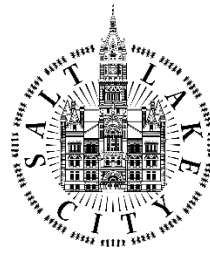


June 11, 2021

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS**
PLNZAD2021-00496



REQUEST:

A request for an administrative interpretation regarding a proposed short-term vacation rental to operate within an existing multi-family building with nine residential units. The building containing the multi-family units is located at approximately 376 East 300 South. The property is zoned R-MU (Residential/ Mixed Use District).

DECISION:

The Zoning Administrator finds that the proposed short-term rental is considered most similar to a "Bed & Breakfast Inn" use as defined in section 21A.62 of the Salt Lake City Zoning Ordinance. A Bed & Breakfast Inn use is a permitted use in the R-MU zoning district and is allowed at the proposed location.

This interpretation is specific to the proposed use as it relates to the Salt Lake City Zoning Ordinance. This is a change in use. The new use is required to meet all other zoning code regulations such as parking requirements.

Additional requirements associated with the Bed & Breakfast Inn use may be required from other divisions, such as building services and the fire department, to comply with requirements for a change of occupancy.

FINDINGS:

As defined in 21A.12.050: The following standards shall govern the use interpretation:

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

Finding: Short-term vacation rental is not specifically identified by the code.

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: Short-term vacation rental is not specifically listed in the table of permitted and conditional uses within the R-MU district.

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

Finding: The proposed use must comply with the development standards of the R-MU district. Compliance with the development standards will be determined during the building permit review process for a change of use. 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;

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 use as a short-term vacation rental has been determined to be substantially similar to a Bed & Breakfast Inn use which is defined below. This use is listed as a permitted use in the R-MU district in the Table of Permitted and Conditional Uses for Residential Districts (21A.33.020).

BED AND BREAKFAST INN: A building that is designed to accommodate up to eighteen (18) rooms for lodging on a nightly or weekly basis to paying guests. A bed and breakfast inn may provide breakfast from internal kitchen facilities to overnight guests and their guests only other than meals that are occasionally catered from offsite establishments. The owner of the bed and breakfast inn may prepare meals on site or receive catered meals for private use.

E. If the proposed use is most similar to a conditional use authorized in the district in 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 21.A.54 of this title

Finding: Pursuant to the Land Use Tables (Section 21.A.33.020 of the Salt Lake City Code) Bed & Breakfast Inn in the R-MU district is allowed as a permitted use

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 of the R-MU district is as follows:

The purpose of the R-MU Residential/Mixed Use District is to reinforce the mixed-use character of the area and encourage the development of areas as high density residential urban neighborhoods containing retail, service commercial, and small scale office uses. This district is appropriate in areas of the City where the applicable master plans support high density, mixed use development. The standards for the district are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access.

The Zoning Administrator finds that the proposed use is similar to a Bed & Breakfast Inn use which is a permitted use in the R-MU district, therefore, it has been determined through adoption of the R-MU land use table that the proposed use is consistent with the purpose statement of the R-MU zoning district.

If you have any questions regarding this interpretation, please contact Anna Anglin at (801) 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 [https:// www.slc.gov/planning/applications/](https://www.slc.gov/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.

Anna Anglin, Principal Planner

A handwritten signature in cursive script, reading "Anna Anglin". The signature is written in black ink and is positioned above a horizontal line.

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