and Federal Aviation Administration (FAA) requirements.

21A.28.030: M-2 HEAVY MANUFACTURING DISTRICT:

A. Purpose Statement: The purpose of the M-2 heavy manufacturing district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Due to the nature of uses allowed in this zone, land uses that may be adversely impacted by heavy manufacturing activities are not permitted. Certain land uses are prohibited in order to preserve land for manufacturing uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way.

B. Uses: Uses in the M-2 heavy manufacturing district as specified in section [21A.33.040](#), "Table Of Permitted And Conditional Uses For Manufacturing Districts", of this title are permitted subject to the general provisions set forth in section [21A.28.010](#) of this chapter.

C. Minimum Lot Size:

1. Minimum Lot Area: Twenty thousand (20,000) square feet.
2. Minimum Lot Width: Eighty feet (80').
3. Existing Lots: Lots established prior to April 12, 1995, shall be considered legal conforming lots.

D. Minimum Yard Requirements:

1. Front Yard: Twenty five feet (25').
2. Corner Side Yard: Fifteen feet (15').
3. Interior Side Yard: Twenty feet (20').
4. Rear Yard: Thirty five feet (35').
5. Accessory Uses, Buildings And Structures In Yards: Accessory uses, buildings and structures may be located in a required yard area subject to section [21A.36.020](#), table [21A.36.020B](#) of this title.

E. Landscape Yard Requirements: The first twenty five feet (25') of all required front yards and the first fifteen feet (15') of all required corner side yards shall be maintained as landscape yards in conformance with the requirements of [chapter 21A.48](#) of this title, including section [21A.48.110](#) of this title.

F. Maximum Height:

1. No building shall exceed eighty feet (80'), except that chimneys and smokestacks shall be permitted up to one hundred twenty feet (120') in height. (Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 35-99 §§ 30, 31, 1999: Ord. 26-95 § 2(14-6), 1995)

2. Railroad Offloading Structures: Cranes, lifts, and other similar offloading structures related to the operation of a railroad freight terminal are allowed up to eighty-five feet (85') in height and are also subject to the Airport Flight Path Protection (AFPP) overlay district and Federal Aviation Administration (FAA) requirements.

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

Legend:	C =	Conditional	P =	Permitted
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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 ⁷
Agricultural use	P	P
Alcohol:		
Brewpub	P ^{6,10}	P ^{6,10}
Distillery	P	P
Social club	C ^{6,10}	C ^{6,10}

	Tavern	C ^{6,10}	C ^{6,10}
	Winery	P	P
Ambulance services (indoor and/or outdoor)		P	P
Animal:			
	Cremation service	P	P
	Kennel	P ¹³	P
	Pet cemetery	P ²	P ²
	Pound	P ^{12,13}	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	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 ¹²	P
Check cashing/payday loan business	P ⁹	
Chemical manufacturing and/or storage		C
Commercial food preparation	P	P
Community correctional facility, large	C ^{8,16}	
Community correctional facility, small	C ^{8,16}	
Community garden	P	
Concrete and/or asphalt manufacturing	C ^{12,13}	P ¹²
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 ¹²
Financial institution with or without drive-through facility	P ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		P ¹²
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	<u>P¹²</u>	P
Greenhouse	P	
Heavy manufacturing		P ¹²
Home occupation	P ¹⁵	P ¹⁵
Hotel/motel	P	
Impound lot	P ¹²	P ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P ^{13,14}	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 ¹²
Printing plant	P	

Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop	<u>P</u>	P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ^{12,13,14}	P ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	P ¹¹	
Retail goods establishment with or without drive-through facility	P ¹¹	
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 ⁵	
	Sign painting/fabrication	P	P
	Slaughterhouse		p ¹²
	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 ¹²	p ¹²
	Urban farm	P	P
	Utility:		
	Building or structure	P	P

	Electric generation facility	C ^{3,12}	C ^{3,12}
	Sewage treatment plant	C	P
	Solid waste transfer station	C ¹²	P ¹²
	Transmission wire, line, pipe or pole	P ¹	P ¹
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 ^{12,13,14}	P ¹²
	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 21A.40.090, Table 21A.40.090.E of this title)			

Woodworking mill	P	P
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Qualifying provisions:

1. See subsection 21A.02.050.B 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~~ may be located within ~~a 5-mile radius of any other existing railroad freight terminal facility~~ one 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.

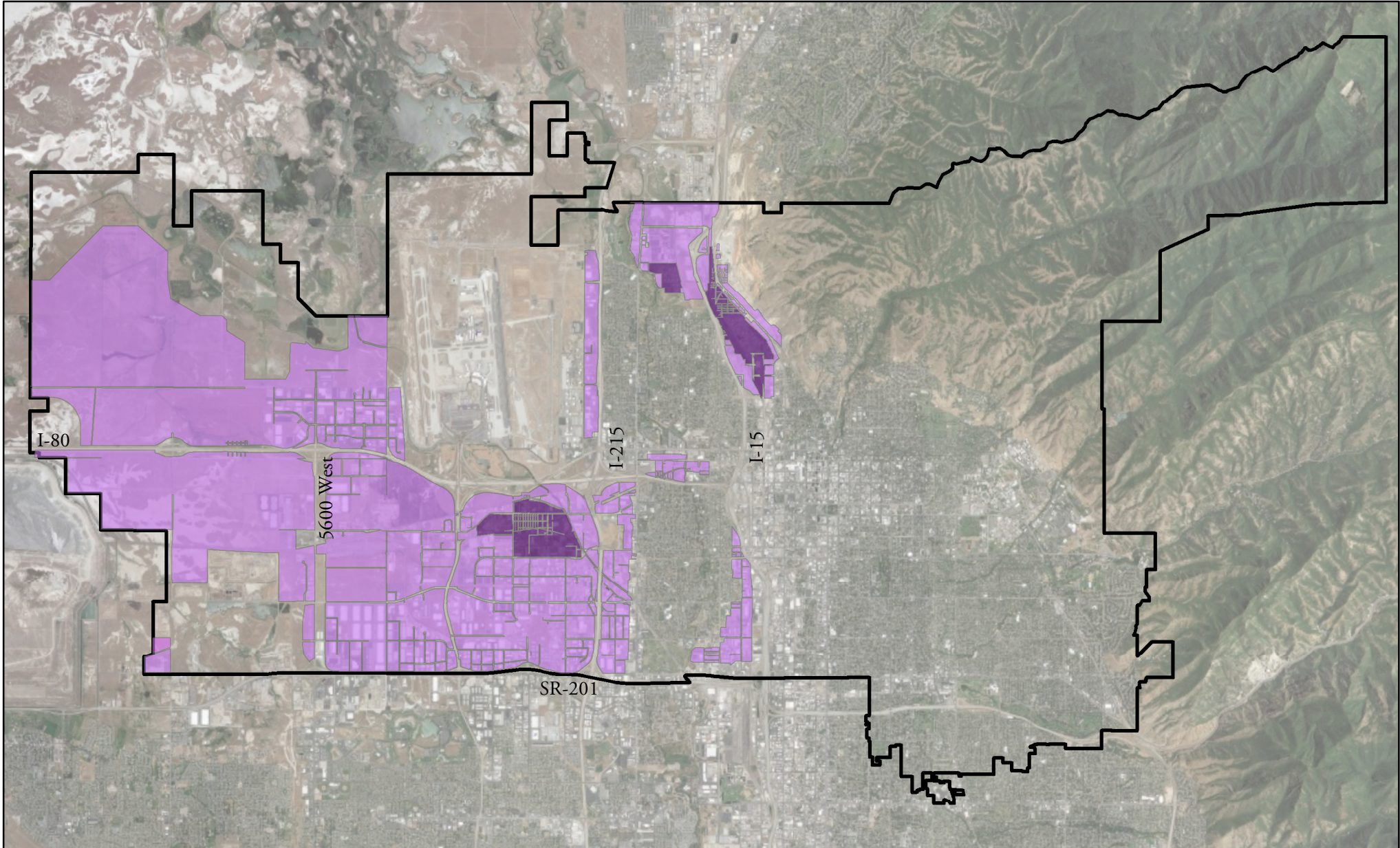
16. Prohibited within one-half (1/2) mile of any residential zoning district boundary and subject to Section 21A.36.110.

21A.62.040: DEFINITIONS OF TERMS:

RAILROAD, FREIGHT TERMINAL FACILITY: A major railroad track yard area ~~for primary use by railroad employees~~ for regional scale interstate mainline oriented intermodal freight transfers of: a) multimodal (sea, rail, truck transport) self-contained cargo containers from train to train, train to semitruck trailer, and semitruck trailer to train loading; and b) for new motor vehicle train transports to semitruck trailer transports for regional distribution purposes. Also includes storage of train vehicles and temporary storage of bulk materials at the facility while the material awaits distribution. ~~No breakdown of self-contained cargo containers occurs at intermodal railroad freight terminal facilities.~~


ATTACHMENT B: MAP OF MANUFACTURING ZONES

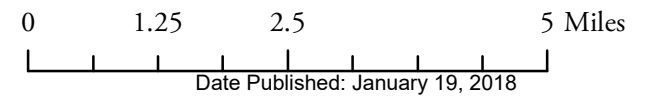
Manufacturing Zones in Salt Lake City



Legend

 M-1  City Boundary

 PUMS 2017-01038 Global Trade Port Text Amendment



ATTACHMENT C: CONDITIONAL USE CHAPTER

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. (Ord. 14-12, 2012)

21A.54.090: CONDITIONAL USE REVOCATION:

- A. Conditions Of Revocation: The holder of a conditional use shall be responsible for the operation of the use in conformance with the ordinances of the city. Any conditional use approved by the

city may be suspended or revoked by the mayor or the planning commission, upon a finding by the mayor or the planning commission of a violation of any of the following with respect to the holder of the use or its operator or agent:

1. A change in the conditional use approval made without authorization or an amendment; or
 2. Noncompliance with the conditions prescribed upon approval of the conditional use or with representations by the applicant as to the nature of the conditional use to be conducted; or
 3. Operation of the conditional use in a manner that creates a nuisance for neighboring persons or property.
- B. Notice: Written notice of a decision to suspend or revoke the conditional use shall be sent to the holder of the conditional use and posted on the planning division website unless an appeal is filed. If an existing business license is associated with the use, action to suspend or revoke such license shall be undertaken as provided in [title 5, chapter 5.02](#) of this code. (Ord. 14-12, 2012)

ATTACHMENT D: 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>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Complies</p>	<p>One of Plan Salt Lake’s Guiding Principles includes “A balanced economy that produces quality jobs and fosters an environment for commerce, local business, and industry to thrive”. In addition, Plan Salt Lake identifies the following initiatives within the Economy section of the plan: “Create an industrial fulfillment center” and “Support the growth of the industrial areas of the city.” The proposed ordinance would promote the expansion of Salt Lake City’s industry and economy.</p> <p>The Northwest Quadrant Master Plan envisions the area to be an economic engine for the City, region, and State as well as balance the nearby sensitive areas near the Great Salt lake. The proposal addresses allows for economic development opportunity and through the conditional use process ensures that the environmental sensitives are protected once a development proposal is submitted.</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 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 by making it easier for an global</p>

		<p>trade port to locate within Salt Lake City.</p> <p>The proposed changes are consistent with City purposes, goals, and policies.</p>
<p>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</p>	Complies	<p>Amendments to support the development of a global trade port furthers the following purpose statement of the zoning ordinance: “Foster the city’s industrial, business, and residential development.”</p> <p>The proposed changes allows for continued growth of the city’s industrial and business sectors, which fosters the City’s industrial and business development.</p>
<p>3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</p>	Complies	<p>The proposed text amendment is not associated with any specific overlay zoning district or development project. 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>
<p>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</p>	Complies	<p>The proposed changes take into account activities that would occur with a railroad freight terminal facility. The proposed changes amends the definition to better reflect how railroad freight terminal facilities operate today and addresses cranes and associated offloading structures that are necessary for the operation of a railroad freight terminal facilities.</p> <p>The changes makes the ordinance more practical and easier to implement, which improves the overall ordinance.</p>

		<p>Air quality is a major concern in Salt Lake City and it is within best practices to maintain railroad freight terminals as a conditional use given potential concerns such as air quality and impacts on adjacent properties. The conditional use process allows for analysis of potential detrimental impacts and allows the City to impose conditions to mitigate those impacts.</p>
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ATTACHMENT E: 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:

Community Council Notice:

Notices were sent to all recognized community organizations regarding the proposed text changes on December 8, 2017. Staff provided the organizations with information regarding the proposed changes and the Open House. The Westpointe Community Council submitted comments/questions that can be found below.

