



Staff Report

PLANNING DIVISION

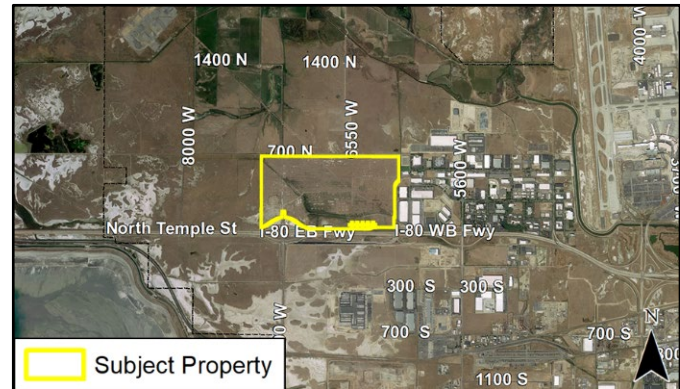
To: Salt Lake City Planning Commission
From: Andy Hulka, Inland Port Principal Planner; andy.hulka@slcgov.com, 801-535-6608
Date: May 8, 2024
Re: PLNPCM2024-00226: Prohibiting Distribution Centers on Former Northwest Quadrant Landfill Sites

Text Amendment

Property Address: 6780 W North Temple St
Parcel ID: 07-35-100-020-0000
General Plan: Northwest Quadrant Master Plan
Zoning District: M-1 Light Manufacturing District
Council District: District 1, represented by Victoria Petro

REQUEST:

Mayor Erin Mendenhall has initiated a zoning text amendment to prohibit distribution centers on the former North Temple Landfill site, located within the Northwest Quadrant Overlay. The intent of the proposal is to avoid the concentration of a single land use and to allow for diverse uses as outlined in the Northwest Quadrant Master Plan. Other sections of the zoning code may be amended as needed to accomplish this purpose.



RECOMMENDATION:

That the Planning Commission forward a recommendation to the City Council to **approve** the proposed text amendment.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Initiation Memo](#)
- C. [Proposed Text Amendment](#)
- D. [Zoning Text Amendment Standards](#)
- E. [Public Process & Comments](#)
- F. [Department Review Comments](#)

PROJECT DESCRIPTION

BACKGROUND:

The subject property is a 765-acre parcel located at approximately 6780 W North Temple St. The North Temple Landfill operated as a municipal landfill on the site for 20 years, from 1959 to 1979. More information about the history of the site and the assessment of contamination associated with the landfill is available on the [Department of Environmental Quality website](#). The property is currently owned by the School and Institutional Trust Lands Administration (SITLA).

On February 26, 2024, Mayor Mendenhall initiated a zoning text amendment to prohibit distribution centers on the former North Temple Landfill site. This petition initiation also invoked the “pending ordinance doctrine,” allowing the City to hold any relevant land use applications submitted within 180 days of the initiation. A copy of the memorandum initiating the text amendment is provided under [Attachment B](#). The amendment is intended to help promote the implementation of the Northwest Quadrant Master Plan, which envisions I-80 and 7200 West as a major gateway to the city that serves as an employment center bringing higher wage jobs to the area.

PROPOSED CHANGES:

The text amendment proposes two notable changes to the ordinance: (1) Adding a new definition for “Distribution Center” and clarifying the terms “Distribution Center” and “Wholesale Distribution,” and (2) Prohibiting distribution centers and related uses on the North Temple Landfill site.

1. Distribution Centers & Wholesale Distribution

Under the current zoning ordinance, distribution centers are typically classified as either “Wholesale Distribution,” which covers bulk distribution to other companies, or “Package Delivery Facility,” which covers the distribution of packages. These terms have been used in the zoning ordinance since at least 1995, predating current development trends involving large logistics centers that primarily distribute individual products directly to the consumer. This text amendment proposes a new “Distribution Center” land use classification for businesses that involve direct-to-consumer distribution. Additional language is also proposed to clarify that accessory distribution uses that are subordinate to other permitted uses should not be classified as either distribution centers or wholesale distribution:

DISTRIBUTION CENTER: 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).

WHOLESALE DISTRIBUTION: 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).

2. Prohibiting Distribution Uses on the North Temple Landfill Site

In order to prohibit distribution-related uses on the former North Temple Landfill site, a new footnote will be added to the Land Use Table for Manufacturing Districts. The new footnote (#21) will apply to distribution centers, package delivery facilities, truck freight terminals, warehouses, and wholesale distribution, stating that those uses are prohibited on the former landfill site located within the Northwest Quadrant Overlay:

