



SALT LAKE CITY TRANSMITTAL

To:
Salt Lake City Council Chair

Start Date:
09/26/2024

Date Sent to Council:
09/27/2024

From:

Employee Name:
Martinez, Diana

E-mail
diana.martinez@slc.gov

Department
Community and Neighborhood

Department Director Signature

Blake H. Thomas

Chief Administrator Officer's Signature *

Jill Love

Director Signed Date
09/26/2024

Chief Administrator Officer's Signed Date
09/27/2024

Subject:
Zoning Text Amendment

Additional Staff Contact:
John Anderson, Manager
john.anderson@slc.gov

Presenters/Staff Table
Greg Beecher-Applicant
Greg.Beecher@mhtn.com

Document Type *
Ordinance

Budget Impact *
☐ Yes
☒ No

Budget Impact:

Recommendation: *
The City Council adopt the proposed text amendment as recommended by the Planning Commission.

Background/Discussion (?)

Salt Lake City has received a request for a zoning text amendment from Greg Beecher, who represents Delta Airlines. The amendment would amend the zoning ordinance in the M-1 zoning district in the Salt Lake City International Center to allow for a permitted increase in the height of front yard fences from four feet to a maximum of six feet.

The Salt Lake City International Center will have its boundaries defined within this proposed text amendment as the following:

- Boundaries are west of 4000 West, north of I-80, properties east of John Glenn Drive (including properties that front on John Glenn Drive on both the east and west sides of said drive), and south of John Cannon Drive (including properties that front on John Cannon Drive on both the north and south sides of said drive).

Currently, front yard fencing between the front property line and the primary façade of the principal structure on a property in the M-1 (Light Manufacturing) Zoning District cannot exceed four feet.

The applicant would like to amend the ordinance to allow a six-foot fence in the front yard setback of their newly constructed training facility. The facility will need a taller fence around the principal building to secure the patrons, building, and parking area.

Other property owners in the area have requested height increases for front yard fences through the variance process. However, fence height does not meet the standards for hardship and has therefore been denied.

Public Process:

- **Early Notification** - On July 22, 2024, the Jordan Meadows Community Council Chair was sent the 45-day required notice for recognized community organizations. The Council did not comment on this request. On July 25, 2024, a notice of the proposal was mailed to all property owners and tenants within 300 feet of the property. An online open house was posted on the Planning Division's website from July 30 until the present.
- **Planning Commission Meeting** - The Planning Commission heard the petition on September 25, 2024. The Planning Commission voted 5 to 1 to recommend the City Council adopt the proposed zoning text amendment

Planning Commission (PC) Records:

1. [Planning Commission Agenda of September 25, 2024](#)
2. [Planning Commission Staff Report of September 25, 2024](#)
3. [Planning Commission Video Link - Starts at 23:27](#)

Exhibits:

- Project Chronology
- Notice of the City Council Hearing
- Original Petition
- Ordinance

Will the City Council need to hold a public hearing for this item? *

- ☒ Yes
- ☐ No

Public Process**Chief Administrator Officer's Comments**

EXHIBITS:

- 1. PROJECT CHRONOLOGY**
- 2. NOTICE OF CITY COUNCIL HEARING**
- 3. ORIGINAL PETITION**
- 4. ORDINANCE**

1. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

Petition: **PLNPCM2024-00800- Zoning Text Amendment – Allow 6’ Fence Height in the Front Yard Setback in the Salt Lake City International Center M-1 Zoning District**

July 16, 2024 Petition for the Zoning Text Amendment was accepted by Salt Lake City Planning Division.

July 16, 2024 Petition PLNPCM2024-00800 was assigned to Diana Martinez, Senior Planner, for staff analysis and processing

July 22, 2024 Early notification was sent to the Jordan Meadows Community Council Chair, providing information about the proposal and how to give public input on the project. Beginning of 45- day input and comment period.

