

June 4, 2019

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2019-00451**



REQUEST:

A request made by *Snowie, LLC*, for an administrative interpretation regarding operations that would convert Ford transit vehicles into mobile shaved ice trucks. This use is being proposed at approximately 1987 South 700 West (zoned CG General Commercial District).

DECISION:

The Zoning Administrator finds that the use, *as described in the application materials*, is most similar to the current definition of *Industrial Assembly*, which is a permitted use in the CG General Commercial District. Aspects of the proposed use that are not directly covered in the definition of *Industrial Assembly* are also permitted in the CG District, either as a standalone use or as a use that is accessory to the primary *Industrial Assembly* use. Therefore, the decision is that the proposed use to convert motor vehicles into mobile shaved ice trucks is permitted in the CG zone, pursuant to the findings below:

FINDINGS:

As detailed in the submitted application materials, Snowie, LLC, wishes to utilize property located at approximately 1987 South 700 West to convert Ford Transit vehicles into mobile shaved ice trucks. This would involve "manufactur[ing] the entire inside of the vehicle to make it function like a mobile kitchen."

More specifically, the applicant stated, "We will install health department approved washable food grade flooring, walls, countertops, sinks, water tanks, hot and cold running water systems, cabinets, shelves, a freezer, and ice shaver...the bulk of what is being manufactured will continue to be done at my other buildings but we need the space to actually assemble the final product and store parts and equipment for the trucks."

In addition, "In order to properly assemble the food trucks we require some fiberglass work and welding."

The findings below refer to the three (3) described components of the proposed use: 1. product assembly, 2. fiberglass work, and 3. welding.

1. Salt Lake City's Zoning Ordinance, Section 21A.52, defines *Industrial Assembly* as:

INDUSTRIAL ASSEMBLY: *An industrial use engaged in the fabrication of finished or partially finished products from component parts produced off site. Assembly use shall not entail metal stamping, food processing, chemical processing or painting other than painting that is accessory to the assembly use.*

- The primary activity described by the applicant falls under this definition of *Industrial Assembly*. The proposed use may involve some painting, which would be considered accessory to the assembly use.

2. The applicant does state that assembly of the food trucks will require some fiberglass work and welding. Salt Lake City's Zoning Ordinance does not directly identify any land uses that may involve working with fiberglass. However, the current definition of *Boat/Recreational Vehicle Sales and Service* is as follows:

VEHICLE, BOAT/RECREATIONAL VEHICLE SALES AND SERVICE: *A business establishment that uses any building, land area, or other premises or portion thereof, that sells or leases new or used recreational vehicles, boats, trailers, motorcycles or other similar motorized transportation vehicles. A boat/recreational vehicle dealership may maintain an inventory of the boats and vehicles for sale or lease either on site or at a nearby location and may provide on site facilities for the repair and service of the boats and vehicles sold or leased by the dealership (emphasis added).*

- The definition indicates that boat repair could occur within areas where *Vehicle, Boat/Recreational Vehicle Sales and Service* is permitted. As boats are typically made of fiberglass, it can be assumed that fiberglass work could potentially take place in these locations. This specific use is permitted within the CG General Commercial zone. In addition, *Accessory Uses* are permitted in the CG zone, and in this instance the fiberglass work could be considered accessory to the primary *Industrial Assembly* use, as defined below:

ACCESSORY USE: *A use that:*

A. Is subordinate in area, extent and purpose to, and serves a principal use;

B. Is customarily found as an incident to such principal use;

C. Contributes to the comfort, convenience or necessity of those occupying, working at or being serviced by such principal use;

D. Is, except as otherwise expressly authorized by the provisions of this title, located on the same zoning lot as such principal use; and

E. Is under the same ownership or control as the principal use.

3. As for the welding component, *Welding Shop* is a permitted use within the CG District, and is defined as follows:

WELDING SHOP: *A business in which metal is joined, united, repaired, produced, or created by heating and allowing the parts to flow together, or by hammering or compressing with or without previous heating.*

In conclusion, it is determined that all aspects of the proposed operations can be classified under existing land uses that are permitted within the CG General Commercial zoning district.

If you have any questions regarding this interpretation please contact Ashley Scarff at (801) 535-7660 or by email at ashley.scarff@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

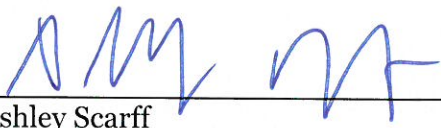
within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <https://www.slc.gov/planning/applications/> along with information about the applicable fee. Appeals may be filed in person or by mail at:

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.