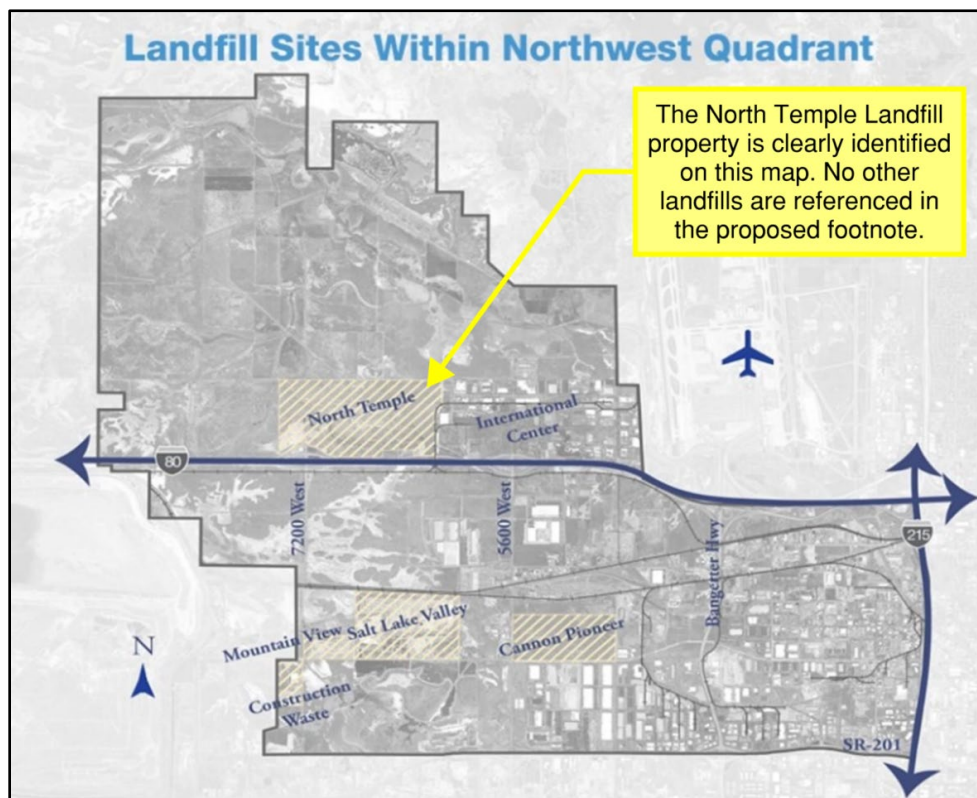
21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Use	Permitted And Conditional Uses By District	
	M-1	M-2
<u>Distribution center</u>	<u>P^{19, 21}</u>	<u>P¹⁹</u>
Package delivery facility	P ²¹	P
Truck freight terminal	P ^{12, 21}	P ¹²
Warehouse	P ^{19, 21}	P ¹⁹
Wholesale distribution	P ^{19, 21}	P ¹⁹

Qualifying provisions:

21. Prohibited on the North Temple Landfill site, as identified in the Northwest Quadrant Master Plan.

The footnote includes the language, “as identified in the Northwest Quadrant Master Plan” because the plan includes a map called “Landfill Sites Within Northwest Quadrant,” which clearly identifies the subject property as the North Temple Landfill:



Additionally, the new land use “Distribution Center” will be added as a permitted use in the M-1, M-2, and BP Zoning Districts, and will also be added to the off-street parking table under the “Storage and Warehousing” section, allowing for these types of uses outside of the identified landfill area. A full copy of the proposed amendment is provided under [Attachment C](#).

APPROVAL PROCESS AND COMMISSION AUTHORITY

The proposal is for a zoning text amendment. The Planning Commission is a recommending body for zoning text amendments, per [21A.50.050.A](#). The Commission can consider forwarding the proposal to the City Council for adoption as is, with modification to any aspect of the proposal (provided the modification complies with applicable state and federal laws), or recommend that the proposal not be adopted.

If considering modifications, the Commission should provide clear direction to the planning staff regarding the changes and ask that the changes be made prior to sending the proposal to the Council for consideration, provide staff with exact wording (or deletions) that are desired, or table the matter with clear direction to staff to make specific changes that will be reviewed by the Commission at a later date.

KEY CONSIDERATIONS

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

1. Consistency with Utah Code
2. How the Proposal Helps Implement City Goals & Policies Identified in Adopted Plans
3. Zoning Analysis & Best Practices

Consideration 1: Consistency with Utah Code

The City’s petition initiation coincides with a new law passed by the State legislature during the most recent legislative session. [SBo264](#) Inland Port Authority Amendments (2024) made several updates to [Utah Code 11-58](#) Utah Inland Port Authority Act, including the following changes prohibiting distribution centers on contaminated land:

11-58-102. Definitions.

(9) "Distribution center" means a building that is:

- (a) used for the storage, sorting, and distribution of goods intended for sale; and***
- (b) not associated with or operated in conjunction with an adjacent manufacturing facility.***

11-58-205. Applicability of other law...

(6)(b) Notwithstanding a permitted or conditional use allowed under applicable municipal ordinances, contaminated land may not be used for a distribution center.

One purpose for the text amendment is to ensure that the City Code and Utah Code are in alignment. The City’s text amendment proposes similar language intended to define “Distribution Center” and prohibit distribution-focused land uses on the North Temple Landfill property.

Consideration 2: How the Proposal Helps Implement City Goals & Policies Identified in Adopted Plans

Plan Salt Lake (2015)

The citywide general plan, [Plan Salt Lake](#), establishes broad principles and initiatives to help direct decision-making. The Plan envisions the development of a gateway area to the City that supports industrial growth with a mixture of land uses.

Growth

- *Encourage a mix of land uses.*
- *Promote infill and redevelopment of underutilized land.*

Transportation & Mobility

- *Reduce automobile dependency and single occupancy vehicle trips.*

Beautiful City

- *Identify and establish standards for key gateways into the City.*

Economy

- *Support the growth of the industrial areas of the City.*

Northwest Quadrant Master Plan (2016)

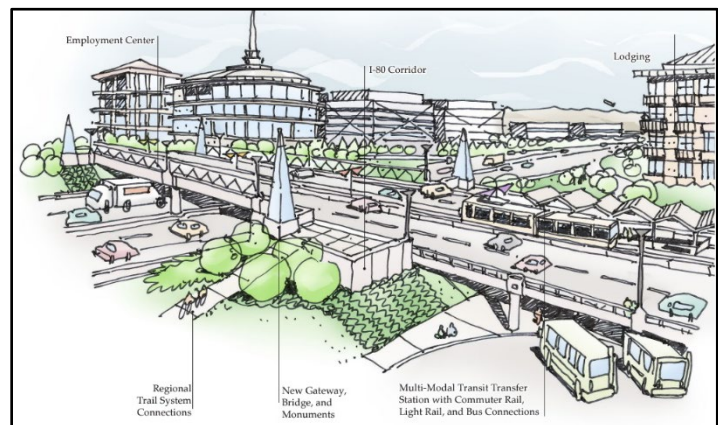
The [Northwest Quadrant Master Plan](#) is the relevant long-range plan for this area of the city. The Plan includes a detailed vision of the 7200 West interchange as a major gateway to the city with taller buildings, office and lodging land uses, and higher wage jobs.