Open House:

Because this zoning amendment impacts the entire city and not just a specific community council, an open house was held on January 3, 2018 at the City and County Building. Approximately nine individuals showed up at the Open House.

All recognized community based organizations were notified of the open house. Representative from the Westpointe Community Council attended the Open House and provided written comments (found below).

Planning Commission Notice of the public hearing for the proposal included:

Public hearing notice published in the newspaper on January 13, 2018.

Public notice posted on City and State websites and Planning Division list serve: January 11, 2018.

Notices sent to current railroad freight terminal facility: January 11, 2018

Public Input:

Five people/groups have provided comments regarding the proposal as of the published date of the staff report.

Public comments are found below.

WESTPOINTE COMMUNITY COUNCIL COMMENTS REGARDING PROPOSED INLAND PORT ZONING AMENDMENTS

What is the project?

There has been much economic interest from the state and city levels to have a global trade port (aka railroad freight terminal facility) in Salt Lake City due to Salt Lake's unique advantageous location near rail, interstates, and the airport. A global trade port is a transportation facility that moves goods in for distribution or warehousing and also moves goods out for transportation elsewhere. These ports can help move international freight more efficiently inland for distribution instead of relying solely on a coastal port.

Purpose:

The purpose of amendment is to allow for the development of a global trade port in M-1 (light) and M-2 (heavy) manufacturing zones in Salt Lake City and to further promote the economic development of the Northwest Quadrant.

Proposed Changes:

- Removing a restriction in the land use table that prohibits a railroad freight terminal facility from being located within 5 miles of another such facility. Currently Salt Lake City has one other railroad freight terminal facility located at approximately 1045 So. 5500 West and covering about 240 acres. The location of the proposed global trade port has not been determined but there has been a lot of discussion about placing one within the Northwest Quadrant area of the City. (See 21A 33.040 amendment to qualifying provision #4–pg. 11)
- Increasing the distance from residential zoning by prohibiting a railroad freight terminal facility within 1 mile of any residential zoning district. Current qualifying provision # 12 prohibits a rail freight terminal within 1,000 feet of a single or two-family zoning district. (refer to page 8 and 12) Potential sites must be at least one mile from a residential zoning district.
- Clarifies the definition of “railroad freight terminal facility” so it is not limited to “to primary use by railroad employees.” Also expands the definition of such a facility so that it includes “the storage of train vehicles and the temporary storage of bulk materials at the facility as it awaits distribution.” Current definition prohibits the breakdown of self-contained cargo containers. (Refer to 21A.62.040 pg. 12)
- Allowing grain silos and railroad repair shops as permitted land uses in the M-1 manufacturing zones. Currently such facilities are only allowed in M-2 heavy manufacturing areas. (Refer to 21A.62.040 pg. 7 & 8)
- Adds language that allows cranes associated with a railroad freight terminal to be up to a height of 85 feet. Current M-1 zoning provisions prohibits any building exceeding 85 feet in height in the M-1 zone near the International Airport. Current M-2 zoning provision prohibit any building exceeding 80 feet in height excepted for chimneys and smoke stacks up to 120 feet. (Refer to 21A.28.020 F (1-2) pg. 2 and 21A.28.030 pg. 4)

Questions and Concerns Raised by Members of Westpointe Community Council:

1. M-1 zoning provides “an environment for light industrial uses that produce no appreciable impact on adjacent properties, that desire a clean attractive industrial setting and that protects nearby sensitive lands and waterways.” (21A.28.020) Please explain why a large global trade port/railroad freight terminal would be appropriate for this type of zoning? Also, why are railroad repair shops and grain elevators being allowed in M-1 zones rather than continuing to be restricted to M-2 heavy manufacturing zones?

The M-1 zone applies to a large area within Salt Lake City that is not just restricted to the area north of I-80. The railroad freight terminal facility is a conditional use and the impacts of the details of the use would be able to be examined to determine whether the proposal has any detrimental impacts. The full impact and details of a development of a global trade port will not be fully known until a detailed proposal is submitted. The conditional use process allows for a thorough review of a global trade port to ensure the project will not have detrimental impacts that can't be mitigated.

A provision has been added to provide a one mile buffer from residential uses to mitigate impacts. In addition, the area north of I-80 within the Northwest Quadrant Overlay contains additional development standards that address landscaping, glass treatments, lighting, and fencing, to help mitigate impacts to the sensitive areas.

Railroad repair shops and grain elevators are low impact uses and are similar in impact to the other uses permitted within the M-1 zoning district.

2. The expanded definition of “railroad freight terminal facility” does not define “temporary” storage nor outline what kind of “bulk materials” could be stored onsite. Such lack of specificity leaves many questions unanswered and opens the door to potential abuse.

This is a reason why we are making the railroad freight terminal facility a conditional use. The City wants to ensure that we know the type of impacts of a specific development and make sure a development would not create any detrimental impacts.

Please refer to the staff report for additional information. Specifically, the Proposed Text Amendments and Considerations section.

Multi-commodity bulk terminals often require an “anchor tenant” to make the terminal financially feasible. What anchor tenants (and their bulk materials) would be considered?

There has not been a development application for a global trade port/inland port submitted. These are the details that would be a part of a proposed development. The proposed changes are to amend the zoning to allow for a potential global trade port to locate within Salt Lake City.

3. Why are the current qualifying zoning provisions related to restrictions within the Northwest Quadrant Overlay District (#13 & #14) not attached to the conditional use zoning for the proposed railroad freight terminal facility?

Qualifying provisions #13 Prohibits a use within the Northwest Quadrant Eco-Industrial Buffer Area and provision #14 prohibits a use within the Northwest Quadrant Development Area. A railroad freight terminal is a conditional use that will be examined in greater detail once a detailed development has been submitted. In addition, the area north of I-80 within the Northwest Quadrant Overlay contains additional development standards to mitigate impacts to the sensitive areas.

Please refer to the staff report for additional information. Specifically, the Proposed Text Amendments and Considerations section.

4. Why does the current zoning prohibit the break-down of self-contained cargo containers? How does eliminating this provision impact the operation of the existing railroad freight terminal?

The reason that language is currently included in the definition is unknown. The language is proposed to be amended because the breakdown of cargo may be a necessary component of the customs process for a global trade port.

5. What is the anticipated operating relationship between the current railroad freight terminal and the proposed global trade port? What would be the combined impact of two such facilities on west side neighborhoods? On Salt Lake Valley air quality?

Currently, there is not a specific development for a global trade port. Concerns regarding impacts of the use has been raised. Please see above for reasons why we are this is being considered as a conditional use.

Please refer to the staff report for additional information. Specifically, the Proposed Text Amendments and Considerations section.

6. Why is it good public policy to allow a railroad freight terminal a mile away from residential housing?

The mile distance requirement from residential is to help mitigate any potential impacts from the proposed use. The current distance requirement is 1,000 feet. The mile distance provides a larger buffer from these uses. The mile distance comes from a public policy recommendation from a study in California regarding impacts of rail yards.

Tran, Tracy

From: Dan Potts [REDACTED]
Sent: Thursday, January 11, 2018 12:51 PM
To: Tran, Tracy
Subject: Re: Thank you for Global Trade Port Summary of Changes

Categories: To Do

Tracy,

Also not a Westpointe resident (but Poplar Grove CC member).

The 97-year-old non-profit, Salt Lake Fish and Game Foundation that I represent, would, however, recommend that SLC's Mosquito Abatement consider more holistic, forward-looking best practices to deal with what is likely to become a very serious problem for this poorly relocated facility.

Working towards working WITH nature, instead of AGAINST it

should prove to be far more environmentally sensitive (as per Audubon's comments), and likely more effective.

The promotion and integration of native birds, bats, fish, and amphibians into Abatement's narrow perspective

would go far towards the incorporation of better best practices for this particular area.

As a visitor to that area for more than 40 years,

I cannot even imagine how bad the mosquito problem could be on site (day or night),

especially after challenging weather conditions during the more problematic times of the year!

It can be HORRIBLE, as a function of the wind blowing in insects that were produced many miles away.

Having onsite critter defense of adult flying insects should at least help.

Just sayin',

Dan Potts, Secretary, SLF&GF

PS. Plus, one of our Directors recently found a burrowing owl nesting site a short distance from the site!

From: Tran, Tracy <Tracy.Tran@slcgov.com>

Sent: Tuesday, January 9, 2018 3:39 PM

To: Dorothy Owen

Cc: Westpointe CC Chair; 'Ray Wheeler'; 'Dan Potts'; [REDACTED]; 'Bobbie Brooks'; 'Marlene Jennings'; Westpointe CC Chair

Subject: RE: Thank you for Global Trade Port Summary of Changes

Hi Dorothy,

I need comments by January 16, 2017. However, the sooner I can get the comments, the better.

Thanks,

TRACY TRAN
Principal Planner

PLANNING DIVISION

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 14¹ 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?”*,² 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

¹ 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.”

² <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.”*³ The nature of a global inland port business model⁴ and its size, could potentially increase the risk of introducing invasive species (plants,

³ 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.)

⁴ 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).

insects, rodents, and aquatics).⁵ 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.⁶

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.)⁷

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.

⁵ “[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 (Last accessed January 2018).

⁶ 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).

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

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

To: Salt Lake City Planning Division
Salt Lake City Planning Commission

From: Jan Striefel, FASLA, FAICP

Re: Comments on Proposed Change to Light Manufacturing Zone Allowing a Global Trade Port/Inland Port

Thank you for the opportunity to provide comment regarding this very important, but distressing change.

The Global Trade Port/Inland Port is inconsistent with the intent of a Light Industrial Zone and more suited to a Heavy Industrial Zone. The use is too intensive and large-scale, the potential for pollution to the nearby sensitive lands and conservation areas is very high due to the nature of the uses proposed, the scale of the potential development is inconsistent with the other light industrial uses, and it violates the intent of the North West Quadrant Master Plan which acknowledges the sensitive nature of the area, the wildlife impacts that will occur, and the hard work and compromises that resulted from the process. I strongly oppose this change to the Light Manufacturing Zone, particularly in the Northwest Quadrant Planning Area.

This change might be accommodated on the south side of I-80, but not on the north side. If the Global Trade Port/Inland Port is approved in the Light Industrial Zones, lands within the Northwest Quadrant north of I-80 should be excluded. I strongly object to this change and believe that its consideration violates the good faith and sense of collaboration by all parties in the planning and development of the NWQ Master Plan.

