

June 3, 2021

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2021-00360**



REQUEST:

A request for an administrative interpretation for a proposed use of an “artisan woodshop business” that produces custom furniture on site and at the applicant’s location. The request involves confirmation on whether the proposed use would be permitted in the CC (Corridor Commercial) zoning district. The applicant has indicated a desired location of 1159 S. Richards Street, which is located in the CC zoning district, and abuts CC to the north, south, east and west.

DECISION:

The Zoning Administrator finds that the proposed use of “artisan woodshop business” is most similar to the defined use of Retail Service Establishment, which is a permitted use in the CC (Corridor Commercial) zoning district.

FINDINGS:

As provided by the applicant, the proposed use includes the following:

- A facility that makes “one-of-a-kind creations hand crafted with care”.
- The company includes retail and office space where clients meet for designing their custom furniture and spaces for residential and commercial property.
- Materials are sourced from other locations as needed and not stockpiled at this location.
- The facility would not include assembly line or mass production of products.

The Salt Lake City Zoning Ordinance, Chapter 21A.62, defines RETAIL SERVICE ESTABLISHMENT as the following:

RETAIL SERVICE ESTABLISHMENT: A building, property or activity, the principal use or purpose of which is the provision of personal services directly to the consumer. The term "retail service establishment" shall include, but shall not be limited to, barbershops, beauty parlors, laundry and dry cleaning establishments (plant off premises), tailoring shops, shoe repair shops and the like. Retail service establishment shall not include any use or other type of establishment which is otherwise listed specifically in the table of permitted and conditional uses found in [chapter 21A.33](#) of this title.

The provided definition of retail service establishment focuses on the establishment of a retail service use which provides personal services directly to the consumer. The description provided by the applicant is “specialty crafted items designed and made for the client”. The information submitted from the applicant and the definition found in the ordinance are similar to each other. The proposed use of “artisan woodshop” is not listed specifically in the table of permitted and conditional uses found in chapter 21A.33. The Land Use Table for the Commercial Districts, found in 21A.33.030 of the Salt Lake City Zoning Ordinance, indicates retail service establishment as a permitted use in the Corridor Commercial zone.

Standards for Use Interpretation

Use interpretations are subject to the standards found in section 21A.12.050 of the Salt Lake City Zoning Ordinance. The analysis of each standard is as follows:

A. Any use defined in Chapter 21A.62 of this title shall be interpreted as defined;

Finding: The proposed use is most similar to a Retail Service Establishment, as defined in chapter 21A.62 of the Salt Lake City Zoning Ordinance. The use is not specifically listed the table of permitted and conditional uses found in chapter 21A.33.

B. Any use specifically listed without a “P” or “C” designated in the table of permitted and conditional uses for a district shall not be allowed in that zoning district;

Finding: The use that best matches the proposed use is listed as a permitted use in the Table of Permitted and Conditional Uses for the Commercial Districts (21A.33.030) for the Corridor Commercial zone.

C. No use interpretation shall allow a proposed use in a district unless evidence is presented demonstrating that the proposed will comply with the development standards established for that particular district;

Finding: The applicant proposes to comply with all development standards applicable to the CC (Corridor Commercial) zoning district.

D. No use interpretation shall allow any use in a particular district unless such use is substantially similar to the uses allowed in that district and is more similar to such uses than to uses allowed in a less restrictive district;

Finding: The proposed use is substantially similar to the permitted Retail Service Establishment use. This is due to providing services directly to the consumer that are custom-made designed to their specifications. There is no mass assembly involved and the materials used to create the items are ordered as needed.

E. If the proposed use is most similar to a conditional use authorized in the district which it is proposed to be located, any use interpretation allowing such use shall require that it may be approved only as a conditional use pursuant to Chapter 21A.54 of this title; and

Finding: The use as interpreted is a *retail service establishment*, which is a permitted use in the CC zoning district. This use would not require conditional use approval.

F. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district.

Finding:

The purpose statement The purpose of the CC Corridor Commercial District is to provide an environment for efficient and attractive commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access

should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.

The proposed use, as described by the applicant, is consistent with the purpose statement above since the proposed uses will provide “economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential.”

If you have any questions regarding this interpretation please contact Anna Anglin at (385) 272-2879 or by email at anna.anglin@slcgov.com

APPEAL PROCESS:

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <http://www.slcgov.com/planning/planning-applications> along with information about the applicable fee. Appeals may be filed in person or by mail at:

NOTICE:

Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

Dated this 3rd day of June 2021 in Salt Lake City, Utah.



Anna Anglin
Principal Planner

cc: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Posted to Web
Applicable Recognized Organizations