Goal 04: Promote the Infill and Redevelopment of Underutilized Areas

- *Work with property owners, environmental groups, government agencies and other parties to develop and perform appropriate and cost-effective methods to address the North Temple and Cannon Pioneer landfills.*

Goal 05: Develop 7200 West and I-80 as a Major Gateway to the City

- *Promote this area as a major employment center for the City.*
 - *Support 4-5 story structures in the area.*
 - *Consider office and lodging as potential land uses.*
 - *Promote high quality design and building materials.*



(Concept sketch of future vision for I-80 & 7200 W)

Goal 06: Expand the Region's Economic Base by Supporting Business Recruitment, Development and Job Creation

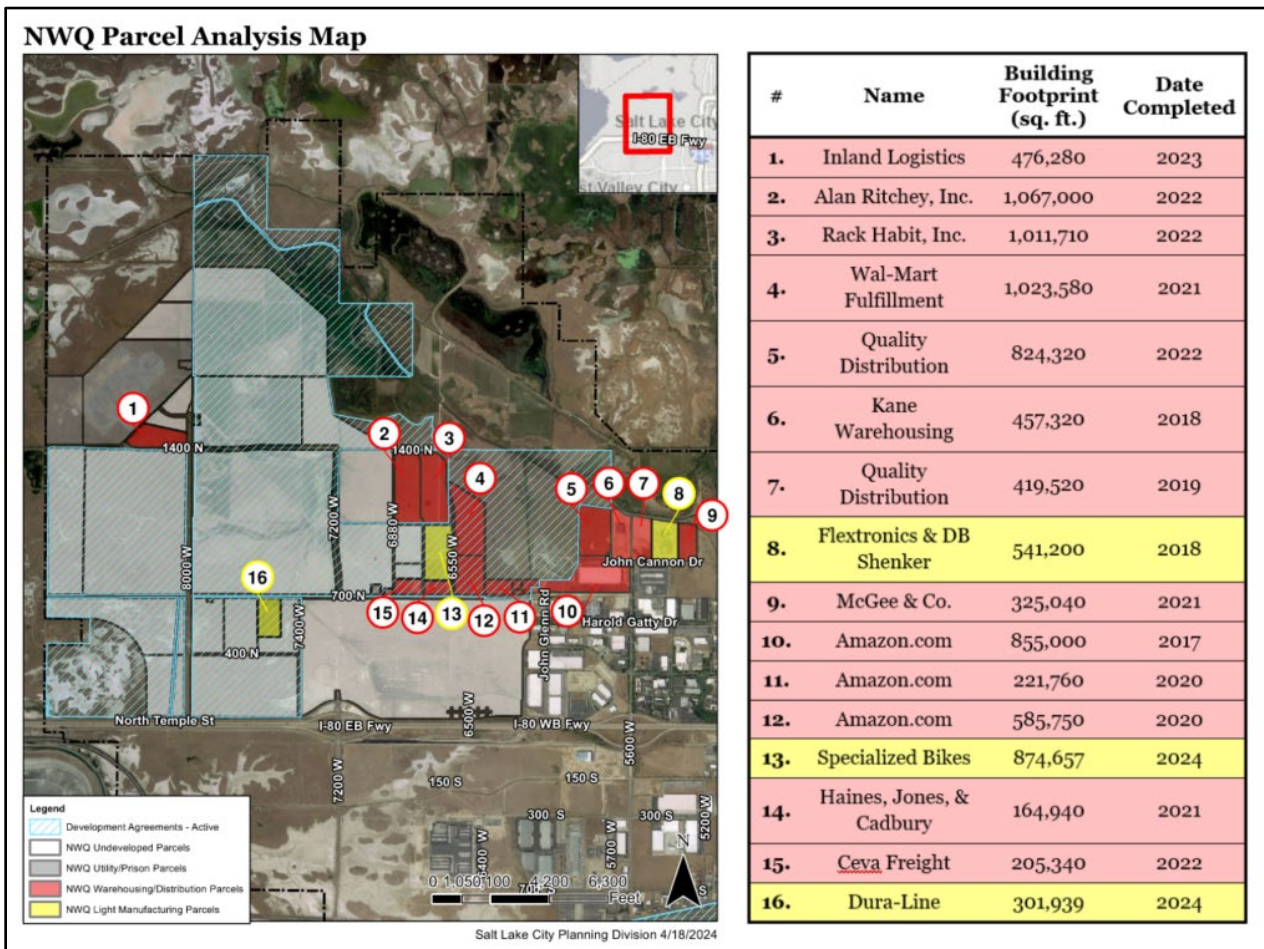
- *Recruit new business enterprise that would bring higher wage jobs to the Northwest Quadrant.*

The goals of both Plan Salt Lake and the Northwest Quadrant Master Plan support the development of underutilized industrial land, but also provide direction that the subject property should be developed as a unique gateway to the city. As discussed below under Consideration 3, almost all of the new buildings in the Northwest Quadrant have been developed as distribution centers. The proposed text amendment is intended to help ensure the City’s vision for the area is realized through the development of a variety of other permitted uses.

Consideration 3: Zoning Analysis & Best Practices

Zoning Analysis

The subject property is zoned M-1 Light Manufacturing, which currently allows warehousing and distribution as permitted uses. After the Northwest Quadrant Master Plan was adopted in 2016, much of the Northwest Quadrant area was rezoned from AG to M-1. The Amazon Fulfillment Center at 777 N 5600 W was completed in 2017 and almost all development in the area since has been devoted to warehousing and distribution. As illustrated in the map below, all but three of the developed properties in the Northwest Quadrant are primarily distribution centers. The three properties highlighted in yellow have at least a portion of the building dedicated to manufacturing:



The map also shows areas with active development agreements. In 2018, many of the Northwest Quadrant properties recorded a development agreement that vested the properties with the right to develop according to the laws that were in effect at the time. Because of these agreements, most of the undeveloped property in the area would not be impacted by any proposed changes to the

zoning ordinance. The subject property is one of the few remaining undeveloped parcels in the Northwest Quadrant subject to City land use controls.

