



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: December 10, 2024

RE: Text Amendment: Northpoint Light Industrial
(M-1A) Zoning District
Petition PLMPCM2024- 00333

PROJECT TIMELINE:

Briefing 1: Sept 3, 2024

Briefing 2: Oct 15, 2024

Briefing 3: Dec 10, 2024

Set Date: Sept 3, 2024

Public Hearing: Oct 1, 2024

Potential Action: TBD

NEW INFORMATION

At the October 15 work session briefing, the Council did not support removing the 300' buffer from the code to be addressed in future development agreements. However, the Council did instruct staff to work with the administration to come up with potential options for the council to consider about potential additional allowed uses within the 300' buffer. Based on that direction, Planning worked with Public Utilities on the following option for the Council to consider.

The buffer from the River would be divided up into three sections from the annual high-water mark. The permitted uses are outlined in the tables linked below or in Attachment A.

- No Disturbance Area: 0-100 ft.
 - No development at all
 - Permitted uses are outlined in Area A of Table [21A.34.130-3](#) (Undeveloped lots)
- Structure Limit Area: 100-200 ft
 - Very minimal development, like trails, patios, and fencing, allowed.
 - Permitted uses are outlined in Area B of Table [21A.34.130-2](#) (Developed lots)

- Buffer Transition Area: 200-300 ft
 - Changes to Area C of Riparian Corridor Overlay (RCO), which allows most uses in the underlying zone as long as they follow all other requirements in the RCO zone
 - Permitted uses are outlined in Area C of [table 21A.34.130-2](#) (Developed lots)

Attachment C is the draft ordinance with the potential edits highlighted so they can easily be identified. It shows the draft language for the buffer changes as well as the edits the Council previously approved: adding painted texture concrete to the list of allowable building materials and clarifying maximum building height in relation to the loading dock.

If the Council supports these changes, they will be included in the final draft for potential adoption on December 10.

PUBLIC COMMENTS

In response to the potential changes to the buffer outlined above, other constituents would like the council to refine the buffer language further so that it does not remove as much property from potential development as the current buffer would.

Another group resent comments they had previously submitted that encourage the Council to consider a Transfer of Development Rights (TDR) program in this area.

Some have raised concerns about the city's ability to limit large distributors from building in this area. Staff believes the design standards, such as maximum lot size and maximum length of blank walls, will disincentivize large-scale distributors from building within this zoning district.

Additionally, M-1A zoning permits Wholesale Distribution but not Distribution Centers. Both definitions, *see below*, clarify that businesses can allocate part of their building for storage and distribution to businesses or customers. However, this accessory distribution use must comply with specific requirements in the code, including the stipulation that it be subordinate in area—meaning the space dedicated to this use cannot exceed 50% of the total structure.

Wholesale Distribution (*permitted in M-1A*):

A business that maintains an inventory of materials, supplies and goods related to one or more industries and sells bulk quantities of materials, supplies and goods from its inventory to companies within the industry. A wholesale distributor is not a retail goods establishment. The term "wholesale distribution" does not include accessory distribution that is subordinate and incidental to a primary land use (e.g., manufacturing, industrial assembly, or other type of primary commercial or industrial use).

Distribution Center (*not permitted in M-1A*):

A facility that is used for the receipt of products and the storage, separation, and distribution of those products on an individual basis to individual end-user consumers. This includes e-commerce activities. A distribution center is not a retail goods establishment. The term "distribution center" does not include accessory distribution that is subordinate and incidental to a primary land use (e.g., manufacturing, industrial assembly, or other type of primary commercial or industrial use).

The following information was provided for the October 15 work session briefing.

WORK SESSION SUMMARY -OCTOBER 15

During the October 1 public hearing a few people spoke. Two individuals who live along 2200 West spoke about the significant negative impacts they are experiencing due to the warehouse construction going on west of 2200 West. They said the new zone would ruin agricultural land. Another individual spoke about how the city can limit distribution and wholesale uses.

The Council closed the public hearing and deferred action to a future meeting.