September 12, 2024 End of 45-day Recognized Community Organization notice period.

September 13, 2024 Public hearing notice sign with project information and notice of the Planning Commission public hearing physically posted at applicant’s facility address and four additional locations around the Salt Lake City International Center.

September 25, 2024 Planning Commission holds a public hearing and makes a positive recommendation with a 5 to 1 vote to approve the proposed text amendment.

2. NOTICE OF CITY COUNCIL HEARING

NOTICE OF CITY COUNCIL HEARING

The Salt Lake City Council is considering Petition **PLNPCM2024-00800**. Greg Beecher, representing Delta Airlines, requests that new zoning regulations be adopted to allow a 6' fence height in the front yard setback of the M-1 zoning district of the Salt Lake City International Center. The proposed regulation changes will affect section 21A.40.120—Regulation of Fences, Walls, and Hedges of the zoning ordinance and 21.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition to increase clarity in this ordinance.

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

DATE:

TIME:

PLACE: 451 South State Street Salt Lake City, Utah

**** This meeting will be held in-person, to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, please visit www.slc.gov/council. Comments may also be provided by calling the 24- Hour comment line at (801) 535-7654 or sending an email to council.comments@slcgov.com. All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Diana Martinez at 801-535-7215 or via e-mail at diana.martinez@slc.gov. The application details can be accessed at <https://citizenportal.slcgov.com/>, by selecting the “planning” tab and entering the petition number **PLNPCM2024-00800**.

The City and County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to participate in this hearing. 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. ORIGINAL PETITION

ZONING AMENDMENT

IMPORTANT INFORMATION



CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at zoning@slcgov.com.



SUBMISSION

Submit your application online through the [Citizen Access Portal](#). Learn how to submit online by following the [step-by-step guide](#).



REQUIRED FEES

- **Map Amd:** \$1,262 filing fee, plus \$121 per acre (in excess of 1 ac).
- **Text Amd:** \$1,262 filing fee.
- Additional required notice fees assessed after submission.

APPLICANT INFORMATION

PROJECT NAME (OPTIONAL)

Delta Air Lines - Flight Ops Training Building

ADDRESS OF SUBJECT PROPERTY

4829 W. Amelia Earhart Drive, Salt Lake City, Ut 84116

REQUEST

Amendment of fence code:

NAME OF APPLICANT

Robert Pinon

PHONE

[REDACTED]

MAILING ADDRESS

280 South 400 West Suite 250 S.L.C., Utah 84101

EMAIL

robert.pinon@mhtn.com

APPLICANT'S INTEREST IN PROPERTY (owner's consent required)

☐ Owner ☒ Architect* ☐ Contractor* ☐ Other*

IF OTHER, PLEASE LIST

NAME OF PROPERTY OWNER (if different from applicant)

Delta Air Lines - Kenneth Dodson

PHONE

[REDACTED]

MAILING ADDRESS

Corporate Real Estate, Dept. 877 P.O. Box 20706 Atlanta, Geo

EMAIL

Kenneth.C.Dodson@delta.com

OFFICE USE

CASE NUMBER

RECEIVED BY

DATE RECEIVED

DISCLAIMER: PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

ACKNOWLEDGMENT OF RESPONSIBILITY

1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

NAME OF APPLICANT

Robert Pinon

EMAIL

robert.pinon@mhtn.com

MAILING ADDRESS

280 South 400 West Suite 250 S.L.C., Utah 84101

PHONE

[REDACTED]

APPLICATION TYPE

Fence Text Amendment

SIGNATURE

[REDACTED]

DATE

7/12/2024

LEGAL PROPERTY OWNER CONSENT

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

Affirmation of sufficient interest: I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Beginning at a point which lies 521.65 feet South and 60.07 feet West of the intersection of the centerlines of Amelia Earhart and Wrig

NAME OF OWNER

Delta Air Lines - Kenneth Dodson

EMAIL

Kenneth.C.Dodson@delta.com

MAILING ADDRESS

Corporate Real Estate, Dept. 877 P.O. Box 20706 Atlanta, Geo

SIGNATURE

[REDACTED]

DATE

July 15, 2024

1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

DISCLAIMER: BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-8, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.