Dated this 4th day of June, 2019 in Salt Lake City, Utah.



Ashley Scarff
Principal Planner

Attachments: Narratives (2) and product brochure/pictures submitted by Snowie, LLC

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

Salt Lake City

To Whom It May Concern:

Snowie, LLC. is a manufacturing company for over 21 years in Utah. We create Shaved Ice / Snow Cone Ice Shavers, Flavors, Buildings, Carts, Mobile Food Truck Vending and Concession Stands. 90% of our sales are things we manufacture and are sold outside of the State of Utah. Last year, we brought back to Utah over [REDACTED] dollars. We are very busy and constantly struggle to keep up with orders. We have a Fiberglass shop where we make parts for our Carts, Buildings, and the Snowie Bus. This facility is maxed out and cannot keep up with our current demand, not to mention it is too far away. We spend too much time and energy transporting parts to and from our facility.

We are adding a new mobile Shaved Ice Food Truck and wanted to streamline the process. The Ford Transits will be bought at Larry H. Miller Ford located at 1340 south and 500 west, where we hope to buy and sell 25 a year. We will manufacture the entire inside of the vehicle to make it function like a mobile kitchen. The inside will be built with food-grade fiberglass in order to pass all health department inspections. The Dominion Energy Property at 1987 South 700 West is a perfect location for us; it is close to Snowie and close to the Ford dealership.

We have been turned down because there is no usage statement for fiberglass. This is understandable because fiberglass is not a common type of company, there are probably only four in the state of Utah. However, Boat repair is allowed and that is almost all fiberglass related.

Similar uses to what we would be doing are as follows:

1. Boat Repair / Fiberglass Work
2. Industrial Assembly
3. Furniture Repair Shop
4. Sign, Paint, Fabrication
5. Auto Repair
6. Truck Repair (Large)
7. Welding Shop
8. Wood Working Mill
9. Impound Lot

From: [Carl Rupp](#)
To: [Scarff, Ashley](#)
Subject: CG uses at 1987 S 700 W
Date: Thursday, May 30, 2019 2:15:53 PM
Attachments: [New Snowie Round Logo 2018 Email Sig 20 percent-1.png](#)

Hello Ashley,

I don't think this email came through so I'm sending it again along with some pictures of our food truck. I meant to attach them to the email before.

I hope this email clarifies what we will be doing at the building. You asked whether we're doing this indoors or outdoors and I want to be very clear, all of the manufacture / assembly of the food trucks will be done INDOORS and built with food grade materials.

I own several commercial / industrial buildings. The building I operate my business from is located at 1006 W Beardsley place where we manufacture ice shavers, flavors, and assemble food trucks, kiosks, carts, buildings, and more. The other buildings I own are leased to other businesses. One of which is a fiberglass company that leases my building located at 350 W 5900 S in Murray. They have fabricated all of my fiberglass parts (large and small) for many years. We pick the final parts up from them and assemble at my location.

Snowie is growing rapidly and we've run out of space in my building. It's very crowded here and trying to put the food trucks together takes up a huge footprint in my warehouse. The reason I want to buy this building is so we can use it to build the snowie food trucks. We will use the space to bring in the vehicle (Ford Transit) and plan to complete one truck per month. We will install health department approved washable food grade flooring, walls, countertops, sinks, water tanks, hot and cold running water systems, cabinets, shelves, a freezer, an ice shaver. The vans will have signage installed and an electrical system that runs off 12 volt batteries making them very efficient and equipped to sell shaved ice all day. The business is simple- it's ice, sugar, and flavor.