At the September 3 briefing, the Council directed staff to work with Planning and stakeholders on two issues:

1. Maximum building height pertaining to docks at below-grade
2. Buffer requirements from the Jordan River: Consider whether there are alternatives or potential development agreements that can help address the concerns.

Updates to the Ordinance

1. Maximum Height in relation to loading docks: The red underlined text is the new language Planning staff recommended and stakeholders supported.
Maximum Height: No building shall exceed 40 feet in height. Building height along loading dock areas may exceed the maximum height limit by 5 feet. The additional height shall only be allowed below the average elevation of finished grade and the area shall be excluded from the calculation of the average elevation of finished grade.
2. Included painted texture concrete in the list of allowable building materials

Items for further discussion

Jordan River Buffer

The Council adopted the Northpoint Small Area Plan in November 2023. A development buffer adjacent to the Jordan River was included in the plan with the following policy direction:

- **Setback and Buffer Table:** 300 ft buffer from the Jordan River in both the Light Industrial and Transitional areas. (Northpoint Small Area Plan, page 18)
- **Implementation Items:** Require a buffer of 300 feet between wetlands/uplands and any site development (e.g. buildings, parking, site features, and amenities) within the Northpoint Plan Area. The Great Salt Lake is a complex and delicate ecosystem, and impact on this habitat area by new development must be carefully mitigated. A critical part of this mitigation is ensuring an adequate buffer between development and the wetland/upland ecosystem. Wetlands include both jurisdictional and non-jurisdictional wetlands. The Plan identifies a 300-foot buffer from wetland areas. This should be implemented through either an update to the City's existing Riparian Overlay Zone or a new Northpoint-specific development code. (Northpoint Small Area Plan, page 35)

The Council has heard from a couple of stakeholders about the buffer's impact on their property. During the first briefing, the Council directed staff to work with Planning and stakeholders on concerns expressed about the buffer.

Cross E. Ranch owns a substantial amount of property adjacent to the Jordan River, technically within unincorporated Salt Lake County. However, they have expressed interest in annexing into the city and are part of the Northpoint Annexation, a separate petition that is currently being processed.

Cross E. Ranch contacted city staff to express their concerns about the buffer requirements from the Jordan River proposed in the zoning amendments. The Northpoint Small Area Plan calls for a 300 ft buffer from the Jordan River. They've expressed support for a buffer for the first 100 ft from the river, but are concerned with the additional 200'. They prefer to address the setback concerns via a development agreement that would allow them to cluster their development area together and then place the traditional open space, buffer, and landscaping near the river. They recommend the section about buffer yards be removed and replaced with a development agreement which includes buffers specifically negotiated by the city and property owner. See Attachment A for their recommended changes to the ordinance.

Based on the feedback from stakeholders and direction from the Council, Planning has provided the following options for the Council to consider to address concerns about the buffer:

1. Reduce the buffer width to 150' total if the 150' is put into a conservation easement or has a public access easement. There would have to be a minimum public access easement width of at 50 feet.
2. Remove the transitional buffer (the area between 100' and 300') and require development agreements to negotiate the development of the land while still ensuring community and environmental benefit goals are met.
3. Modify the allowed uses in the buffer area to generate some financial benefit. Evaluate which uses could be compatible with the buffer while still providing income. Options might include agriculture, outdoor recreation, and necessary support buildings.

The following information was provided for the October 1 work session briefing.

During the September 3 briefing, the Council provided direction to staff on the following policy questions.

1. Max height 40 feet. Concern this wouldn't allow for the parapet/screening.
 - Response: Current city code (21A.36.020.C) already gives an allowance to do 5' parapet walls for screening mechanical equipment.
 - **Council Direction: Yes to keeping as is.**
2. Painted vs Tinted concrete. Is it possible to add "painted" in addition to tinted/textured as allowed types of concrete.
 - Response: Planning staff confirmed they would be ok with adding painted concrete.
 - **Council Direction: Yes to adding "painted concrete" to the ordinance.**
3. Blank Wall Standard – request to change from 12" to 8".
 - Proposed Language: The maximum length of any blank wall uninterrupted by windows, doors, art, or architectural detailing along any ground level street facing facade is 25'. Changes in plane, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to comply with this standard. The architectural feature shall be either recessed a minimum of twelve inches (12") or projected a minimum of twelve inches (12").