Mark Pearson
Vice President
Corporate Real Estate

Delta Air Lines, Inc.
1030 Del ta Blvd.
Atlanta, GA 30354

Mark.pearson@delta.com

July 29, 2024

To Whom it May Concern,

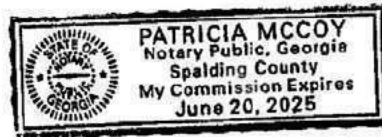
On behalf of Delta Air Lines, Kenneth Dodson is authorized signatory for Delta Air Lines' design and construction projects including zoning amendment requests to Salt Lake City.

Sincerely,

Mark Pearson
VP, Corporate Real Estate

State of Georgia
County of Fulton

Signed and sworn to before me on July 29, 2024 by Mark Pearson.



4. ORDINANCE

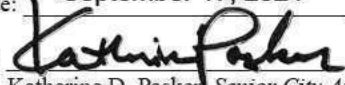
Project Title: Fence Height Increase in the International Center -M-1 Zoning District

Petition No.: PLNPCM2024-00800

Version: 1

Date Prepared: September 17, 2024

Planning Commission Action: *(pending 9/25 hearing)*

APPROVED AS TO FORM	
Salt Lake City Attorney's Office	
Date:	September 17, 2024
By:	
Katherine D. Pasker, Senior City Attorney	

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

- Amends Subsection 21A.40.120.E.1.b. to permit a fence to be 6' in the front yard setback in the Salt Lake City International Center M-1 Zoning District.
- Amends Section 21A.62.040 to add the definition of Salt Lake International Center.

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

1. *Amends Subsection 21A.40.120.E.1.b. as follows:*

b. Nonresidential Zoning Districts:

(1) A fence, wall, or hedge, located between the front property line and the primary facade of the principal structure shall not exceed four (4) feet in height.

(2) A fence, wall or hedge located at or behind the primary facade of the principal structure shall not exceed six (6) feet in height.

[note to codifier: there is no change to the Non-Residential Fence Height illustration]

(3) On developed properties where there is no existing principal structure, the height of a fence, wall, or hedge shall not exceed four (4) feet in a front yard area or six (6) feet in the rear or side yard areas.

(4) Notwithstanding Subsection 21A.40.120.E.1.b.(1), in the M-1 zoned properties in the Salt Lake International Center, M-2 and EI zoning districts, fences, walls, or hedges may be up to six (6) feet in height if located between the front property line and the front yard setback line.

(5) If there is no minimum front yard setback in the underlying zoning district, a fence, wall, or hedge of a maximum six (6) feet in height may be placed no closer than ten (10) feet from the property line.

(6) Outdoor storage, when permitted in the zoning district, shall be located behind the primary facade of the principal structure and shall be screened with a solid wall or

fence and shall comply with the requirements in Section 5.60.120. Outdoor storage in the M-1 and M-2 districts are also subject to the provisions of 21A.28.010.B.3.

(7) All refuse disposal and recycling dumpsters, except those located in the M-2, LO and EI districts shall be screened on all sides by a solid wood fence, masonry wall or an equivalent opaque material to a height of not less than 6 feet but not more than 8 feet.

2. *Amends Section 21A.62.040 by adding the definition of “Salt Lake International Center” in alphabetical order, with no other changes, as follows:*

SALT LAKE INTERNATIONAL CENTER Boundaries are West of 4000 W, north of I-80, properties east of John Glenn Drive (including properties that front on John Glenn Drive on both the east and west sides of said drive), and south of John Cannon Drive (including properties that front on John Cannon Drive on both the north and south sides of said drive).

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