Best Practices

Population growth, economic growth, e-commerce, and increased consumption habits have all led to a need for new warehousing and distribution centers nationwide. While these facilities are important to the economy, studies have shown that warehousing districts can sometimes have negative impacts. A study in the Journal of Transport Geography, "[The environmental and traffic impacts of warehouses in southern California](#)" found a "significant association between warehouse activity and air pollution, noise levels and traffic collisions." Because warehouses and distribution centers tend to be disproportionately sited in low-income minority communities, the negative impacts associated with those uses is an environmental justice concern. Another study titled, "[Environmental Justice in Warehousing Location: State of the Art](#)" discusses findings that the warehousing industry generally has lower job densities than many other industries, and that warehousing jobs are often not well-paid or secure in the long run. As technology improves and facilities become increasingly automated, the demand for jobs is expected to continue to decrease. These changes are initially expected to impact low-skilled workers.

Residents have also expressed concerns about the potential for negative impacts to the environment, low-wage jobs, and increased traffic associated with warehouse development in the Northwest Quadrant and Inland Port Overlay Districts. The EPA is currently conducting a Westside Environmental Justice Assessment to evaluate environmental impacts to Westside communities. The [preliminary findings](#) indicate that Westside residents have greater pollution and health risks compared to the rest of the state. While warehousing and distribution uses are an important piece of the local economy, the potential for negative impacts should be considered when evaluating this proposal.

STAFF RECOMMENDATION

The proposed ordinance amendments have been reviewed against the Zoning Amendment consideration criteria in [Attachment D](#). The proposed amendment implements professional best practices, does not conflict with other applicable State or City Code, and aligns with the City's zoning purposes. The proposed amendment also furthers the purpose of the City's policies and goals, including those in the applicable master plans.

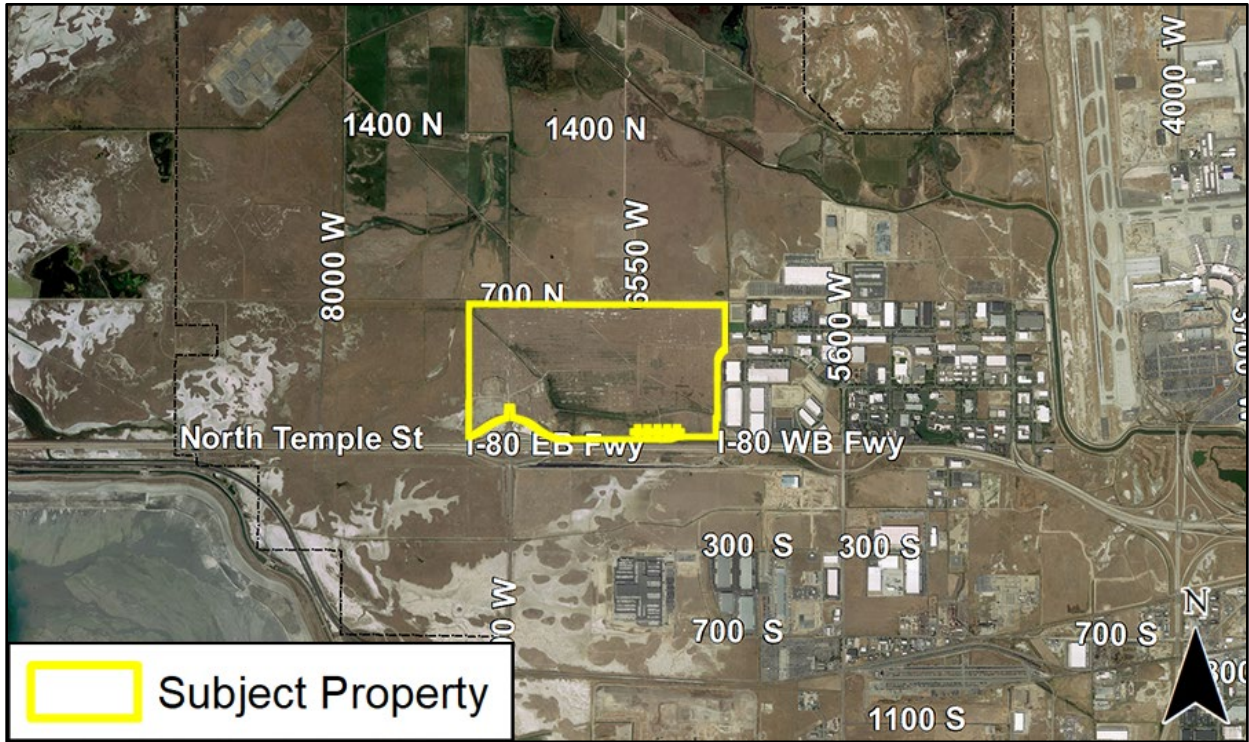
Due to these considerations, **staff is recommending that the Commission forward a favorable recommendation on this request to the City Council.**

NEXT STEPS

The Planning Commission can provide a positive or negative recommendation for the proposed text amendment. The recommendation will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed amendments. The City Council may make modifications to the proposal and approve or decline to approve the proposed amendments.

If ultimately approved by the City Council, the changes would be incorporated into the Salt Lake City Zoning Ordinance, and new development would be required to follow the new regulations. If denied, the land uses discussed earlier in the report would not be allowed according to new state regulations.

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Initiation Memo



MEMORANDUM

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Mayor Erin Mendenhall

Cc: Rachel Otto, Chief of Staff; Blake Thomas, Department of Community and Neighborhoods Director; Michaela Oktay, Deputy Planning Director; Katherine Lewis, City Attorney.

From: Nick Norris, Planning Director

Date: February 26, 2024

Re: Initiation of a zoning text amendment to prohibit distribution centers on land within the Northwest Quadrant Overlay that was formerly used as a landfill.