- Response: 12" is the City standard that is used in all other districts no matter the building size. As of now, Planning staff would prefer to keeping it at 12" for consistency in applying the code for our building services and zoning reviewers, and because 12" will better break up the wall than 8".
 - **Council Direction: Yes to keeping at 12 inches.**
4. Exclude dock areas from maximum building height since they go below grade.
 - The Constituent is concerned that without this accommodation, the buildings will not match standard market buildings for interested tenants.
 - Response: If the Council is supportive, staff will work with the constituent and planning staff to develop recommendations for the Council to consider that would address this concern.
 - **Council Direction: Yes to working with stakeholder on language.** **See below for additional information.*
 5. Amend the wetland buffers in this ordinance to be consistent with language that applies to the Jordan River buffer: "Land within the Jordan River Transitional Buffer Area may count as natural open space."
 - Response: Planning staff recommends that request is better addressed in the Riparian Corridor overlay amendments Public Utilities will bring forward.
 - **Council Direction: Yes to NO change at this time.**
 6. Remove the buffer requirements from the Jordan River, and work with Cross E Ranch on alternatives that work for them via a potential development agreement. Cross E Ranch doesn't want to create the open areas along the Jordan River in their area because the banks are very high and potentially dangerous. Cross E Ranch would prefer to cluster the traditional open space, buffer, and landscaping in their area
 - Response - Does the Council want staff to work with planning staff to review and come back with options for consideration.
 - **Council Direction: Yes to further discussions with the constituent and come back to the Council with more information.** **See below for additional information.*

Additional information

Per Council direction Council and Planning staff reached out with stakeholders who requested changes to the ordinance for items 4 and 6 above. Those discussions are still ongoing; therefore, staff recommends the Council continue the public hearing to a future meeting so that if any changes to the ordinance are proposed, the public will have the opportunity to weigh in on them. Once staff has the potential new information ready for the Council to review, it will be brought back for discussion in a work session.

The following information was provided for the September 3 work session briefing.

ISSUE AT-A-GLANCE

The Council will receive a briefing about a proposal that would amend various sections of the Salt Lake City Code creating a new section 21A.28.040 Northpoint Light Industrial (M-1A) Zoning District. This Council initiated petition would create a new zoning district that would help implement the vision and goals of the Northpoint Small Area plan adopted by the Council in November 2023.

The new zoning district would provide an environment for light industrial, office, and research uses, while reducing the impact on adjacent agricultural and residential properties and native habitats.

The Planning Commission reviewed the petition and forwarded a positive recommendation. In the motion, the Planning Commission requested that any land use involving hazardous waste or medical waste be prohibited. As noted in the Transmittal letter, Planning Staff reviewed the land use tables and confirmed that such uses are not proposed in the current draft ordinance.

ADDITIONAL INFORMATION

Purpose Statement - The purpose of the Northpoint District is to protect sensitive lands and wildlife habitat surrounding the Great Salt Lake shore lands and the Jordan River while providing an environment for light industrial, office, and research uses that produce minimal impact on adjacent residential and agricultural properties. This district is appropriate within the Northpoint Small Area Plan boundaries. The district promotes a high standard of building design quality, open space preservation, and protection of sensitive lands and waterways

Land Uses

The following summary of uses is outlined on page 4 of the Planning Commission staff report.

The land use table is significantly pared down from the M-1 Light Industrial Zoning District, excluding many uses that would be inappropriate for the area. Prohibited uses include kennels/pounds, raising of furbearing animals, bottling plants, check/payday loan businesses, community correctional facilities, commercial laundry facilities, outdoor recycling processing centers, rock and gravel storage and distribution, and vehicle auctions, package delivery service and distribution centers.

Allowed Uses include primarily agriculture, light industrial, office, manufacturing uses, and some retail services.

Development and Design Standards

The following table outlines the Development and Design standards as well as Modification standards outlined on pages 4-7 of the Planning Commission staff report

Summary of Development Standards	
Max lot size	Maximum lot size is 10 acres, but larger lots may be approved if 20% of the area of the lot to be modified is preserved as natural open space on the development site. See the section below titled Allowed Modifications for more information on modifications to the standards.