The Mayor is misguided in proposing this change that disregards all of the prior good work.

Sincerely,

Jan Striefel, FASLA, FAICP
1449 East 1700 South
Salt Lake City, UT 84105



January 18, 2018

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

Sent: Via Email

C/O: Tracy Tran, Principal Planner

Re: Text Amendment – Global Trade Port

Dear Planning Commission,

My name is Lance Bullen I represent NWQ LLC, we together with Rio Tinto own the majority of property within the development area established by the City of Salt Lake that has been recently rezoned and entitled for industrial use.

First and foremost, allow me to express my gratitude and appreciation for the City and Staff that has worked tirelessly to create a truly unique opportunity for the City to become a leader in the global logistics supply chain.

As we know and understand today the way consumers are choosing to purchase goods online has fundamentally changed how commerce flows in and out of our cities and to our doorsteps. This is hardly just a trend and will continue to become the norm, it is likely that as much as 50% of our consumer goods purchased could occur online (current estimates are around 12%-15% of goods are purchased online). Naturally it follows that as online commerce grows so does the network of supply chain logistics to accommodate this rapid expansion in consumer behavior.

Salt Lake City from the very beginning of statehood has been the literal “Crossroads of the West.” Most people think of I-80 and I-15 as the crossroads in this sense or more specifically vehicular and truck traffic being the most recognized mode of transit. I would like to supplant this idea of roads being the crossroads to rail playing an even more significant crossroads in our city. Salt Lake has direct rail service from all three of the major west coast ports. It has a more strategic location from a rail perspective than it does from a road perspective. It is our opinion that the current rail infrastructure in the City is not adequate to handle the burden of logistics growth that will continue to tax our City’s roads and utility infrastructure.

1201 E. Wilmington Ave. Suite 115, Salt Lake City, Utah 84106
Phone: 801.961.1121; Facsimile: 801.961.1125

We as a City must begin to confront the idea that roads alone are not the best sustainable solution to handle the increased traffic of logistics and commerce. We as a development partnership are deeply concerned with the air quality and livability of our City. In fact, we are a local development team, all of us live and work here, our children go to school here, one of the reasons we are so passionate about the Northwest Quadrant is because it has the potential to become an industry leading sustainable rail-served logistics park. This is why we are in support of the text amendment, it creates in our professional opinion the right list of entitlements to encourage more rail service in perhaps the only area of the City that is not impacted adversely by rail expansion.

Please contemplate the following information and perspectives as you listen to concerns being raised by constituents in our community.

1. If the type of rail operations allowed under the text amendment are not recommended and approved by the City Council the Northwest Quadrant will become almost exclusively a truck served logistics center not dissimilar to many other logistics corridors within our City that are known for congestion and heavy truck use. For 30 years we have been told that rail expansion is not worth the effort and cost. My question is simply in what other instance will the Planning Commission be given the opportunity to encourage rail expansion in a way that doesn't further encumber road crossings and burden existing city infrastructure? One must ask themselves this question in considering the ramifications of rail expansion in our City; "at what cost will the burden of increased non-rail traffic be placed on the City's roads and communities?" Is this inevitable cost worth the environmental burden to not engender a rail friendly community overall and what benefits inure to the City at large because this area of the City will become the nexus for rail terminals and operations?
2. In every instance that I have participated in NWQ planning, public commentaries and economic development summits, rail has always been a key focal point for this region of the City. Furthermore, in all of the City planning content commissioned by JLL and other third-party consultants rail is depicted as a major mode of transit throughout the development area. It is our opinion along with the City staff that the proposed text amendments clarify the role of rail infrastructure that has been represented in public documents indicating rail facilities North of I-80.
3. We are sensitive to the environmental concerns that are being discussed about rail located North of I-80. Ironically the existing 5-mile radius restriction on rail facilities would mean that the only area that could be built as a rail facility would be the furthest northern section of the NWQ immediately adjacent to some of the most sensitive natural areas. Ideally the anticipated facility would be buffered by buildings that are strategically located proximate to rail to minimize the drayage costs and reduce carbon emissions (the cost to move freight from rail to building). Once again if rail terminal facilities are not located north of I-80 the average short haul distance would triple causing extensive burden to city road infrastructure (think 5600 west, California Avenue traffic from 201 to I-80 and multiply it exponentially).

4. The planning and building of these facilities can take years and require sizable public and private investment. Even with the planning and zoning approvals we are convinced that only with sustained collaboration with our partner the City of Salt Lake will we be able to locate and eventually construct a facility.
5. One modern unit train delivering containers of goods for distribution can remove as many as 280 trucks off of the same route. Rail freight transportation is more efficient than truck freight transportation from an environmental and economic perspective. Trains are capable of moving one ton of freight 500 miles on a single gallon of fuel. Rail is four times more sustainable and environmentally friendly than trucking. If just 5.00% of freight moved by truck traveled by rail instead, greenhouse gas emissions would fall by approximately nine million tons. <https://www.aar.org/todays-railroads/sustainability>
6. Modern rail operations are the hallmark of efficiency and sustainability. In many cases these facilities have all-electric cranes producing zero on-site emissions.
7. Modern rail standards require welded continuous rail and seamless pavement yards that greatly reduce noise and ensure best practices with respect to storm water treatment and runoff protocols.
8. Modern rail facilities also feature dark skylighting decreasing glare and transient lighting that has the potential to impact natural habitats.
9. We as a development partnership have successfully negotiated a development agreement whereby we are partners with the City of Salt Lake and together we will create development areas based on City guidelines and standards that will not adversely impact the sensitive nature of the natural areas around the development zone of the northwest quadrant.
10. Our partnership efforts have led to the dedication of as many as 4,000 acres of sensitive critical habitat to preservation, and encouraged and supported a 400 ft. eco buffer of transition from development to sensitive lands.
11. The railroad industry has federal environmental oversight. The Surface Transportation Board (STB) is an independent adjudicatory and economic regulatory agency commissioned by congress. This agency has environmental rules that implement various environmental statutes that include the National Environmental Policy Act (NEPA). The Federal Railroad Administration (FRA) implements federal environmental laws and policies related to the nation's railroads. FRA participates in domestic forums covering a wide range of environmental issues including hazardous materials safety, noise, invasive species, climate change and community livability. FRA strives to provide information and resources for environmentally sound planning and development of the nation's railroad system, and also conducts environmental impact assessments of pending actions and projects. FRA also maintains working relationships with rail transportation carriers, non-governmental organizations, and other rail related organizations.

It is without hesitation that I recommend that the planning commission recommend the text amendment for approval by City Council. I am certain that rail is the right answer at the right time for the City. I honestly feel that we will collectively look back to this time many years from now with a sense of pride that we chose solutions that had the most potential for environmental sustainability. At the end of the day we all want what is best for our

community and I am certain that we as a City need rail to expand in order to maintain the quality of life we desire.

Respectfully,

Lance Bullen
NWQ, LLC

A handwritten signature in blue ink that reads "Lance Bullen". The signature is written in a cursive style and extends to the right, crossing the printed name "Lance Bullen".

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Input was requested from all pertinent city divisions and departments. The following comments were received from other city divisions/departments with regard to the proposed text amendment:

Airport: I read several times the proposed text amendments for the M-1 and M-2 zone. These seem to work well for the airport interests relating to the zoning. I have two simple recommendations as follows.

In the M-1 Light Manufacturing District:

F. Maximum Height

- 1) . . . within the AFPP overlay district which exceeds fifty feet (50) ~~will~~ **may** also require site specific approval from the federal aviation administration.
- 2) . . . (85') in height and are **also** subject to the Airport Flight Path Protection (ARPP) overlay district . . .

The FAA may require their review, but depends on the distance from the nearest runway and proposed height of the structure. Thank you for providing the proposed text amendments for comment.

--Allen McCandless

Planning Staff Note: the proposed text amendments reflect these recommendations

Building Services/Zoning: Building Services has identified no issues with the proposed amendments.

Economic Development: No comments received.

Engineering: Engineering has no comment.

Police: No comments received.

Public Utilities: No comments received.

Transportation: No objections from Transportation

Sustainability: The railroad freight terminal needs to be kept as a conditional use to ensure that all potential environmental impacts are reviewed and mitigated if one is developed. Technology is rapidly advancing, and it will be important to ensure that facilities developed in the City have equipment and processes that minimize emissions into our airshed. The area is already designated as "serious" for nonattainment of air quality standards, so any new businesses should not significantly add pollutants to the air. In addition, the region is a

sensitive one with regards to migrating birds, so a detailed analysis to ensure that are no negative impacts should be completed.

3. PLANNING COMMISSION
B. ADDITIONAL PUBLIC COMMENTS

Professional Experience and Relevance

Responses have been provided by Darren Eyre, Vice President of CRS Engineers, Utah's oldest civil engineering and surveying firm established in Salt Lake City in 1905. Darren has 18 years of experience in the fields of engineering and surveying. He has provided project management and design services on transportation and development projects throughout the country. He specializes in railroad infrastructure and has played a pivotal role in the design and construction of railroad freight terminals, rail served industrial parks, main lines, branch lines, intermodal yards, automotive yards, transfer yards, clean energy facilities, industry spurs, and railroad crossings. Darren actively serves in the American Railway Engineering and Maintenance of Way Association (AREMA) and regularly participates in the Yards and Terminals Committee 14. As a member of Committee 14, he helps the industry develop best management practices for development of railroad terminals around the nation. This voluntary, extracurricular activity has helped Darren gain invaluable experience understanding vital requirements for the design and construction of railroad yards and terminals.

Why is the Inland Port beneficial for the environment?

Shipping commodities by rail is more safe than trucking and better for the environment. Depending on the commodity being shipped, a single rail car can carry the equivalent amount of material as 3-5 trucks. One train can carry 100-120 rail cars. That's the equivalent of one train taking 300-600 trucks off the road. Moving freight by rail is 4 times more fuel efficient than moving freight on the highway. Trains can move a ton of freight over 470 miles on a single gallon of fuel while one truck will average only 6.5 miles on the same amount of fuel. Shipping by rail provides a safer travel environment for motorists, allows a longer lifespan of asphalt pavement on roads (reducing the need for petroleum products to be used for road maintenance), and significantly reduces the amount of fuel burned by diesel engines which means fewer greenhouse gas emissions for our planet.

Jan Striefel Response

The inland port north of I-80 is zoned M1 (light manufacturing). All planned development will comply with Salt Lake City's zoning ordinances and land uses for an M1 zone. Developing the land with railroad infrastructure will not create a more adverse effect to the land, wildlife, or environment than other types of currently zoned M1 development.

Marcelle Shoop Response

The inland port north of I-80 is zoned M1 (light manufacturing). All planned development will comply with Salt Lake City's zoning ordinances and land uses for an M1 zone. Developing the land with railroad infrastructure will not create a more adverse effect to the land, wildlife, or environment than other types of currently zoned M1 development.

Below is an image depicting where one of UTA's rail car repair shops is located. It is just south of SR 201 and directly adjacent to the Jordan River with the nearest track being a mere 80 feet away from the water's edge. Additionally, it is located within just a few thousand feet of a golf course and residential neighborhood. To our knowledge, this rail yard and car repair shop has had no adverse effects to the wildlife, wetlands, water quality, or other sensitive environmental features. Rail car repair shops are designed and constructed with best management practices including spill containment basins, oil water separators, and other features that the Environmental Protection Agency (EPA) and the Department of Environmental Quality (DEQ) consider safe to the environment and in compliance with all environmental regulations. After construction is complete, these facilities are kept clean to avoid environmental and safety issues as can be seen in the second image taken inside of UTA's rail car repair facility. Please note the clean white floors under and around the rail cars.