The Planning Division is requesting that you initiate a zoning text amendment that would prohibit distribution centers (or as similarly defined in the zoning code) on a former landfill site that is located within the Northwest Quadrant Overlay. The intent of the proposal will allow for future development of other uses allowed by the zoning code. Other sections of the zoning code may be amended as needed to accomplish this purpose.


In addition, the Planning Division is requesting to invoke the “pending ordinance doctrine” in accordance with Utah Code 10-9a-509(1)(a)(ii)(b) that allows the city to hold any pending land use applications for land that is subject to this initiation for a period of 180 days. If the city adopts new regulations that prohibit the land use application within 180 days, the city may deny the land use application. Notice of this pending action will be posted on the Planning Division’s website. This action complies with the cited section of Utah Code that reads “in the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipality’s land use regulations in a manner that would prohibit approval of the application as submitted.” City Code 21A.50 authorizes the mayor to initiate zoning amendments. Signing this petition is considered the initiation of this amendment and will be presented to the planning commission as indicated in Zoning Ordinance section 21A.50.

The public process will include a minimum 45-day public input period before the Planning Commission holds a public hearing. All registered recognized organizations will be notified of the proposal.

This memo includes a signature block to initiate the petition if that is the decided course of action. If the decided course of action is to not initiate the application, the signature block can remain blank. Please notify the Planning Division when the memo is signed or if the decision is made to not initiate the petition.

Please contact me at 801-535-6173 or nick.norris@slcgov.com if you have any questions. Thank you.

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


Erin Mendenhall (Feb 26, 2024 17:36 MST)

Erin Mendenhall, Mayor

02/26/2024

Date

ATTACHMENT C: Proposed Text Amendment

1 Project Title: Prohibiting Distribution Centers on Former Northwest Quadrant Landfill Sites

2 Petition No.: PLNPCM2024-00226

3 Version: Planning Commission Draft

4 Date Prepared: April 26, 2024

5 Recommended by Planning Commission: Scheduled for May 8, 2024 PC Hearing

6 This proposed ordinance makes the following amendments:

- 7 • Adds a new definition of “Distribution Center” for facilities that distribute products directly to consumers, and adds language clarifying
- 8 that the terms “Distribution Center” and “Wholesale Distribution” do not include accessory distribution uses subordinate to a different
- 9 permitted land use.
- 10 • Adds “Distribution Center” as a permitted land use in the M-1, M-2, and BP Zoning Districts.
- 11 • Adds a new footnote to the manufacturing districts land use table prohibiting distribution centers, package delivery facilities, truck freight
- 12 terminals, warehouses, and wholesale distribution uses on the former North Temple Landfill site.
- 13 • Amends the off-street parking table by adding “Distribution Center” to the Storage and Warehousing section.

14 Red underlined text is new; ~~red text with strikethrough~~ is proposed to be deleted. If modifications are made as part of the Planning Commission

15 recommendation, those will be added and highlighted in yellow. All other text is existing with no proposed change.

16
17 **Amending section 21A.33.040 by adding “Distribution center” to the land use table and adding a new footnote prohibiting distribution**

18 **centers, package delivery facilities, truck freight terminals, warehouses, and wholesale distribution uses on the former North Temple**

19 **Landfill site.**

20 21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Use	Permitted And Conditional Uses By District	
	M-1	M-2
<u>Distribution center</u>	<u>p^{19, 21}</u>	<u>p¹⁹</u>
Package delivery facility	P ²¹	P
Truck freight terminal	p ^{12, 21}	p ¹²
Warehouse	p ^{19, 21}	p ¹⁹
Wholesale distribution	p ^{19, 21}	p ¹⁹

APPROVED AS TO FORM	
Salt Lake City Attorney’s Office	
Date:	_____
By:	_____
	Katherine D. Pasker, <i>Senior City Attorney</i>

21 Qualifying provisions:

22 21. Prohibited on the North Temple Landfill site, as identified in the Northwest Quadrant Master Plan.

23 Amending section 21A.33.070 by adding “Distribution center” to the land use table as a permitted use in the BP Business Park District.

24 21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Use	Permitted And Conditional Uses By District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
<u>Distribution center</u>		<u>P²⁴</u>															

25 Amending table 21A.44.040-A by adding “Distribution center” to the Storage and Warehousing section of the off-street parking table.

DU= dwelling unit sq. ft.= square feet					
Land Use	Minimum Parking Requirement				Maximum Parking Allowed
	General Context	Neighborhood Center Context	Urban Center Context	Transit Context	
	All zoning districts not listed in another context area	RB, SNB, CB, CN, R-MU-35, R-MU - 45, SR-3, FB-UN1, FB-SE, SSSC Overlay	D-2, MU, TSA-T, CSHBD1, CSHBD2	D-1, D-3, D-4, G-MU, TSA-C, UI, FB-UN2, FB-UN3, FB-SC, R-MU	
Storage and Warehousing					
Air cargo terminals and package delivery facility	No Minimum				No Maximum
Building materials distribution					
<u>Distribution center</u>	No Minimum			No Minimum	No Maximum
Flammable liquids or gases, heating fuel distribution and storage					

Package delivery facility			
Warehouse			
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)			
Wholesale distribution			
Storage, self	2 spaces per 1,000 sq. ft. of office area, plus 1 space per 30 storage units	2 spaces per 1,000 sq. ft. of office	All Contexts: 1 space for every 15 storage units
Contractor's yard/office	2 spaces per 1,000 sq. ft. of office area		All Contexts: 3 spaces per 1,000 sq. ft. of office area
Rock, sand and gravel storage and distribution	No Minimum		No Maximum
Storage (outdoor)			
Storage and display (outdoor)			
Storage, public (outdoor)			

26 **Amending section 21A.62.040 by adding a new definition of “Distribution Center” for facilities that distribute products directly to**
27 **consumers, and updating the definition of “Wholesale Distribution” to clarify that the term does not include accessory distribution.**

28 21A.62.040: DEFINITIONS OF TERMS:

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

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

DRAFT

ATTACHMENT D: Zoning Text Amendment Standards

ZONING TEXT AMENDMENTS

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. In deciding to amend the zoning text, the City Council should consider the following:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.