Max Height	Buildings cannot exceed 40 feet in height.
Building Size Limitations	Maximum building footprint is 100,000 square feet, with potential for increased size if the property owner incorporates sustainability measures such as additional open space preservation, a green roof, or electric vehicle parking. See the section below titled Allowed Modifications for more information on modifications to the standards.
Setbacks and Buffers	Building setback requirements for the front and corner side yard is 20', and the rear and interior side yards is 15', with additional setbacks from residential structures and specific buffer requirements along the Jordan River.
Additional Setback:	New development must be 65' from principal residential structures on neighboring properties, and vehicle laneways used to access a development site must be setback 30' from principal residential structures on neighboring properties.
Jordan River Buffer	The Jordan River has a 300' buffer from the annual highwater line. The first 100' is a strict no-disturbance buffer and no construction or development activities will be permitted in this area. The remaining 200' of the buffer area (the area between 100' and 300') is designated as the Transitional Buffer Area. This allows the buffer width to be reduced in some areas if a greater buffer is provided elsewhere. The modified buffer must maintain the total required buffer area, foot for foot, and must be contiguous with the No-Disturbance Buffer.
Landscaping	Requirements include water wise landscaping and prevention of noxious weeds to protect adjacent sensitive lands.
Trees	Trees are required along all property lines at a rate of 1 tree per 30 feet of property line, however, due to concerns with the unique drainage conditions in the area, trees can be spaced irregularly or clustered. When abutting a residential use, the amount of trees required is increased to 1 tree for every 15 feet of property line and must be placed every 15 feet for the length of the residential use and within 30 feet of the residential use.
Design Standards	

Building Façade Length	Limiting building facade length along 2200 West to 250 feet.
Maximum Length of Blank Walls	The maximum length of any blank wall uninterrupted by windows, doors, art, or architectural detailing along any ground level street facing facade is 25’.
Building Materials	Specifying building materials to ensure they are compatible with the natural environment. Brick, natural stone, wood, and tinted/textured concrete are appropriate materials. Stucco, including EIFS, is limited to architectural detailing surfaces and articulation. Exterior plastic vinyl siding or any reflective or polished materials are prohibited.
Roofs	Implementing roof specifications to mitigate the heat island effect. Light reflective roofing material with a minimum solar reflective index (SRI) of 82 is required for all roofs.
Bird-safe Glass Treatments	For any building elevation with more than 10% glass, a minimum of 90% of all glass shall be treated with applied films, coatings, tints, exterior screens, netting, fritting, frosted glass, or other means to reduce the number of birds that may collide with the glazing. Any treatment must create a grid pattern that is equal to or smaller than 2 inches wide by 4 inches tall. Mirrored or highly reflective glass is prohibited.
Dark Sky Lighting Standards	All lighting on the property, including lighting on the buildings, parking areas, and for signs shall be shielded to direct light down and away from the edges of the property to eliminate glare or light into adjacent properties and have cutoffs so that no light is emitted and/or reflected above the horizontal plane of the fixture.
Fence Guidelines	To minimize impacts on wildlife, fences shall have a visually open design with at least 50% of the fence open for the continuous length of the fence.
Stormwater Retention	Retention of the 80th percentile storm is required for all new and redevelopment projects greater than 1 acre. Detention shall be provided to ensure stormwater discharge does not exceed 0.2 cfs per acre, or less, to match pre-development flows, as identified in the area stormwater master plan.
Modification of Standards	
Maximum Lot Area	Approval for lots larger than 10 acres may be granted, provided the buildings and structures are grouped and a minimum of 20% of the area to be modified is designated as natural open spaced on the development site. Required setback yards and disconnected small areas of open space scattered throughout the site do not count toward the 20%, but any required wetland, canal, or other riparian buffers may be included.
Maximum Building Façade Length	The maximum building façade length of 250 feet along