It should also be noted that automobile and truck repair shops are currently permitted within an M1 zone. Rail car repair shops do not produce more waste or environmental hazards, nor do they adversely affect the environment more than automobile and truck repair shops.

Aerial photograph of UTA's rail car repair shop in Salt Lake City

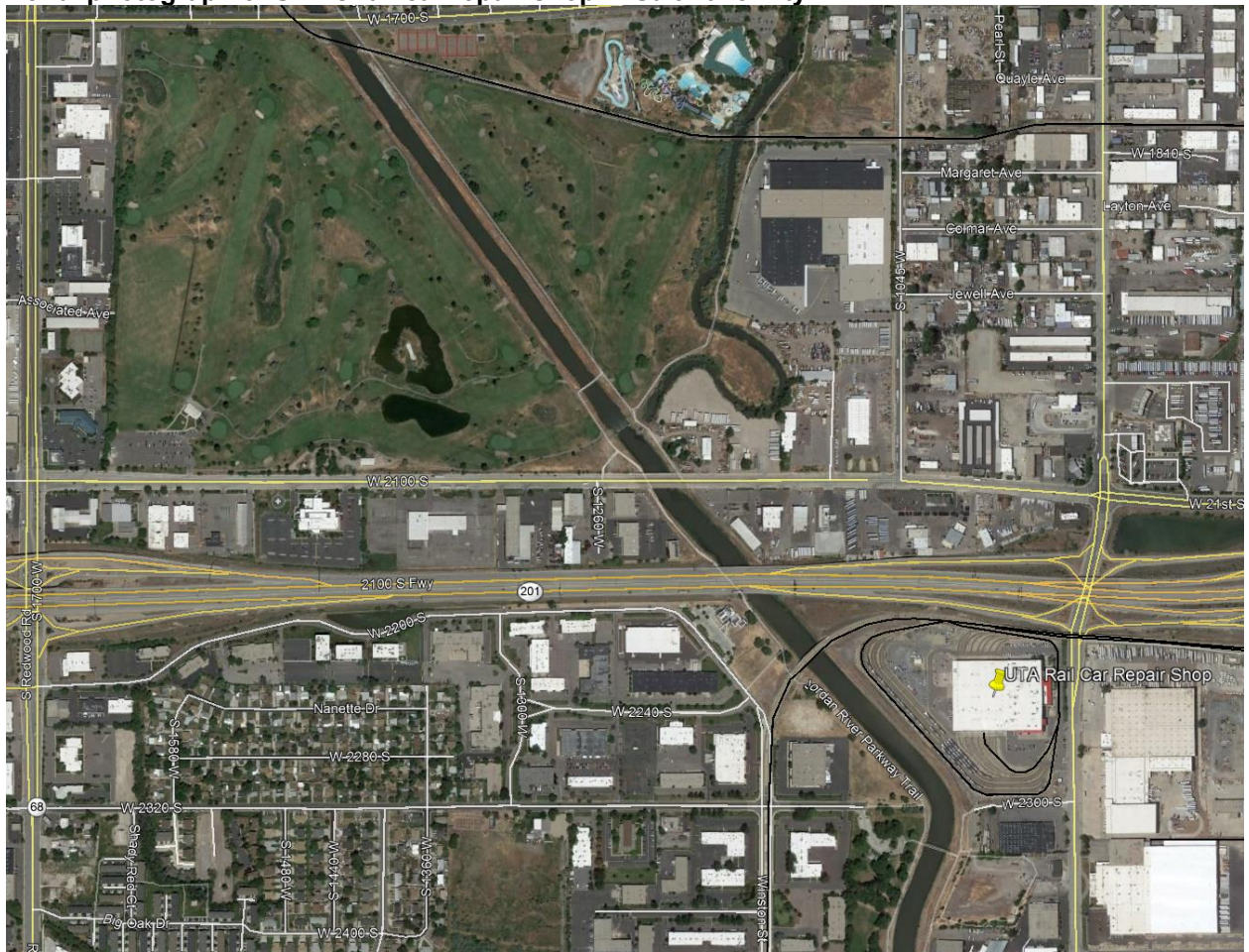


Photo inside of UTA's rail car repair shop – note the clean white floors



The proposed facility is in compliance with air quality standards and planning consistent with M1 zoning.

The current M1 zoning allows buildings and emission structures to range in height between 65' and 120'. The proposed change to allow railroad cranes and structures to a height of 85' is within the currently allowed range. Effects on birds from railroad cranes will be no different than other currently allowed structures in an M1 zone.

The railroad activities proposed in the northwest quadrant would not have a disproportional effect on invasive species. Unloading shipping containers here would have no greater effect than the trucking industry unloading shipping containers in this area.

Hazardous chemicals and petroleum products are not an allowed use in an M1 zone. This concern is invalid because the zoning does not allow for these types of facilities.

Hydrologic flooding and geologic impacts will be dealt with on this project the same as any other type of development. FEMA's base flood elevations will be determined during the design phase of the project. All facilities will be designed above FEMA's base flood elevations to prevent flooding of buildings under standard 100-year flood events. Subsurface soils will be analyzed during the design of structures and International Building Code design standards will be followed, as is required for any structure in the State of Utah, regardless of an M1 or other zoning designation.



CRS Engineers
Railroad Statement of Qualifications



QUALIFICATIONS

In business for over 100 years, CRS has provided consulting services to a variety of clients throughout the country. Our broad array of disciplines include transportation, rail design, utility coordination, construction management, site development, water resources, waste water, storm water, pavement management, geographic information systems, environmental and land surveying.

Our firm has played a pivotal role in the development of rail served industrial parks and railroad infrastructure including main lines, branch lines, yards, industry spurs, and railroad crossings. Additionally, CRS provides rail engineering services to oil refineries, ethanol plants, coal terminals, transload facilities, intermodal yards and automotive yards. Working with railroads and state agencies, CRS has established important relationships and a thorough understanding of the design process and standards for various railroad projects.



OIL, GAS, AND OTHER ENERGY RELATED PROJECTS

- **Emery Refining** (77,000 ft of rail, 32 turnouts, 400 acres of land) Green River, UT
- **Big West Oil/Flying J Oil Terminal** (15,300 ft of rail, 20 turnouts, 19 road crossings, spill containment system) Williston, ND
- **Abengoa Bioenergy Biomass of Kansas** (17,300 ft of ladder track and unit train loop, 8 turnouts, 4 road crossings, spill containment system) Hugoton, KS
- **Washakie Renewable Energy** (20,000 ft of rail, 13 turnouts, 1 road crossing) Plymouth, UT
- **QEP LNG Facility** (4,000 ft of rail, utility crossings, spill containment) Green River, WY
- **Chevron Oil Refinery** (6,500 ft of rail, 14 turnouts) North Salt Lake, UT
- **Silver Eagle Refining** (2,000 ft of rail, 3 turnouts, 10 loading rack spots) Woods Cross, UT

INDUSTRIAL LEADS, BRANCH LINES, CORRIDOR STUDIES

- **Rehabilitation Plan of the Nevada Northern Railway** (100 miles of rail, 35 road crossings, 135 culverts, and 11 sidings) Wendover to Ely, NV
- **Western Arkansas Railroad Reconstruction Project** (80 miles of rail, over 100 road crossings) Howe, OK to Danville, AR
- **Utah West Desert Industrial Spur** (13 miles of rail design and surveying) West Desert, UT
- **Golden Spike Transcontinental Railroad Rehabilitation Study** (42,000 ft of rail, 7 road crossings, environmental studies and permitting) Corinne, UT
- **Cane Creek Subdivision** (lowered 3,600 ft of track by 16 vertical ft, reconstructed mountainside) Moab, UT
- **Western Utah County Industrial Lead** (22 miles, 9 road crossings, multiple parcels of land) Utah County, Utah

RAIL SERVED INDUSTRIAL PARKS

- **Tahoe Reno Industrial Center** (39,000 ft of rail, 3 road crossings, 1,000 acres) Reno, NV
- **West Memphis** (28 miles of rail, 2 road crossings, 2,500 acres) West Memphis, AR
- **Western Utah County Rail Served Industrial Park** (28,000 ft of rail, 1,200 acres of land, 1 road crossing) Utah County, UT
- **Kimball Logistics and Railport Park** (22,000 ft of rail, 2 road crossings, 450 acres) Kimball, NE
- **City View Business Park** (24,900 ft of rail, 385 acres) Apex, NV
- **Gilbert Rail Served Industrial Park** (7,000 ft of rail, 80 acres of land) Cedar City, UT
- **Timpie Farms Rail Served Industrial Park** (46,000 ft of rail, 15 turnouts, 550 acres) Tooele, UT
- **Pocatello Airport Rail Park** (5,400 ft of track, 180 acres) Pocatello, ID
- **HDA Rail Park** (14,200 ft of rail, 310 acres) Winnemucca, NV
- **I-15 & Lamb** (13,100 ft of rail, 11 turnouts, 108 acres) Las Vegas, NV
- **Centennial Energy Park** (14,000 ft of rail, 13 turnouts, 180 acres) Dubois, ID
- **ATK Lake City Rail Park** (24,000 ft of rail, 12 turnouts, 300 acres) Independence, MO



RAILROAD CROSSINGS

- **New Mexico DOT Upgrades**– (11 at-grade crossings, lights, gates, signage, striping) Eddy County, Hurley, Carlsbad, Roswell, NM
- **Mapleton Slant Road** (quiet zone infrastructure, lights, gates, concrete medians, concrete panels, signage, striping, roadway widening, drainage) Mapleton, UT
- **Mapleton 6800 South** (lights, gates, concrete medians, signage, striping, roadway widening, concrete panels, drainage, public involvement) Mapleton, UT
- **Mapleton 6400 South** (lights, gates, signage, striping, roadway widening, concrete panels, and drainage) Mapleton, UT
- **SR-193 Railroad Crossing** (5 lane roadway crossing with quiet zone infrastructure, lights, gates, concrete medians, concrete panels, signage, striping, drainage, and overhead cantilevers as well as a separate pedestrian rail trail crossing) Clearfield, UT
- **Hill Air Force Base Safety Upgrades** (1,750 ft of rail design, 4 at-grade railroad crossings) Hill AFB, UT
- **Nevada Northern Railway Highway Crossing** (lights, gates, signage, striping, concrete panels, alternate access roads) Ely, NV
- **Iowa String Road Railroad Crossing** (6,500 ft of rail design, lights, gates, signage, striping, concrete panels, roadway modifications, drainage, public involvement) Tremonton, UT
- **Springville 950 West** (lights, gates, signage, striping, concrete panels) Springville, UT
- **Logan City Rendevous Park Pedestrian Railroad Crossing** (signage, striping, grading, drainage, permitting) Logan, UT
- **Spanish Fork Hole Road Railroad Crossing** (lights, gates, concrete medians, signage, striping, roadway realignment, concrete panels, drainage) Spanish Fork, UT