The proposed amendments are consistent with the goals and policies of the City's plans. The amendments to the zoning code are in-line with the policies found in Plan Salt Lake and the Northwest Quadrant Master Plan, as discussed under Key Consideration #1. The proposed text amendment is intended to support the development of 7200 West & I-80 as a major gateway to the city with a mix of land uses, as permitted in the M-1 District.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.

21A.02.030: Purpose and Intent (Zoning Ordinance): The text amendment is intended to allow certain types of industrial growth that is consistent with the long-range vision for the area. This proposal is in line with the purposes of the zoning ordinance to lessen congestion and to foster the City's industrial development.

21A.20.010.A: Statement of Intent (Manufacturing Districts): By limiting distribution-related uses and encouraging other permitted uses, this proposal furthers the stated purpose of the Manufacturing Districts, "to enhance employment opportunities; to encourage the efficient use of land; ...and to help implement adopted plans."

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

21A.34.140.A.1: Purpose (Northwest Quadrant Overlay District): This proposal is consistent with the purpose of allowing the development of lands in appropriate areas that contribute to the future economic growth of the city that will not negatively impact sensitive lands, habitats, and waterways. Future development will be required to comply with all applicable standards of the NWQ Overlay District.

21A.34.150.A: Purpose (Inland Port Overlay District): This proposal is also consistent with the Inland Port Overlay's purpose to allow land uses that are light industrial in nature, provide high quality jobs, and are an economic engine for the City and region.

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

The proposed text amendment implements the best current, professional practices of urban planning and design by supporting the implementation of the Northwest Quadrant Master Plan. Current research indicates that the development of the area as a warehouse district could contribute to negative impacts to the environment and might provide fewer jobs that are generally lower-paying than other industries. Encouraging a mixture of other industrial land uses is one way Salt Lake City can limit those potential negative impacts.

(Note: This petition was accepted as a complete application by the City prior to the adoption of the new [Community Benefit and Tenant Displacement Amendments](#).)

ATTACHMENT E: Public Process & Comments

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- March 19, 2024 – All Community Councils were sent the 45-day required notice for recognized community organizations. Staff presented an overview of the project to the Wasatch Hollow Community Council on March 27, 2024. None of the councils provided comments on this request.
- March – May 2024 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- By April 19, 2024
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

As of the publication of this staff report, staff has received one written comment from a resident in favor of the proposal; one written comment on behalf of Property Reserve, Inc., owner of the Cannon Pioneer Landfill, requesting the language be updated for clarity; and one comment from NT Development requesting an extension of the public comment period. Each comment has been attached for Planning Commission consideration.

From: [Thea Brannon](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Zoning change to prohibit distribution centers in landfill in Northwest Quadrant
Date: Thursday, March 21, 2024 7:11:03 PM

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

Dear Mr Hulka—

I strongly support Mayor Mendenhall's effort to prevent further movement toward making us like the San Bernardino valley disaster. Granted, it would probably not be as bad since we are not at the coast, but there's no sense in tempting fate. The proliferation of "inland ports" around the Great Salt Lake and Utah Lake will be more than enough of a detriment to our cozy basin on the Wasatch Front. Please record this active citizen voter as 200% in favor of the ban.

Thanks,
Thea Brannon
[REDACTED] E [REDACTED] Ave
SLC

From: [Ryan T. Wallace](#)
To: [Hulka, Andrew](#); [Pasker, Katherine](#)
Cc: [Tyler Lyman Buswell](#); [Matthew Stapley](#); rhyde@kmclaw.com; [Brett L Hopper](#); [Luke Rothey](#)
Subject: (EXTERNAL) Public Comment regarding Petition No. PLNPCM2024-00226
Date: Tuesday, April 30, 2024 4:36:29 PM
Attachments: [image001.png](#)
[Cannon Pioneer topo.pdf](#)

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

Hello Andy and Katherine,

Katherine, thank you for your call and being willing to discuss the impact of Petition No. PLNPCM2024-00226 and the text amendment provided therein. I represent Property Reserve, Inc. who is the owner of the former Cannon Pioneer Landfill located within the Northwest Quadrant Overlay. A survey depicting the Cannon Pioneer Landfill is attached for your convenience.

We've reviewed the proposed zoning ordinance amendment presented in Petition No. PLNPCM2024-00226 and are concerned that the language is too vague and may unintentionally impact the Cannon Pioneer Landfill when it only intends to prohibit Distribution Centers on the North Temple Landfill site. The language describing the amendment to Section 21A.33.040 makes it clear that amendment is only intended to "prohibit[] certain distribution-related primary uses on the former North Temple Landfill site." However, the actual language in the footnote only identifies the affected property as "a former landfill site that is located within the Northwest Quadrant Overlay." This could apply to both the North Temple Landfill and the Cannon Pioneer Landfill.

Accordingly, we provide this public comment and would recommend revising footnote 21 to read as follows "21. Prohibited on parcels of real property that are within the boundaries of the landfill site formerly known as the North Temple Landfill, as depicted on _____." If the City can identify the North Temple Landfill by name and include a depiction of the bounds that it wants to restrict, then other property owners within the Northwest Quadrant Overlay can be sure that this amendment will not inadvertently impact their property, including the Cannon Pioneer Landfill.