	<p>2200 West may be increased if more natural open space is provided on the development site. The maximum building façade length may increase at a ratio of 20 feet per 5% of the total site dedicated as natural open space. The natural open space dedicated and permanently protected on site shall be no less than 7,000 SF, and to the greatest extent possible, shall be contiguous.</p>
Maximum Building Footprint	<p>The maximum footprint of a new building (100,000 SF) may be increased by complying with one or more of the options below. No more than an additional 100,000 square feet in building footprint will be permitted for an overall maximum building size of 200,000 SF.</p>
Electric Vehicle Parking	<p>Provide a minimum of 10 electric vehicle parking spaces with a rate of 10,000 SF of additional footprint per 10 EV stalls.</p>
Sustainable Roof	<p>At least 30% of the roof area shall be devoted to either solar panels or a green roof, or a combination of the two in exchange for 40,000 SF of additional footprint.</p>
Designation of Natural Open Space	<p>Additional open space designation on the development site at a rate of 1 square foot of building square footage for 1 square foot of open space preserved.</p>
Public Amenities:	<p>Inclusion of a privately-owned public pathway, trail, or greenway connecting to or through natural open space areas with a rate of 10,000 SF per 1,000 SF of linear feet of trail, or 25,000 SF per trailhead.</p>
Stormwater	<p>Providing full retention of stormwater with no release to the public storm drain system for 50,000 SF of additional footprint, or providing stormwater detention to the effect that no more than 0.1 cfs/acre is discharged from the 100-year 3-hour storm for 35,000 SF of additional footprint.</p>
All electric property	<p>The site is developed as an all-electric property for an additional 50,000 SF of additional footprint.</p>

Key Considerations

Planning staff discusses in depth two key considerations on pages 7 -10 of the planning commission staff report. Below is a short summary of the discussion, Please see those pages for full analysis.

1. How the Proposal Helps Implement City Goals & Policies Identified in Adopted Plans

- Staff found the text amendment was consistent with the goals and policies outlined in Plan Salt Lake such as Economy, Natural Environment and Growth. Additionally, they found text amendment aligns with the goals and vision of the newly adopted Northpoint Small Area plan.

2. Public Input and Code Changes

- Staff made many substantive changes to the draft ordinance based on feedback from the public. These include changes to the land use table, maximum lot size, vehicle laneways and location of trees.

Potential Amendments

After the Planning Commission forwarded their recommendation, some stakeholders reached out to Council Member Petro and staff to raise concerns and questions they have about the proposed ordinance.

Staff was able to review and respond to some of the questions. For the others which do not yet have a response, staff is asking if the Council supports working with the constituent and planning staff to come up with potential changes that would address their concerns.

Questions with Responses

1. Max height 40 feet. Concern this wouldn't allow for the parapet/screening.
 - **Response:** Current city code ([21A.36.020.C](#)) already gives an allowance to do 5' parapet walls for screening mechanical equipment.
2. Painted vs Tinted concrete. Is it possible to add painted in addition to tinted/textured concrete.
 - **Response:** Planning staff confirmed they would be ok with adding painted.
3. Blank Wall Standard – change to 8' instead of 12'.
 - The maximum length of any blank wall uninterrupted by windows, doors, art, or architectural detailing along any ground level street facing facade is 25'. Changes in plane, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to comply with this standard. The architectural feature shall be either recessed a minimum of twelve inches (12") or projected a minimum of twelve inches (12").
 - **Response:** 12" is the City standard that is used in all other districts no matter the building size. As of now, Planning staff would prefer to keeping it at 12" for consistency in applying the code for our building services and zoning reviewers, and because 12" will better break up the wall than 8".

Questions for further discussion

1. Exclude dock areas from maximum building height since they go below grade.
 - The Constituent is concerned that without this accommodation, the buildings will not match standard market buildings for interested tenants.

- **Response:** If the Council is supportive, staff will work with the constituent and planning staff to develop recommendations for the Council to consider that would address this concern.
- 2. Amend the wetland buffers in this ordinance to be consistent with language that applies to the Jordan River buffer: “Land within the Jordan River Transitional Buffer Area may count as natural open space.”
 - **Response:** Planning staff recommends that request is better addressed in the Riparian Corridor overlay amendments Public Utilities will bring forward.