TRANSLOAD FACILITIES, RAIL YARDS, INDUSTRIAL PLANTS

- **Union Pacific Railroad Pavement Management** (56 Intermodal and Automotive facilities in 19 states)
- **US Department of Energy Moab UMTRA Project** (22,400 ft of rail, 2 unit train container shipments per day to relocate 16 million tons of uranium mill tailings) Moab, UT
- **Westmoreland Kemmerer Coal Mine** (25,000 ft of track) Kemmerer, WY
- **UPRR Burmester Yard Rehabilitation and Expansion** (20,000 ft of rail) Grantsville, UT
- **Malt-o-Meal Railroad Design** (6,500 ft of rail, 5 road crossings, 100 acres-site grading, drainage, utilities) Tremonton, UT
- **FMC Expansion** (5,500 ft of new and realigned track) Green River, WY
- **Metro Group Transload and Recycling Facility** (3,000 ft of new track and site design of new 22 acre facility) Salt Lake City, UT
- **Bingham Co-op Unit Train Facility Expansion** (8,000 ft of conceptual track design) Blackfoot, ID
- **Fairmont Minerals Rail Yard Expansion** (2,800 ft of new loading and storage track) Carlsbad, NM
- **Cargill Salt Rail Yard Expansion** (6,200 ft of track for a new drop and pull yard) Grantsville, UT
- **Lisbon Valley Mine Acid Transload Facility** (300 ft of track rehabilitation and spill containment for a new transload) Helper, UT
- **Simplot Loading Track Spur** (230 ft of new track) Caldwell, ID
- **Agrium Rail Yard Expansion** (1,730 ft of realigned track to improve safety and efficiency) Soda Springs, ID
- **Monsanto Runoff Track Expansion** (425 ft of new track to facilitate switching and crossing safety) Soda Springs, ID
- **Alton Coal Rail Terminal** (23,000 ft of track, 6 road crossings) Cedar City, UT
- **Mira Loma California Automotive Facility** (Pavement rehabilitation) Mira Loma, CA
- **St. Paul Minnesota Automotive Facility Rehabilitation** (Pavement rehabilitation) St. Paul, MN
- **Elko Nevada Locomotive Fueling Terminal** (Rehabilitation and expansion master plan) Elko, NV



DARREN EYRE, PE

Vice President

Education

B.S. Civil Engineering, Utah State University

Registrations

Utah, Idaho, Nevada, Washington, Illinois, Arkansas, Montana, Nebraska, Kansas, Colorado, Florida, New Mexico,

North Dakota, Oregon, Wyoming, Louisiana, Oklahoma

Darren has 18 years experience in the fields of engineering and surveying. He has provided project management and design services on transportation and development projects throughout the country. He specializes in railroad infrastructure and has played a pivotal role in the design and construction of main lines, branch lines, yards, industry spurs, and railroad crossings. He has also provided consulting services for rail served industrial parks, transload facilities, automotive and intermodal yards, ethanol plants, coal terminals, oil refineries and other projects vital for the growth and sustainability throughout the country.

Darren actively serves in AREMA and regularly participates in the Yards and Terminals Committee 14. He is currently acting as the subcommittee group leader for the bulk fluids committee, helping develop new standards for crude oil and other terminals around the nation. This voluntary, extracurricular activity has helped Darren gain invaluable experience understanding vital requirements for the design and construction of railroad yards and terminals throughout the country.

Intermodal and Automotive Rail Terminals

- Mesquite Intermodal Rehab (Texas)
- Laredo Intermodal Rehab (Texas)
- Dupo Intermodal Rehab (Illinois)
- Seattle (Argo) Intermodal Rehab (Washington)
- 40th Street Intermodal Rehab (Colorado)
- Settegast Intermodal Rehab (Texas)
- City of Industry Intermodal Rehab (California)
- Phoenix Automotive Rehab (Arizona)
- Benicia Automotive Rehab (California)
- Rolla Automotive Rehab (Colorado)
- Mesquite Automotive Rehab (Texas)
- Mira Loma Automotive Rehab (California)
- Roper Automotive Rehab (Utah)
- NorCal Automotive Yard Concept (California)

- Elko Fueling Facility Masterplan (Nevada)
- Arlington Automotive Rehab & Expansion (Texas)
- 52nd and Pecos Transload Rehab (Colorado)

Railroad Projects

- West Memphis Rail Port Logistics Park Master Plan (2,500 acres of land, 28 miles of rail, 2 road crossings) – West Memphis, AR
- Rehabilitation Plan of the Nevada Northern Railway (100 miles of rail, 35 road crossings, 135 culverts, and 11 sidings) – Wendover to Ely, NV
- Emery Refining (77,000 ft of rail, 1 mile of state highway, 3,000 acres of drainage analysis, 400 acres of site design) – Green River, UT
- Utah West Desert Industrial Spur (13 miles of rail design and surveying) – West Desert, UT
- Tahoe Reno Industrial Center Design Review and UPRR Submittal (39,000 ft of rail, 3 road crossings, 1,000 acres) – Reno, NV
- US Department of Energy Moab UMTRA Project (22,400 ft of rail, 2 unit train container shipments per day to relocate 16 million tons of uranium mill tailings) – Moab, UT
- West Corinne Industrial Lead (42,000 ft of rail, 7 road crossings, environmental studies and permitting) – Corinne, UT
- UPRR Burmester Yard Rehabilitation and Expansion (20,000 ft of rail) – Grantsville, UT

Railroad Crossings

- SR-193 in Clearfield-5 lane roadway crossing with quiet zone infrastructure, lights, gates, concrete medians, concrete panels, signage, striping, drainage, and overhead cantilevers as well as a separate pedestrian rail trail crossing
- Hole Road in Spanish Fork – Lights, gates, concrete medians, signage, striping, roadway realignment, concrete panels, and drainage
- Mapleton Slant Road in Mapleton – Quiet zone infrastructure, lights, gates, concrete medians, concrete panels, signage, striping, roadway widening, and drainage
- 6800 South in Mapleton-Lights, gates, concrete medians, signage, striping, roadway widening, concrete panels, drainage, public involvement
- Iowa String Road in Tremonton – Horizontal and vertical track design, lights, gates, signage, striping, concrete panels, roadway modifications, drainage, public involvement
- Private Crossing near UTA line on Old Bingham Highway in West Jordan – Coordination with Eric Cheng to obtain approval for a new crossing to be classified as private instead



DARREN EYRE, PE – CONT.

of public, coordination with UTA to gain approval of the private crossing geometry

- Golf Course road in Logan-New Pedestrian crossing with signage, striping, grading, drainage, and permitting;
- 6400 South in Mapleton – Lights, gates, signage, striping, roadway widening, concrete panels, and drainage

Pipeline Projects

- East Canyon Relief Trunkline Project, 5 ½ miles (~29,000 feet) of profile wall PVC and HDPE wastewater trunkline ranging in size from 27 - 42 inches in diameter. Bores under I-80 and SR-224 ranging in size from 48 – 54 inches in diameter; Snyderville Basin Water Reclamation District (SBWRD); Park City
- East Canyon Relief Trunkline Project, 2 miles (~10,000 feet) of 12 inch ductile iron reuse water line; Snyderville Basin Water Reclamation District (SBWRD); Park City
- Roadway Projects
- 1500 West Street Project, redesign of ½ mile of roadway; Farmington City, Farmington
- 400 West Street Project, design of ½ mile of roadway and effected water, sewer, and storm drain systems; Logan City, Logan

**MATT COLLIER, PE****Project Manager****Education**

B.S. Civil Engineering, M.S. Civil Engineering, University of Utah

Current Licenses

Florida, Idaho, Illinois, Louisiana, Missouri, Montana, New Mexico, Oklahoma, Texas, Wyoming, Utah

Matt leads the CRS Rail Team and has successfully designed and managed a variety of rail projects for the oil, gas, and mining industries, rail served industrial parks, transload and terminal sites for miscellaneous industries, railroad crossings, and floodplain analysis and drainage design. During the 15 years of his engineering career, Matt has designed rail facilities, waterlines, pump stations, water tanks, storm drain pipes, and roadways for municipalities across the State. On every project his goal is to earn the trust of his client and give excellent service, while delivering a quality product.

Railroad Design

- ARB/Hi-Crush Crude Oil Terminal and Frac Sand Transload, 80,000 ft of track for a new crude oil terminal and frac sand transload facility, Big Spring, TX
- CITGO Refining Rail Expansion, Connect to BNSF Yard 9,500 ft of track for two separate projects, (1) expand the existing CITGO rail yard, (2) connect to a nearby BNSF rail yard to simplify switching
- Chevron Rail Facility Expansion, 6,500 ft of track to expand storage and loading capacity, Salt Lake City, UT
- Big West Oil Rail Yard, 15,300 ft of track for a new refinery, Williston, ND
- Silver Eagle Refining Rail Loading Expansion, 2,500 ft of track, loading rack with 10 new loading spots for crude and wax products, Woods Cross, UT
- Gray Canyon Energy, 14,500 ft of track for a new refinery, Green River, UT
- Cetane Energy, 29,000 ft of track to expand a crude oil terminal and add a frac sand transload, Carlsbad, NM
- Abengoa Bioenergy, 17,300 ft of track for a unit train loop and loading tracks, Hugoton, KS
- Washakie Renewable Energy, 20,000 ft of track for a new and expanding biofuel plant, Plymouth, UT
- QEP LNG Facility, 4,000 ft of tracks and spill containment for a transload facility, Green River, WY
- River Ridge Pellet Facility, 2,700 ft of track, conveyor loading system for compressed wood pellets, Potlatch, ID

Mining and Mineral Projects

- Cargill Salt, 6200 ft of track for a new drop and pull yard, Grantsville, UT
- Fairmont Minerals, 2,800 ft of new loading and storage track, Carlsbad, NM
- Compass Minerals, 7,000 ft of track for outbound unit train loaded with salt products, West Weber County, Utah
- Tronox Soda Ash Mine [New name for FMC facility]
- Westmoreland Kemmerer Coal Mine [UPDATE], 12,100 ft of track design and rail operation consulting, investigate removal of existing railroad tunnel, Kemmerer, Wyoming
- Lisbon Valley Mine, 300 ft of track rehabilitation and spill containment for a new transload, Helper, UT
- Thatcher Chemical, 2,500 ft of new and realigned track construction, Salt Lake City, UT
- Paris Hills Agricom Soda Ash Mine, 29,300 ft of track to bring unit train service to the mine, Montpelier, ID

Industrial Park Projects

- Pocatello Airport Rail Park, 4,400 ft of track for the first phase of a new industrial park, Pocatello, ID
- Timpie Farms Industrial Park, 46,000 ft of track to develop a new industrial park
- HDA Rail Served Industrial Park, 25,600 ft of track for a new industrial park
- ATK Lake City Industrial Park, 24,000 ft of track convert an abandoned military facility into an industrial park, Lake City, MO
- Clean Mountain Energy Industrial Park, 15,000 ft of track for a new industrial park, Dubois, ID
- Kimball Logistics and Railport Park, 26,000 ft of track for a new rail served industrial park, Kimball, AK

Railroad Crossings

Matt has designed dozens of crossings in Utah, Idaho, Montana, and New Mexico. He provides consulting services for Union Pacific Railroad, Idaho Transportation Department, New Mexico Department of Transportation, and Southwestern Railroad. In this capacity he recommends crossing closures, upgrades, safety improvements, and design criteria for new and existing crossings.

ADDITIONAL EXPERTISE:**Municipal Engineering**

Matt spent 10 years as a municipal engineer designing water pipelines, pump stations, and storage tanks; preparing master plans, managing roadway construction projects, and analyzing drainage systems. One notable project was the design of the Kaysville Dam, a 53 ft high earthen structure with a concrete spillway that can pass 5,500 cubic feet per second of water. The upstream face of the dam



MATT COLLIER, PE – CONT.

is equipped with a liner and leak detection system that is different from any other dam in the State of Utah.

