

November 18, 2021

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2021-01105**



REQUEST:

A request for an administrative interpretation submitted regarding a use that processes blood, saliva, and tissue for genetic analysis. The request is to classify the use as a “LABORATORY, MEDICAL, DENTAL, OPTICAL” use as defined in the zoning code and to verify that the use is a permitted use in the M-1 Light Manufacturing Zoning District and on property located at 322 North 2200 West.

DECISION:

The Zoning Administrator finds that the use is a “laboratory, medical related” use as defined in the Salt Lake City zoning code and is listed as a permitted use in the M-1 Zoning District and therefore allowed as a permitted use on the property located at 322 North 2200 West and on any other property that is zoned M-1 Light Manufacturing subject to the use complying with all applicable, adopted regulations for permitting (if required) and licensing.

FINDINGS:

On November 16, 2021 the Salt Lake City Council adopted new definitions that relate to this proposal. The definition of “laboratory, medical, dental, optical” was changed to “laboratory medical related” and was modified to read as indicated below.

Laboratory medical related: An establishment that performs research and analysis of medical tests and biologic samples collected for the purpose of medical diagnosis. A medical related laboratory is not a bio-medical facility.

The City Council also adopted modifications to the land use tables found in 21A.33 of the Salt Lake City code to reflect the change in the defined land use above. The ordinance adopted by the City Council including listing “laboratory, medical related” as a permitted use in the M-1 zoning district.

The Zoning Administrator finds that the use described in PLNZAD2021-01105 is “laboratory, medical related” land use and the use is a permitted use in the M-1 Light Manufacturing Zoning District. The description provided in file PLNZAD2021-01105 indicates that the use would process blood, saliva, and tissue for genetic testing. This type of activity fits the definition because the proposed use is analyzing biologic samples to provide genetic testing results. This definition is considered a “generic definition” under 21A.62.030 of the Salt Lake City Zoning Code. This section defines the purpose of a generic definition to be inclusive of many uses to prevent overly detailed land use regulations. This has been interpreted to mean that a generic definition should be interpreted broadly and that a proposed use should be considered as the defined land use if it generally fit within the defined term. That is the case with this proposed use based on the description provided. While the definition includes the term “medical diagnosis” and there is not info provided that the genetic testing is intended for medical diagnosis, it is reasonable to assume that the genetic testing is being provided for some medical related reason. The absence of that information does not disqualify the broad application of the definition of the use.

If you have any questions regarding this interpretation, please contact Nick Norris at (801) 535-6173 or by email at nick.norris@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.sl.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 site plan approval.



Nick Norris, Planning Director

cc: Joel Paterson, Zoning Administrator
Casey Stewart, Development Review Supervisor
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