The bulk of what is being manufactured will continue to be done at my other buildings but we need the space to actually assemble the final product and store parts and equipment for the trucks. The list of approved uses that are most similar to what we'll be doing are:

Auto Repair
Boat Repair
Furniture Repair Shop
Sign, Paint, Fabrication
Truck Repair (this is very similar to what we'll be doing)
Welding Shop
Wood Working Mill

There will be some welding and some fiberglass work but those are both used in boat repair, truck repair, auto repair. In order to properly assemble the food trucks we require some fiberglass work and welding.

signage
assembly

Thank you

Carl Rupp





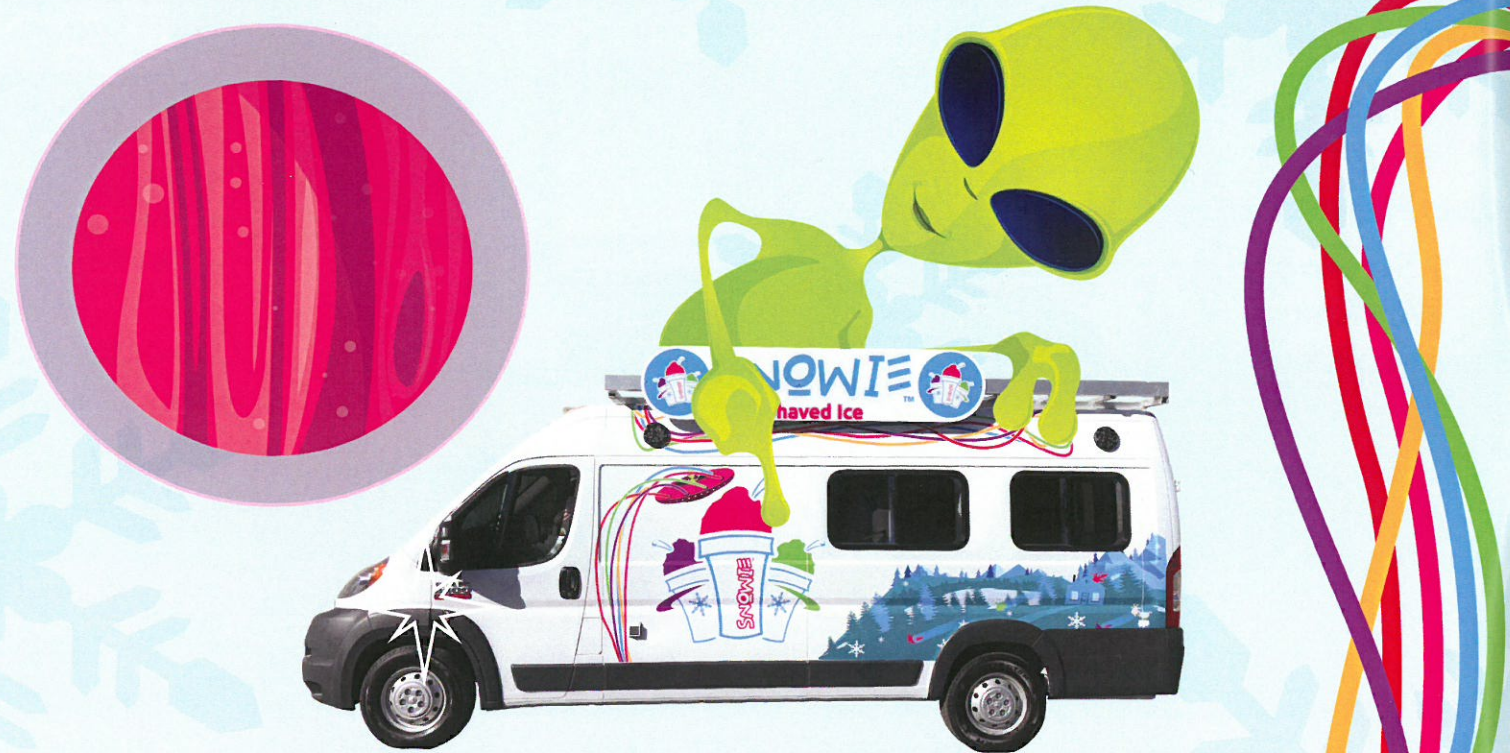




Carl A. Rupp
Snowie, LLC
1006 West Beardsley Place
Salt Lake City, UT 84119



FLAVORS THAT ARE OUT OF THIS WORLD



The New Snowie Van

Fully Equipped for Business With The Following:

Water System: 3 Basin Sink, Handwashing Sink,
Waste Water & Fresh Water Tanks
Flavoring System: Equipped with 2 Sauces Flavor Stations
12 Flavors Each!
Electrical System
Sound System
Inverter
Air Conditioner
Ample Space for Storage and Production!
Decals

ALL of this and MORE
for only \$83,000

The New Snowie Van



FLAVORS THAT ARE OUT OF THIS WORLD