Stormwater and Floodplains

Stormwater modeling and analysis has always been one of Matt's strengths. It is a skill that he has used on every kind of project because you always have to know how a new improvement will affect or be affected by rainfall and runoff. This interest in stormwater has allowed Matt to help a lot of people with flooding issues. In Utah, Idaho, Wyoming, Nevada, and New Mexico Matt has performed drainage design, analyzed floodplains, and prepared Letters of Map Revisions (LOMRs). As a Certified Floodplain Manager (CFM) and as a member of the Utah Floodplain and Stormwater Management Association (UFSMA) and the Association of State Floodplain Managers (ASFPM), Matt is working to improve public safety through smart stormwater analysis and floodplain management.



Tahoe Reno Industrial Center – Reno, NV 2006 – 2014

CRS was contracted to design and gain the approval from Union Pacific Railroad for the construction of 39,000 feet of track to serve multiple private industries located on more than 1,000 acres of land. CRS also provided construction management for the private industry spurs. Project elements included five miles of industrial lead, four interchange yard tracks, five public at-grade railroad crossings, private rail spurs for multiple users, track design and modification of at-grade railroad crossings. CRS continues to serve as the rail designer for this industrial park as new users come on board.



**U.S. Department of Energy Moab UMTRA Project – Moab, UT
2007-2009**

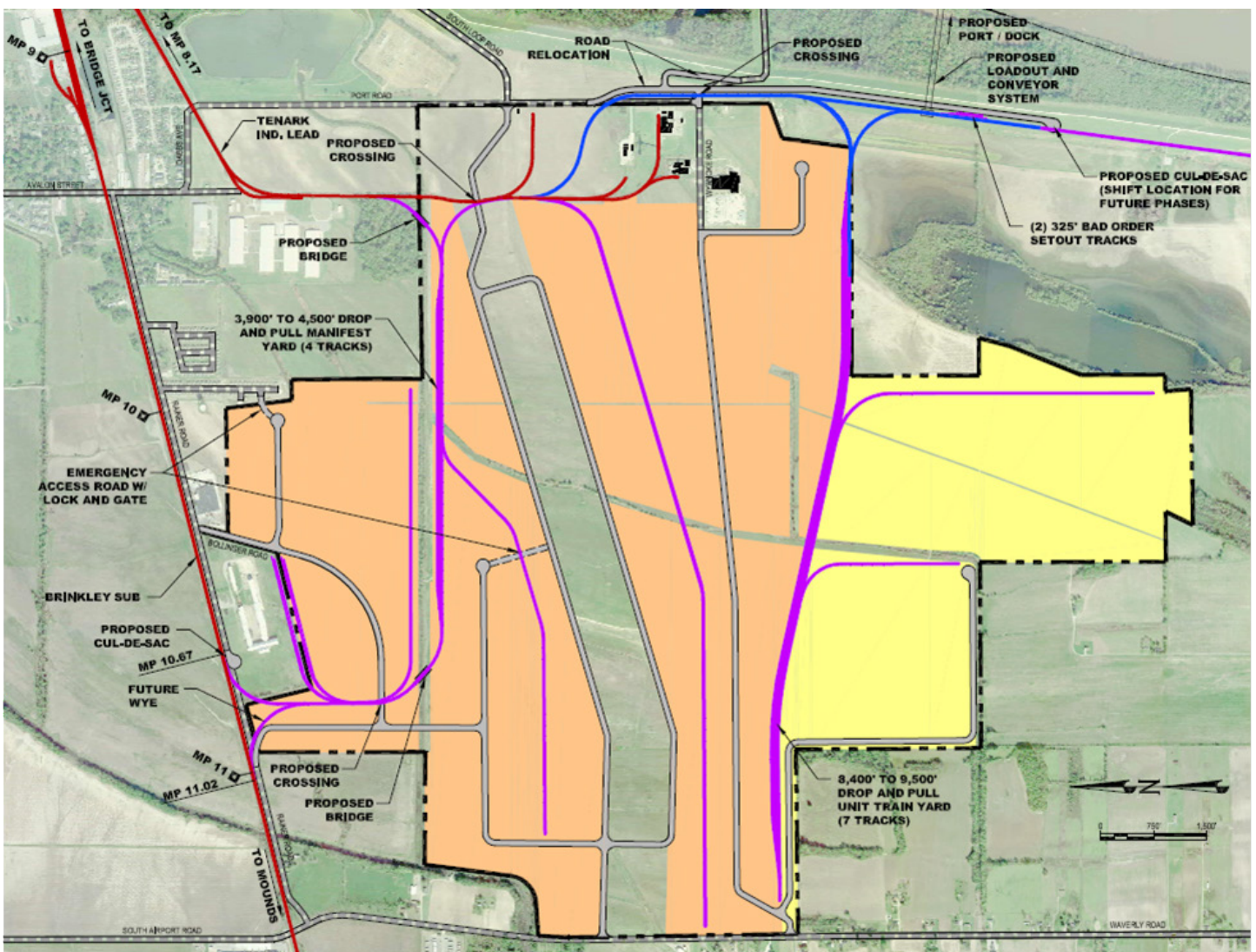
The U.S. Department of Energy contracted with CRS to be the lead railroad designer as part of the environmental cleanup of 16 million tons of uranium mill tailings adjacent to the Colorado River. CRS designed railroad loading and unloading facilities in Moab and Crescent Junction that are currently used to ship two unit trains of materials per day between the two locations. Project scope included the installation of more than four miles of track and an at-grade railroad crossing, lowering Union Pacific Railroad's branch line vertically by 16 feet. As part of the project, CRS was involved in facilitating and attending community meetings. Construction costs varied between \$10,000,000 and \$20,000,000 for different aspects of the project.



**West Memphis Rail Port Logistics Park – West Memphis, AR
2011-2014**

To assist the City preserve prime real estate for current and future development, CRS prepared a master plan for the infrastructure needed in a 2,500 acre rail served industrial park located in West Memphis, Arkansas. Infrastructure included 28 miles of railroad design (interchange yards, industrial leads, and private spurs), roadways, two bridges, two at-grade railroad crossings, utilities, drainage, and a port on the Mississippi River.

After preparing the preliminary plans, CRS secured the necessary approvals and agreements on behalf of the City from Union Pacific Railroad and BNSF Railway. After acquiring railroad approval for the project, CRS assisted the City in preparing applications for Tiger IV and RRIF funding. CRS is currently preparing final design plans for this project.



**Port of Muskogee Railroad Expansion – Muskogee, OK
2014**

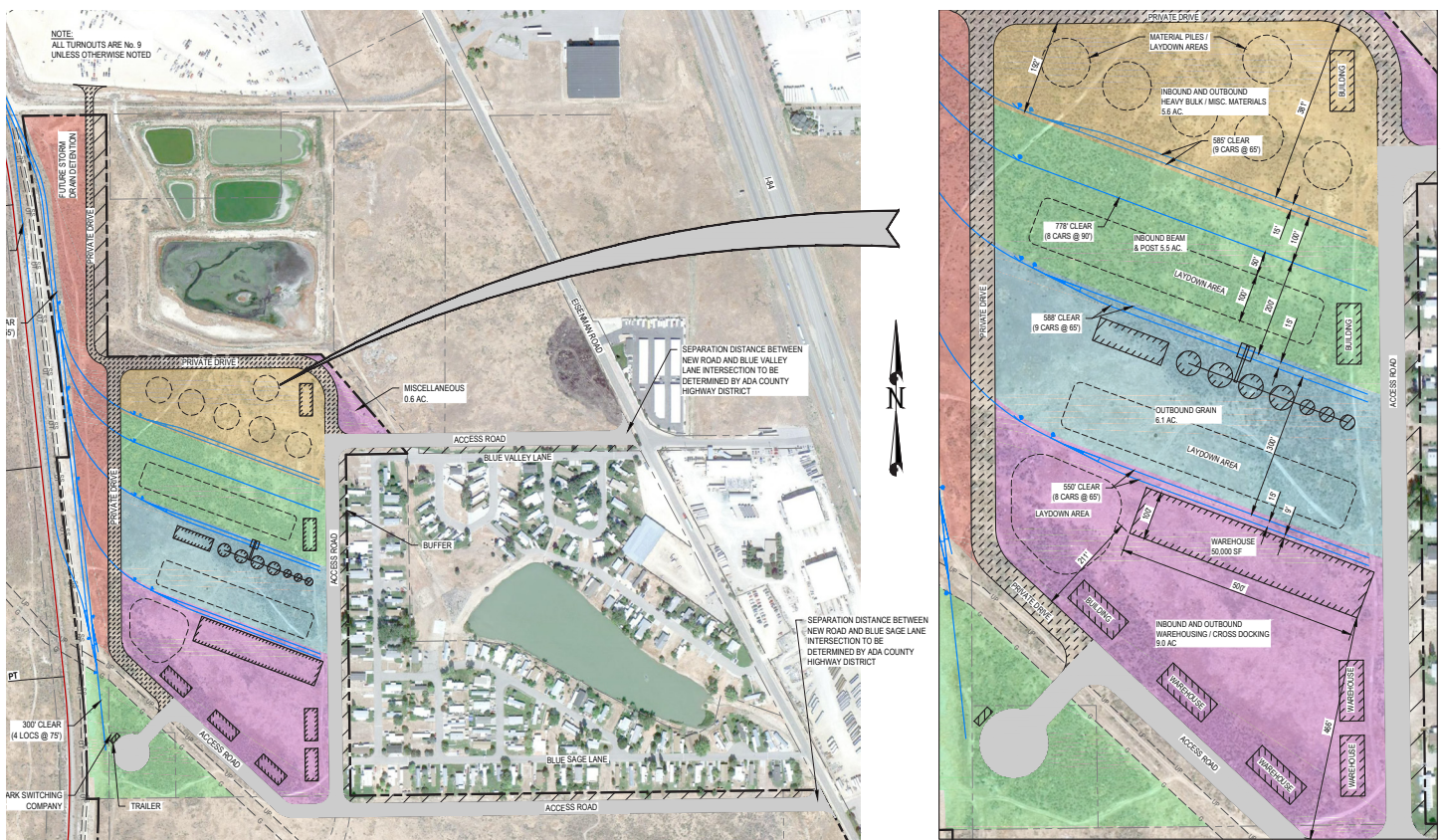
To assist the Port of Muskogee in expanding the existing railroad infrastructure, CRS prepared a 10% design and cost estimate to expand 9,700 feet of the Port's mainline interconnect with the Union Pacific Railroad (UP). The expansion increased capacity and allowed access to UP Class I railroads for current and future industries. This optimized the trackage in the marshaling yard to accommodate volume expansion, including acceptance of unit trains into the Port. Design included one main line power turnout, three hand thrown turnouts, one at-grade state highway railroad crossing, and track removal. CRS prepared alternative designs for the Port to consider and worked with UP Engineering and Operations with input from ODOT to optimize design operating plans.



**Rail Served Industrial Park Master Plan Study – Boise, ID
2012**

Watco, a shortline railroad, and Boise State University contracted with CRS to develop a rail served master plan to help the City of Boise understand how to best develop their land so it could receive service from the railroad industry. CRS designed a master plan for the shortline railroad to serve the local economy. Service industries planned for this park were heavy bulk, gas & oil, corn, cotton, grain, steel beams, warehousing, and transloading. The preliminary design included an additional 27,000 feet of rail and 23 turnouts across 150 acres of land.

Limited space was available to place the new track and CRS was able to come up with innovative ways to stay within project boundaries. We worked with project stakeholders, such as a local shortline railroad and the city economic development department, to accomplish project goals.



