

July 30, 2018

**ADMINISTRATIVE DETERMINATION
DECISION AND FINDINGS
PLNZAD2018-00508**



REQUEST:

A request for administrative determination regarding a proposed use of property at 1876 W. Fortune Road, located in an M-1 Light Manufacturing Zoning District. The proposed use is called "Rail Transload" facility wherein non-hazardous material is transloaded from a railcar to a tanker truck/trailer for transport elsewhere. In addition, a determination is sought as to whether the existing warehouse building on the site can be used for storage of non-hazardous materials and if the existing paved areas can be used for the truck/trailer vehicle parking and employee parking.

DECISION:

The Zoning Administrator finds that the proposed "Rail Transload" facility as described in the application materials is most similar to, or included in, the current defined use of "Railroad, Freight Terminal Facility", which would typically be permitted at the site as a conditional use (requiring a public hearing), however, because the site is located within one mile of a residential zoning district the proposed use is not permitted either as a conditional use or by right. The location restriction is a qualifying provision listed for the use in the Table of Permitted and Conditional Uses for Manufacturing Districts, 21A.33.040.

Given the decision regarding the use, the other related determinations as they pertain to the proposed use are not necessary; however, "Warehouse" is a permitted principal use in the M-1 zoning district and vehicle parking is a permitted accessory use subject to vehicle parking standards found in Chapter 21A.44 of the Salt Lake City Zoning Ordinance.

FINDINGS:

Pursuant to the Salt Lake City Zoning Ordinance (Chapter 21A.62 Definitions, of the Salt Lake City Code) "Railroad, Freight Terminal Facility" is defined as follows:

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

If you have any questions regarding this determination, please contact Casey Stewart at (801) 535-6260 or by email at casey.stewart@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:

In Person: Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT	US Mail: Salt Lake City Corp Planning Counter PO Box 145471 Salt Lake City, UT 84114-5417
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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.



Casey Stewart
Senior Planner

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