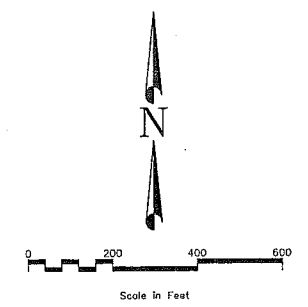
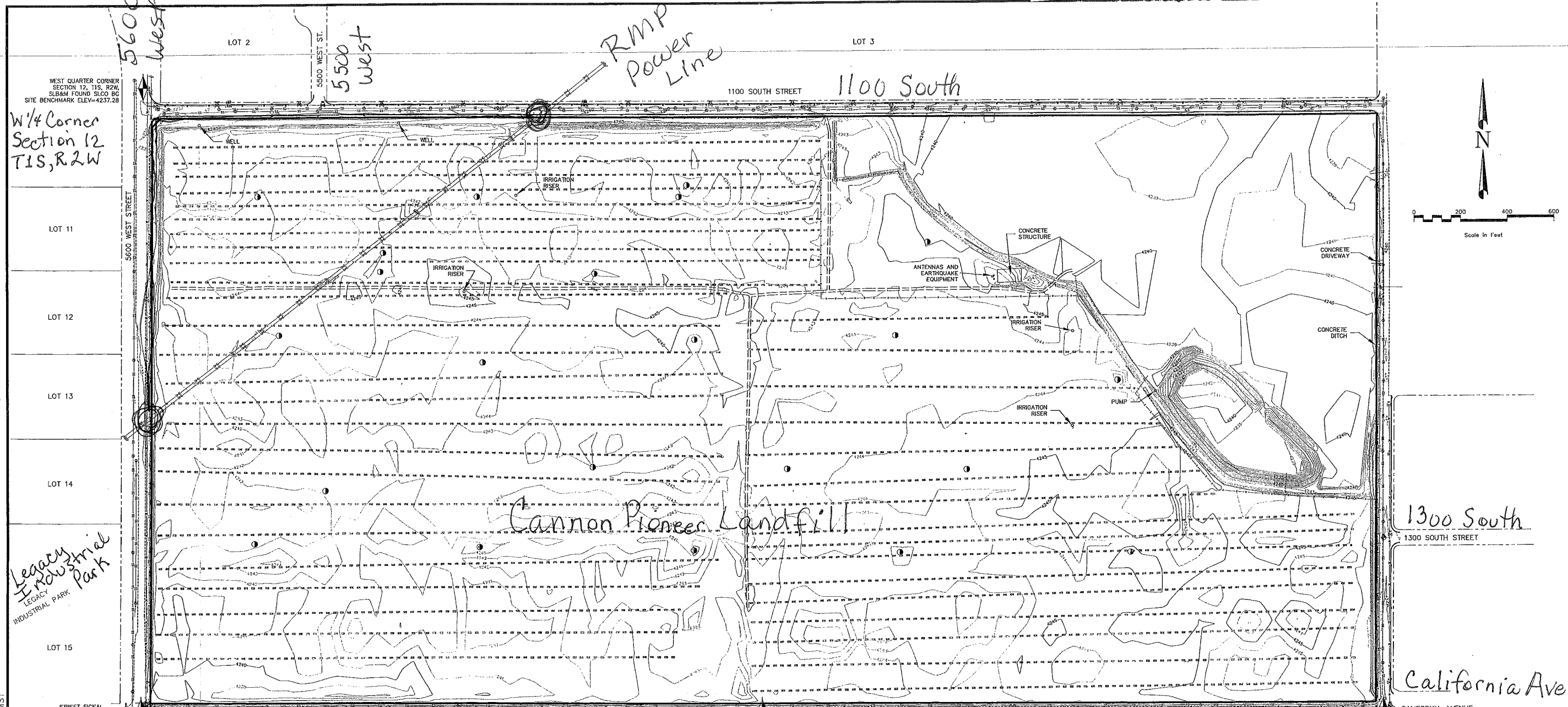
Please let me know if you have any questions regarding the foregoing and let us know if you would like to discuss. Thank you!

KIRTON | McCONKIE

Kirton McConkie Building
50 E. South Temple, Ste. 400
Salt Lake City, UT 84111
kirtonmcconkie.com

Ryan T. Wallace
Attorney

o 801.328.3600
d 801.350.7633
f [801.212.2179](tel:801.212.2179)
rtwallace@kmclaw.com



WEST QUARTER CORNER
SECTION 12, T1S, R2W,
SLBM FOUND SLOO BC
SITE BENCHMARK ELEV=4237.28

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

SOUTHWEST CORNER
SECTION 12, T1S, R2W,
SLBM FOUND SLOO BC
SITE BENCHMARK ELEV=4237.31

SOUTH QUARTER CORNER
SECTION 12, T1S, R2W,
SLBM FOUND SLOO BC
SITE BENCHMARK ELEV=4238.54

SOUTHEAST CORNER
SECTION 12, T1S, R2W,
SLBM FOUND SLOO BC
SITE BENCHMARK ELEV=4244.16

SEC 5 12 T1S, R2W

South 1/4 Corner
Section 12, T1S, R2W

SE Corner
Section 12
T1S, R2W

LEGEND:

	BOUNDARY LINE		FIBER OPTIC LINE W/MANHOLE
	CURB AND GUTTER		OVERHEAD POWER LINES W/POLE
	EDGE OF ASPHALT		FENCE LINE
	DIRT ROAD		FOUND SECTION CORNER
	WATER LINE W/MANHOLE, VALVE & HYDRANT		MONITORING WELL
	SEWER LINE W/MANHOLE		DRAINAGE CULVERT
	STORM DRAIN LINE W/MANHOLE		EXISTING CONTOUR MAJOR
	FIBER OPTIC LINE W/MANHOLE		EXISTING CONTOUR MINOR
	APPROXIMATE CELL LOCATION		

NARRATIVE:

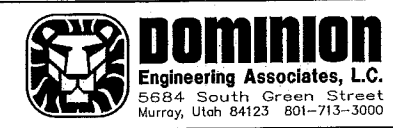
The basis of horizontal and vertical control as listed below are from the GHID (Granger Hunter Improvement District) CORs station.
GHID CORs Station=N 3417603.824; E 1507959.149; Elevation 4291.393 (published)
Horizontal Datum=US State Plane 1983, Zone Utah North (4301), US Survey Feet
Vertical Datum=NAVD88, US Survey Feet
Vertical separation from Salt Lake County Datum equals +2.90'. (i.e. SLOO elev=4242.26 is equal to NAVD88 elev=4244.16.)