CRS Engineers
2060 East 2100 South
Salt Lake City, UT 84109
801.359.5565

crsengineers.com



Tran, Tracy

From: Steven Turley <sturley@utah.gov>
Sent: Wednesday, January 24, 2018 9:12 AM
To: Tran, Tracy
Subject: Re: Global Trade Port Zoning Text Amendments

Tracy:

Thanks so much for taking the time to speak with me on the phone last evening. Below are some initial thoughts on the proposed rail site close to the New Correctional Facility located in the North West Quadrant:

Thanks for giving us the opportunity to have input.

Inland Port Location Security Concerns

Noise Pollution:

We are not familiar with the operations of a train or truck port but one of the concerns of an Inland Port would be the noise pollution. This will affect the normalization of offenders transitioning through the prison system. (Disruption in sleep, programming, educational opportunities, mental health and rehabilitation)

Barrier from other business operations to Correctional Facility:

We are concerned about lighting and the traffic flow in the direct vicinity of the Correctional Facility. If the port is located near the Correctional Facility it could possible give inmate workers access to vehicles, trains, etc. to assist them in non productive ambitions.

If the port is located near the Correctional Facility, would trains (at times) block the road to the entrance to the Correctional Facility? If this is the case, it would cause a serious safety concern to the Department of Corrections.

We would appreciate being involved in further discussions to help us understand the location, operations, and daily functions of an inland port.

Steven Turley

On Tue, Jan 23, 2018 at 5:15 PM, Tran, Tracy <Tracy.Tran@slcgov.com> wrote:

Hi Steve,

Thank you for your call. As mentioned on our call, the City is proposing to make changes to the zoning ordinance in our Manufacturing Zones (M-1 – Light manufacturing and M-2 – Heavy Manufacturing to potentially allow for the future development of a global trade port/inland port (also known by the names of a railroad freight terminal, intermodal hub). As mentioned, there is not a specific development project or location right now. The proposed amendments address the following issues within the current zoning ordinance:

- Definition of “Railroad Freight Terminal”
- The distance a Railroad Freight Terminal can be from another Railroad Freight Terminal
- The distance a Railroad Freight Terminal can be from residential uses
- Crane and lift heights
- Land uses that may relate to the function of a railroad freight terminal

A railroad freight terminal would remain as a conditional use even with these amendments. This means that any development proposed would need to meet a set of conditional use standards to ensure the proposal does not create any detrimental impacts and would likely require a Planning Commission decision with a public hearing. Please take a look at the staff report for the proposal here: <http://www.slcdocs.com/Planning/Planning%20Commission/2018/1038.pdf>

The detailed changes are located in Attachment A of the staff report. The proposal makes changes to the manufacturing zones city-wide; however, there has been a lot of the discussion regarding having a global trade port within the Northwest Quadrant area of the City, which includes the new state prison location.

The Planning Commission meeting along with a public hearing will be held tomorrow **Wednesday, January 24**, at **5:30 PM** in room 326 of the City and County Building. The item is currently 3rd on

the [agenda](#). You are welcome to send over any public comments to me and I will forward them on to the Planning Commission.

Please let me know if you have additional questions.

Thanks,

TRACY TRAN

Principal Planner

PLANNING DIVISION

DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION

TEL [801-535-7645](tel:801-535-7645)

FAX [801-535-6174](tel:801-535-6174)

WWW.SLCGOV.COM

1/24/18

Tracy Tran
Principal Planner
Salt Lake City Corp.


Dear Ms. Tran,

I am a local Salt Lake City business owner located at 200 S. 357 W., Suite 200 on the west side of downtown. This letter is in regards to: *PETITION #PLNPCM2017-01038*.

I was born and raised in Salt Lake City and currently enjoy running my business here and have multiple Salt Lake City residents as employees to my company. In addition to my current business, I opened the Pallet restaurant in downtown Salt Lake City (400 W. and Pierpont Ave.) in 2012, and I have enjoyed seeing Salt Lake City grow in population as well as the overall quality of life and economic opportunities.

Have taken note of the general business expansion and more out of state capital taking notice of our city. I have always appreciated the focus on expanding the economic opportunities for the city and how that benefits the local businesses. I have recently learned of the proposed text amendment for the Inland Port Manufacturing Zones and I am very supportive of it. It only seems logical that the City would want to modify the old text that is too restrictive for the future industrial and rail growth that is poised for this region. With the expansion of the Salt Lake Airport and with the national trends showing substantial expansion for distribution facilities, our region is poised to benefit economically from all of that. In order to compete with other cities and truly benefit from being the Crossroads of the West, we need to help facilitate the ability to expand rail and help provide what these future businesses need. Furthermore, rail distribution is far more environmentally friendly than trucking and with the air quality issues we already struggle with, this seems like the right thing to do. For all of the above reasons, I am writing this letter to voice my support of the proposed text amendment. If you would like to further discuss, my contact info is below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rocky Derrick', with a long horizontal flourish extending to the right.

Rocky Derrick
Taylor Derrick Capital
357 W 200 S #200
Salt Lake City, Utah 84101
O: 855.702.5600 x 2
C: 801.718.5511

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.¹ 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

¹ 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.

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 13² 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.

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

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.*

**3. PLANNING COMMISSION
C. HEARING NOTICE**

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News

Utah
Media
Group

The Salt Lake Tribune

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PLANNING DIVISION,

PO BOX 145480

SALT LAKE CITY UT 84114

ACCOUNT NAME

PLANNING DIVISION,

TELEPHONE

8015357759

PUBLICATION SCHEDULE

START 01/13/2018 END 01/13/2018

CUSTOMER REFERENCE NUMBER

Salt Lake City Planning Commission Public Hearing

CAPTION

Notice of Public Hearing On Wednesday, January 24, 2018, the Salt Lake City Planning C

SIZE

56 LINES

2 COLUMN(S)

TIMES

2

TOTAL COST

145.00

ACCOUNT NUMBER

9001394298

DATE

1/15/2018

ORDER # / INVOICE NUMBER

0001190501 /

Notice of Public Hearing

On Wednesday, January 24, 2018, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

Design Standards Update Zoning Text Amendment - A request by Salt Lake City Mayor Jackie Biskupski to amend the text of the Zoning Ordinance related to building design. The purpose of this amendment is to clarify that the design elements that are required by the Design Standards chapter of the Zoning Ordinance apply not only to new construction, but also to existing structures and that renovations to existing structures cannot eliminate or reduce the design elements required by the Zoning Ordinance. The amendments will affect Section 21A.37 of the Zoning Ordinance. Other related provision of Title 21A may be amended as part of this petition (Staff Contact: Mayara Lima at (801)535-7932 or mayara.lima@slcgov.com.) Case number: PLNPCM2017-00921 (Legislative Matter)

Global Trade Port in Manufacturing Zones Text Amendment - A request by Salt Lake City Mayor Jackie Biskupski to amend the zoning text in the Manufacturing zoning districts to allow for the development of a global trade port (railroad freight terminal facility). Changes include:

- a. Clarifying the definition of a railroad freight terminal.
 - b. Allowing additional height for supporting structures.
 - c. Assessing the permitted and conditional uses in the land use tables.
- The amendments will affect Section 21A.28: Manufacturing Districts; 21A.33.040: Table of Permitted and Conditional Uses for Manufacturing Districts; and 21A.62: Definition of Terms. Other related provision of Title 21A may be amended as part of this petition. (Staff Contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: PLNPCM2017-1038 (Legislative Matter)

The public hearing will begin at 5:30 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711. 1190501 UPAKLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF Notice of Public Hearing On Wednesday, January 24, 2018, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations t FOR **PLANNING DIVISION**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 01/13/2018 End 01/13/2018

DATE 1/15/2018

SIGNATURE *Lori Gudmundson*

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 15TH DAY OF JANUARY IN THE YEAR 2018

BY LORI GUDMUNDSON.



Virginia Craft
NOTARY PUBLIC SIGNATURE

**3. PLANNING COMMISSION
D. AGENDA AND MINUTES**

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
January 24, 2018, at 5:30 p.m.
(The order of the items may change at the Commission's discretion)

FIELD TRIP - The field trip is scheduled to leave at 4:00 p.m.

DINNER - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 118 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR JANUARY 10, 2017

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

PUBLIC HEARINGS

1. **The @2100 Apartments Preliminary Subdivision and Planned Development at approximately 1967 S 300 West** - A request by G. Lyman Adams, representing the property owner, MSC Associates, LLC, to divide the existing parcel at the above listed address into two separate parcels via a preliminary subdivision and then construct an 81 unit apartment complex on the rear lot utilizing the planned development process. The subject property is located on the east side of 300 West and extends eastward to the UTA rail line corridor. If the subdivision is approved, the front parcel would contain an existing retail business with parking to the south and east while the new eastern parcel would be the location for the planned apartment complex. The planned development petition is being sought because the rear parcel would not have frontage onto 300 West and would be accessed via an easement across the parking lot on the west parcel. A reduction to the width of the parking lot perimeter landscaping on the rear parcel is also requested. The subject property is located in a CG (General Commercial) zoning district and is located in Council District 5, represented by Erin Mendenhall. (Staff contact: Chris Lee at (801)535-7706 or chris.lee@slcgov.com). Case number: **PLNSUB2017-00915 and PLNSUB2017- 00917 (Administrative Matter)**

2. **Design Standards Update Zoning Text Amendment** - A request by Salt Lake City Mayor Jackie Biskupski to amend the text of the Zoning Ordinance related to building design. The purpose of this amendment is to clarify that the design elements that are required by the Design Standards chapter of the Zoning Ordinance apply not only to new construction, but also to existing structures and that renovations to existing structures cannot eliminate or reduce the design elements required by the Zoning Ordinance. The amendments will affect Section 21A.37 of the Zoning Ordinance. Other related provision of Title 21A may be amended as part of this petition (Staff Contact: Mayara Lima at (801)535-7932 or mayara.lima@slcgov.com.) Case number: **PLNPCM2017-00921 (Legislative Matter)**

3. **Global Trade Port in Manufacturing Zones Text Amendment** - A request by Salt Lake City Mayor Jackie Biskupski to amend the zoning text in the Manufacturing zoning districts to allow for the development of a global trade port (railroad freight terminal facility). Changes include:
 - a. Clarifying the definition of a railroad freight terminal
 - b. Allowing additional height for supporting structures
 - c. Assessing the permitted and conditional uses in the land use tablesThe amendments will affect Section 21A.28: Manufacturing Districts; 21A.33.040: Table of Permitted and Conditional Uses for Manufacturing Districts; and 21A.62: Definition of Terms. Other related provision of Title 21A may be amended as part of this petition. (Staff Contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: **PLNPCM2017-1038 (Legislative Matter)**

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com. The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, January 24, 2018

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:29:59 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Weston Clark, Vice Chairperson Ivis Garcia; Commissioners Maurine Bachman, Matt Lyon, Andres Paredes and Clark Ruttinger. CommissionerCarolynn Hoskins, Emily Drown, Brenda Scheer and Sara Urquhart were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Wayne Mills, Planning Manager; Chris Lee, Principal Planner; Tracy Tran, Principal Planner; Mayara Lima, Associate Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Weston Clark, Maurine Bachman, and Clark Ruttinger. Staff members in attendance were Nick Norris, Wayne Mills, and Chris Lee.

- **1967 S 300 West** - Staff gave an overview of the proposal.

