

**April 22, 2019**

**ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2019-00279**



**REQUEST:**

A request for an administrative interpretation to consider a temporary construction office and storage yard for off-site construction activities on a parcel located in the TSA-SP-C (Special Purpose Station, Core Area) zoning district. The subject property is located approximately at 1161 W North Temple Street.

**DECISION:**

The proposed use is considered a "Contractor's yard/office". Pursuant to the table of permitted and Conditional Uses for Transit Station Area District (Zoning Ordinance, Table 21A.33.035), a contractor's yard/office is not allowed in the TSA-SP-C zoning district. Furthermore, the use cannot be considered a Temporary Use according to the zoning regulations for temporary uses (Zoning Ordinance, Chapter 21A.42).

**FINDINGS:**

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

The proposed use as a hub for a construction company until a permitted user can be found to lease or buy the property. It would be a temporary office/yard. Staff are not in the office very much as they are usually on job sites. Staff will meet in the mornings, get vehicles and tools for the current job needs, return at the end of the day, and store vehicles and tools on site securely. The premise would be vacated when a suitable user for the existing tower and infrastructure can be found. No improvements or modifications are proposed.

Salt Lake City Temporary Uses Ordinance (Chapter 21A.42 of the Salt Lake City Zoning Ordinance) identifies permitted uses that are temporary in nature and in what zoning districts they are allowed, and the structures associated with them. The proposed construction office and storage yard is not listed or substantially similar to the list of permitted temporary uses.

Section 21A.42.090C of the Temporary Use ordinance permits a construction trailer and temporary storage yard to be utilized in conjunction with a development during the building construction. The proposed contractor's yard/office is not associated with an on-site construction project; therefore, the proposed construction office and temporary storage yard are not permitted.

Table 21A.33.035 does not list a contractor's yard/office as a permitted use in the TSA-SP-C zoning district. Staff finds the proposed use, as described by the applicant, does not meet the Temporary Use standards and it is not a permitted use in the TSA-SP-C zoning district.

If you have any questions regarding this interpretation, please contact Linda Mitchell at (801) 535-7751 or by email at [linda.mitchell@slcgov.com](mailto:linda.mitchell@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 <https://www.slc.gov/planning/applications/> along with information about the applicable fee. Appeals may be filed in person or by mail at:

<b>In Person:</b> Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT		<b>US Mail:</b> 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.

Dated this 22<sup>nd</sup> day of April 2019 in Salt Lake City, Utah.



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Linda Mitchell  
Associate Planner

cc: Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Greg Mikolash, Development Review Supervisor  
Posted to Web  
Applicable Recognized Organizations