14-12-300-004

P:\UTEX PIONEER LANDFILL SURVEY\dwg\2 OF 2.dwg 7/10/2006 11:39:02 AM MST

DRAWN	KT 7/06	CHECKED	JDP 7/06
DESIGNED	KT 7/06	PROJECT ENGINEER	
APPROVED	JDP 7/06	PROJECT MANAGER	

UTEX ENVIRONMENTAL SERVICES
Salt Lake City, Utah



PIONEER LANDFILL - TOPOGRAPHIC SURVEY
South Half of Section 12, T1S, R2W, SLBM

PROJECT NO.	1147		
SHEET NO.	2 of 2		
NO.	REVISIONS	BY	DATE



NT DEVELOPMENT

April 15, 2024

Andrew Hulka
Inland Port Principal Planner
Planning Division-Salt Lake City Corporation
451 South State Street
Salt Lake City, UT 84111

Re: Petition No: PLNPCM2024-00226

Andrew,

We are in receipt of your email of Tuesday April 10, 2024, and the attached petition for a zoning change. The proposed Prohibition of Distribution Centers on Former Northwest Quadrant Landfill Sites would have a significant impact on our proposed development plans as well as our remediation timeline and funding approach.

Given the severity of these potential impacts on our project we respectfully request that the Public Comment Period be extended an additional 30-45 days to provide us the time to properly evaluate the implications and allow us to provide you with appropriate reasoned comments.

Best Regards,

Gary McEntee
NT Development, LLC
1700 South 4650 West
Salt Lake City 84104

From: [Hulka, Andrew](#)
To: [Gary McEntee](#)
Cc: [Corbin Bennion](#); [Eric Rice](#); [Chris Shiraldi](#)
Subject: RE: (EXTERNAL) Re: SLC Text Amendment - Prohibiting Distribution Centers on Former Northwest Quadrant Landfill Sites
Date: Tuesday, April 16, 2024 3:53:00 PM
Attachments: [image002.png](#)
[image003.png](#)

Gary,

Thank you for sending us your request to extend the public comment period for this project. As I mentioned on the phone, when this petition was initiated, the City invoked the “pending ordinance doctrine,” which allows the City to hold relevant land use applications submitted within 180 days of initiation. Because of this, we will need to keep the application moving through the process to meet that 180-day deadline.

I want to clarify that the current public comment period is not the only opportunity you will have to be involved. Any comments received prior to the Planning Commission meeting on May 8th will be shared with the Commissioners. You are also welcome to attend the meeting and give comments in person. The Planning Commission will make a recommendation to the City Council and then a new public notice and public comment period will begin for the Council process. If you don’t think you’ll have time to prepare comments before the Planning Commission meeting, you will still have plenty of time to submit comments and participate in the City Council meetings as they are scheduled later this summer.

I hope this clarifies some of the additional opportunities you will have to be involved in this process. Please let me know if you have any further questions.

Thanks,



ANDY HULKA, AICP | (He/Him/His)
Inland Port Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: (801) 535-6608
Email: andy.hulka@slcgov.com
WWW.SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Gary McEntee <gary@ninigret.com>
Sent: Monday, April 15, 2024 2:30 PM
To: Hulka, Andrew <Andy.Hulka@slcgov.com>
Cc: Corbin Bennion <corbin@dominioneng.net>; Eric Rice <eric@ninigret.com>; Chris Shiraldi <cshiraldi@utah.gov>
Subject: (EXTERNAL) Re: SLC Text Amendment - Prohibiting Distribution Centers on Former Northwest Quadrant Landfill Sites

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

Andrew,

Please see our attached request for an extension to the Public Comment Period for the proposed zoning change.

Best Regards,
Gary

From: "Hulka, Andrew" <Andy.Hulka@slcgov.com>

Date: Wednesday, April 10, 2024 at 2:51 PM

To: Gary McEntee <gary@ninigret.com>

Cc: Corbin Bennion <corbin@dominioneng.net>, Eric Rice <eric@ninigret.com>, Niko Hardman <niko@dominioneng.net>

Subject: SLC Text Amendment - Prohibiting Distribution Centers on Former Northwest Quadrant Landfill Sites

Gary & Team,

Please see the attached PDF with the draft language for the proposed Zoning Text Amendment related to distribution centers on the former landfill site. The public comment period for this project runs through May 3, 2024. If you would like to submit a written comment, please send it to me before May 3rd. I'm happy to answer any questions you have about the proposal.

Thanks,



ANDY HULKA, AICP | (He/Him/His)
Inland Port Principal Planner
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ATTACHMENT F: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Airport: Lisa Garmendia // Airport Principal Planner // lisa.garmendia@slcgov.com

The airport has no objection to this text amendment.

Public Utilities: Kristeen Beitel // Deputy Chief Engineer // Kristeen.beitel@slcgov.com

Public Utilities has no comments on the proposed zoning text amendment. As always, Public Utilities standards and requirements must be met for any development with the City.

Sustainability: Debbie Lyons // Sustainability Director // Debbie.lyons@slcgov.com

The city has not done a land use analysis related to air quality or carbon intensity of distribution centers and warehouses compared to other land use types. There are variables related to the activities of the individual warehouses that would impact this, such as the number of shipments going in and out over a given timeframe, and energy demand based on heating/cooling/refrigeration..

Transportation: Jena Carver, PE // Transportation Engineer // jena.carver@slcgov.com

I have no issues with the proposed amendments. I would just like to know if the property owner is aware of the proposed changes. I've had a couple of meetings with them and just want to be aware for when we meet again.

Urban Forestry: Rick Nelson // Urban Forestry Services Coordinator // rick.nelson@slcgov.com

Urban Forestry has no concerns with this proposal.

City Attorney: Katherine Pasker // Senior City Attorney // Katherine.Pasker@slcgov.com

As discussed, my suggestion is to revise the footnote as follows: "Prohibited on the North Temple landfill site, as identified in the Northwest Quadrant Master Plan. I think this will resolve the recent public comment we received from the owner of the Cannon Pioneer landfill site (and make it simpler for people to understand where specifically this prohibition impacts).