APPROVAL OF THE JANUARY 10, 2018, MEETING MINUTES. [5:30:05 PM](#)

MOTION [5:30:17 PM](#)

Commissioner Ruttinger moved to approve the January 10, 2018, meeting minutes. Commissioner Garcia seconded the motion. Commissioners Bachman, Lyon, Parades, Ruttinger and Garcia voted “aye”. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:30:38 PM](#)

Chairperson Clark stated he had nothing to report.

Vice Chairperson Garcia stated she had nothing to report.

REPORT OF THE DIRECTOR [5:30:44 PM](#)

Mr. Nick Norris, Planning Director, stated the City is working with the Urban Land Institute and The National League of Cities on a program to remove housing barriers from some of the zoning districts. He asked the Commissioners if anyone would be willing to participate in an interview regarding infill housing during the week of March 19.

Commissioners Garcia, Bachman and Clark stated they would like to participate.

[5:32:54 PM](#)

[6:19:36 PM](#)

Design Standards Update Zoning Text Amendment - A request by Salt Lake City Mayor Jackie Biskupski to amend the text of the Zoning Ordinance related to building design. The purpose of this amendment is to clarify that the design elements that are required by the Design Standards chapter of the Zoning Ordinance apply not only to new construction, but also to existing structures and that renovations to existing structures cannot eliminate or reduce the design elements required by the Zoning Ordinance. The amendments will affect Section 21A.37 of the Zoning Ordinance. Other related provision of Title 21A may be amended as part of this petition (Staff Contact: Mayara Lima at (801)535-7932 or mayara.lima@slcgov.com.) Case number: PLNPCM2017-00921 (Legislative Matter)

Ms. Mayara Lima, Associate Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- Examples of when the proposed standard was not abided by.
- Changes that could be made to a building under the current standards
- How the proposed changes may affect historic structures.

PUBLIC HEARING [6:24:59 PM](#)

Chairperson Clark opened the Public Hearing, seeing no one wished to speak; Chairperson Clark closed the Public Hearing.

MOTION [6:25:16 PM](#)

Commissioner Bachman stated based on the findings and analysis in the Staff Report and testimony provided, she moved that the Planning Commission forward a positive recommendation for PLNPCM2017-00921 to the City Council to adopt the proposed zoning ordinance text amendments related to clarifying the regulations within the zoning ordinance. Commissioners Bachman, Garcia, Lyon, Paredes and Ruttinger voted “aye”. The motion passed unanimously.

[6:26:16 PM](#)

Global Trade Port in Manufacturing Zones Text Amendment - A request by Salt Lake City Mayor Jackie Biskupski to amend the zoning text in the Manufacturing zoning districts to allow for the development of a global trade port (railroad freight terminal facility). Changes include:

- a. Clarifying the definition of a railroad freight terminal
- b. Allowing additional height for supporting structures
- c. Assessing the permitted and conditional uses in the land use tables

The amendments will affect Section 21A.28: Manufacturing Districts; 21A.33.040: Table of Permitted and Conditional Uses for Manufacturing Districts; and 21A.62: Definition of Terms. Other related provision of Title 21A may be amended as part of this petition. (Staff

Contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: PLNPCM2017-1038 (Legislative Matter)

Mr. Norris reviewed the State Legislature's interest in the Northwest Quadrant and that it was important for the City to maintain the land use authority over the area. He reviewed the City Council's view on the proposal and the pending development agreement. Mr. Norris stated the City Council wanted the Planning Commission's recommendation and to know if there were any concerns that needed to be addressed prior to final approval. He reviewed the timeline for the proposal and the individuals in the audience that could help answer questions regarding the proposal.

Ms. Tracy Tran, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed and stated the following:

- If the Prison was considered a residential use.
- If the bases of the proposal was to allow a rail yard in the Northwest Quadrant.
- Why the proposal was being considered at this point and was not part of the original proposal.
- The original date the petition was initiated.
- The public outreach and input process for the petition.
- If the State could override the proposal once it was approved.
- The timeline for the proposal.
- The risks and impacts to changing all of the M1 and M2 zones as proposed.
- The locations in the Northwest Quadrant where such a facility could be constructed.
- The environmental protections for the area and how it would affect the subject development.
- How crane and building heights would or would not affect the airport.
- The noise levels and impacts an inland port may have on surrounding areas.
- How environmental impacts are identified, mitigated and regulated.
- The uses allowed under the current zoning and what would be allowed with the changes.

PUBLIC HEARING [7:00:34 PM](#)

Chairperson Clark opened the Public Hearing.

Ms. Dorothy Owen, West Pointe Community Council, stated to make the facility work there needed to be an anchor tenant and not knowing who the anchor tenant would be was a concern. She stated the Community Council did not want to make the same mistake as other cities had. She stated the cities used as an examples in the Staff Report were on the coast and not in valley such as Salt Lake City therefore, they were not ideal examples to show the impacts the facility would have. Ms. Owen stated comparable examples were a must and the Community Council would love to know how the railroad terminal fit in the definition of M1 as they were unable to find the answer. She stated the Community Council felt the proposal was creating a loop hole for the facility.

Mr. Darrin Eyre, CRS Engineers, stated rail repair facilities were clean or cleaner than typical automotive repair facilities as there are safety and environmental protocols in place to prevent environmental accidents. He reviewed how rail infrastructure benefited the environment and removed trucks off the highways.

The following individuals spoke to the petition: Ms. Ann O'Connell, Ms. Marcelle Shoop, Ms. Laura Butler, Mr. Wayne Martinson, Mr. Wade Budge, Mr. Terry Marasco, Mr. John Birkinshaw, Mr. Lance Bullen and Mr. Chuck Travis.

The following comments were made:

- Understood the Legislative pressure regarding the issue but more public input and discussion should be gathered prior to approving the petition.
- Proposed zoning changes should be kept south of the freeway.
- The timeline for approval was too compressed to distribute adequate information to the public.
- It was important to retain the integrity of the natural areas.
- Invasive species could become an issue with the proposed use.
- Repair shop should be a conditional use not a permitted use.
- The new development was beyond what was discussed in the approved Northwest Quadrant Master Plan.
- The footprint and scale of the development was a great concern.
- Supported the proposal and agreed with its importance.
- Rail facilities are currently allowed in the area and the proposed changes would increase the buffer required for these uses.
- The proposal was a great way to help facilitate an orderly development of the area.
- Each development application would be brought to the Planning Commission for review at which time the public would have a chance to speak.
- Was lead to believe the next step for the proposal was for government officials to determine who would govern the site so, why are decisions being made prior to that happening?
- Concerned about the air quality a facility of this magnitude would create.
- The project was bigger than the rail terminals.
- The proposal was the first phase in the development of the area.
- Rio Tinto was in it for the long haul and would work with the community to find a balance for the area.
- The railroad was a progressive, proactive and environmentally savvy option for shipping and transportation of goods as well as the economic growth in Salt Lake City.
- These would be trains of containers not switch cars creating minimal noise.
- The cranes used to move containers would be electric and not add to emission issues.
- Site location for new customers was very difficult as there were so few rail lines currently available.
- The question was to how the area would be developed, not when and rail ways would be the most efficient way.

Chairperson Clark closed the Public Hearing.

The Commission and Staff discussed the following:

- How the Airport Overlay Zone impacted the proposed zoning.
- The Airport's purview over the Northwest Quadrant.
- If future runways would create issues regarding height.
- The history behind the current five mile buffer between the M1 and residential zoning.
- Why the repair facility use was proposed to change from a permitted use to a conditional use.
- If large truck repair and rail repair would be similar in design and regulation.
- How potential invasive species would be regulated.
- How grain elevators would be regulated to minimize potential impacts from dust.
- If it would be problematic to include the buffer zone as an exclusionary space to the conditional use.
- What currently could be constructed in the buffer zone and the regulations for those developments?
- The opportunity for additional public input on the proposal.
- What happened to freight after it was brought into the rail hub.

Mr. Chuck Travis and Mr. Darrin Eyre reviewed the benefits of train shipping versus truck distribution and what happened to transported goods at the facility.

The Commission, Staff, Mr. Travis and Mr. Eyre discussed the following:

- If the facility would spur economic and manufacturing growth.
- The amount of goods that would potentially stay in Salt Lake City or travel to other cities.
- Who would operate or own the facility?

The Commission discussed and stated the following:

- It didn't matter who operated or owned the facility the issue at hand was the use.
- The impacts were generally low and most were already allowed.
- The proposal was consistent with the area and rail was sustainable way to transport goods.
- Why this aspect left was out of the process when things could have been reviewed more in depth at the beginning.
- Recommend the City Council consider only allowing the proposed use south of the freeway.
- A map indicating where the facility could be located, including all of the buffer zones, would be a benefit to those reviewing the proposal.
- Consider adding a buffer zone around the state prison facility to mitigate noise.
- Would like to see the facility pushed as far west as possible to ensure it would not impact future growth of the city.
- The location of residential uses in the Northwest Quadrant.

MOTION [7:57:11 PM](#)

Commissioner Lyon stated based on the findings and information listed in the Staff Report and the testimony and discussion at the public hearing and plans presented, he moved that Planning Commission forward a favorable recommendation to the City could regard the proposed zoning text amendments PLNPCM2017-01038, Global Trade Port in Manufacturing Zones amendment with the following considerations :

- 1. That Staff prepare a map of exactly where a facility could or would like be located given the airport overlay, existing rail lines, new residential buffers etc.**
- 2. That the City Council have a discussion and consider only allowing such a facility south of the freeway or at least weighting the pros and cons of what that may mean.**
- 3. That the City Council consider adding a buffer near the site of the State Prison.**
- 4. That the City Council maybe consider adding a buffer near the existing hotels and business district.**
- 5. That the City Council consider adding an additional buffer to the current environmental buffer on the northwest part of the Northwest Quadrant.**

The Commission discussed potential language that could be added to the motion.

Commissioner Ruttinger seconded the motion. Commissioners Bachman, Garcia, Lyon, Paredes and Ruttinger voted “aye”. The motion passed unanimously.

The meeting adjourned at [8:02:04 PM](#)

4. ORIGINAL PETITION



Petition Initiation Request

Planning Division
Community & Neighborhoods Department

To: Mayor Biskupski
From: Nick Norris, Planning Director
Date: December 8, 2017
CC: Patrick Leary, Chief of Staff; Mike Reberg, CAN Director; file
Re: Initiate Petition to Amend Text in the Zoning Ordinance Related to the M-1 Light Manufacturing District in the Northwest Quadrant Development Area.

The purpose of this memo is to request that you initiate a petition directing the Planning Division to analyze the appropriateness of amending the Zoning Ordinance to modify the uses and limitations within the M-1 Light Manufacturing District within the Northwest Quadrant Development Area. The purpose of this amendment is to promote the development of an inland port and to further the purpose of the district to promote economic development.

Issue

The M-1 Light Manufacturing District 21A.28.020 and table of conditional or permitted uses in 21A.33.040 specify the uses and limitations within the district. Such limitations include, but are not limited to, maximum height requirements for buildings north of I-80 and west of Salt Lake City International Airport, and limitations on the location and types of railyards. The current zoning provisions limit the ability to develop an inland port. If the petition is initiated, Planning Staff will propose new zoning text that will expand the uses and reduce the limitations within the M-1 Light Manufacturing District in the Northwest Quadrant Development Area.

As part of the process, the Planning Division will follow the City adoption process for zoning text amendments, which includes citizen input and public hearings with the Planning Commission and City Council. Please contact Tracy Tran at ext. 7645 or tracy.tran@slcgov.com if you have any questions.

Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.



Jackie Biskupski, Mayor

12-8-17
Date