



**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2018-00092**

REQUEST:

A request by Pacific Flyway Wholesale, LLC for an administrative interpretation regarding using a portion of their business to repair firearms. The property proposed for such use is located at approximately 1630 South 5700 West and is within the M-1 (Light Manufacturing Zoning District).

DECISION:

The Zoning Administrator finds that the Salt Lake City Zoning Ordinance allows for "retail goods establishment" in the M-1 Light Manufacturing District and that, the repair of firearms, is an accessory use to the sale of firearms equipment.

BACKGROUND INFORMATION:

Pacific Flyway Wholesale currently leases the entire premises for warehouse and shipping purposes, together with related office and employee breakroom purposes. Included in the products which Pacific Flyway Wholesale has warehoused and shipped since they first occupied the premises, are personal firearms.

Pacific Flyway Wholesale now desires to use 1% of their premises from warehouse and shipping to retail sales of products related to personal firearms and the repair of personal firearms as an accessory use to the retail sales. No more than fifteen individual customers are anticipated to access the premises for retail sales and firearms repair on any given day.

FINDINGS:

The following findings were made as they relate to this use interpretation:

- The business license for this premise (LIC2013-02218) opened on 6/7/2013 for "Distribution center for Sportsman's Warehouse which is a retail sporting goods store for hunting, fishing, camping, clothing and footwear; facility will ship products to stores", is current.
- The current zoning of the property is M-1 Light Manufacturing. The purpose of the M-1 light manufacturing district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses.

- The Salt Lake City Zoning Ordinance, Section 21A.33.040, Table of Permitted and Conditional Use for Manufacturing Districts, permits warehouses and retail goods establishment in the M-1 zoning district.
- The Salt Lake City Zoning Ordinance, Section 21A.62.040, Definitions of Terms, defines warehouse and retail goods establishments as such:

WAREHOUSE: *A structure, or part thereof, or area used principally for the storage of goods and merchandise.*

RETAIL GOODS ESTABLISHMENT: *A building, property or activity, the principal use or purpose of which is the sale of physical goods, products or merchandise directly to the consumer. Retail goods 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.*

- Pacific Flyway Wholesale would like to provide repair of firearms for their clientele. Although repair of firearms is not a retail service listed as a permitted or conditional use in the M-1 district it would be consider an accessory use to the proposed retail goods land use pursuant to Section 21A.33.040, Table of Permitted and Conditional Use for Manufacturing Districts.

ACCESSORY USE: *A use that:*

- Is subordinate in area, extent and purpose to, and serves a principal use;*
- Is customarily found as an incident to such principal use;*
- Contributes to the comfort, convenience or necessity of those occupying, working at or being serviced by such principal use;*
- Is, except as otherwise expressly authorized by the provisions of this title, located on the same zoning lot as such principal use; and*
- Is under the same ownership or control as the principal use.*

If you have any questions regarding this interpretation please contact Katia Pace at (801) 535-6354 or by email at katia.pace@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:

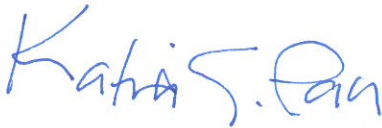
In Person:
 Salt Lake City Corp
 Planning Counter
 451 S State Street, Room 215
 Salt Lake City, UT

US Mail:
 Salt Lake City Corp
 Planning Counter
 PO Box 145471
 Salt Lake City, UT 84114-5417

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 16th day of March, 2018 in Salt Lake City, Utah.

A handwritten signature in blue ink that reads "Katia Pace". The signature is written in a cursive style.

Katia Pace
Principal Planner

cc: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Ken Anderson, Building Services Manager
Posted to Web
Applicable Recognized Organizations

EXHIBITS:

A. Information Provided by Applicant