



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Chris Lee, Principal Planner, chris.lee@slcgov.com, 801-535-7706
Date: December 2, 2019
Re: Detached Accessory Dwelling Unit – Conditional Use (PLNPCM2019-00651)

Conditional Use

PROPERTY ADDRESS: 942 South 900 East
PARCEL ID: 16-08-181-025
MASTER PLAN: Central Community
ZONING DISTRICT: R-1/5000 (Single Family Residential)

REQUEST: Andrea Palmer of Modal Living Inc, on behalf of the property owner, Kimberlee Lofthouse, is requesting Conditional Use approval for a detached Accessory Dwelling Unit (ADU) located in the southwest corner of the rear yard of the single family dwelling at 942 South 900 East. The property is within the R-1/5000 (Single Family Residential) zoning district which requires Conditional Use approval to construct an ADU.

RECOMMENDATION: Planning Staff finds the project generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the Conditional Use for the ADU with the conditions of approval below. Final approval of the details noted in the following conditions shall be delegated to Planning Staff:

1. The applicant shall comply with the registration process outlined in section 21A.40.200.F of the Salt Lake City zoning ordinance.

Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply

ATTACHMENTS:

- A. [Site Map](#)
- B. [Application Materials](#)
- C. [Additional Information](#)
- D. [Site Photos](#)
- E. [ADU Zoning Standards](#)
- F. [Conditional Use Standards](#)
- G. [Public Process & Comments](#)
- H. [Department Review Comments](#)

PROJECT DESCRIPTION:

This petition for a Conditional Use is for a detached ADU to be placed in the rear yard of the existing single family dwelling located at approximately 942 South 900 East. The subject parcel is bounded by 900 East to the east, an alleyway to the west, and two similarly sized and oriented lots with single family dwellings to both the north and the south. The subject parcel is featured on this map:



 Subject Parcel

The proposed ADU would be located in the southwest corner of the rear yard near the alleyway (see [Attachment A](#) for the site map). It measures 32' long by 13' 6" wide with a total footprint of approximately 432 square feet. It is a one level structure containing one bedroom and one bathroom with a flat roof reaching a maximum height of 11' 3". The primary exterior building material is 6" tongue and groove red cedar wood siding with birch wood decorative inlay. The entrance to the proposed ADU faces east towards 900 East and the rear of the existing single family dwelling and includes a front porch/deck. The entrance itself is a tri-sectional sliding glass door which creates a vertical emphasis similar in size to the windows on the front of the single family dwelling. The living area inside the door also features a smaller clerestory window on the south side elevation located 7' above ground level to provide for additional light while maintaining privacy for the adjacent property. The third window opening in the ADU is also located on the front (facing the rear of the house) and features two casement windows which provide light for the bedroom. Please see the following photo for clarity.

The parking for the existing house is accommodated by two off-street parking spaces in the north side yard behind the front façade of the building. The parking spot for the ADU will be located under an existing carport accessed via the alley at the rear of the property. The subject parcel is also located less than ¼ mile from transit stops for at least two different bus routes at 900 S and 900 E.



PLANNING COMMISSION REVIEW:

The property is located in the R-1/5000 zoning district, which is a single family zoning district. A Conditional Use process is required for any ADUs that are located in a single family zone. For complete analysis and findings in relation to the Conditional Use standards please refer to [Attachment F](#).

NEXT STEPS:

Approval of Conditional Use

If the request is approved, the applicant must comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Commission. Building permits and certificates of occupancy for the buildings will only be issued once all the conditions of approval are met including the registration process requirements outlined in 21A.40.200.F of the zoning ordinance.

Denial of Conditional Use

State and City code require that a Conditional Use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A Conditional Use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects cannot be mitigated with the imposition of reasonable conditions.

If the petition is denied, the applicant would not be able to construct an ADU. An accessory structure could still be constructed on the property subject to meeting zoning requirements, however, it could not be used as a dwelling unit. Accessory structures in the R-1/5000 zoning district must be located a minimum of 1 FT from the side and rear property lines, meet the lot coverage requirements, and the permitted maximum height for an accessory building (17' to the midpoint or 12' for a flat roof).

ATTACHMENT A – SITE MAP



ATTACHMENT B – APPLICATION MATERIALS



Conditional Use

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Project #: <i>PLN/PCM 2019-00651</i>	Received By: <i>CHRIS EARL</i>	Date Received: <i>7/11/2019</i>	Zoning: <i>R-1-5,000</i>
Project Name: <i>942 ADU</i>			

PLEASE PROVIDE THE FOLLOWING INFORMATION

Request:
Permit for Accessory Dwelling Unit

Address of Subject Property:
942 S 900 e Salt Lake City 84105

Name of Applicant:
Modal Living, Inc. ~ Erika West Phone:
801-580-2237

Address of Applicant:
150 S. State Street Salt Lake City, UT 84111

E-mail of Applicant:
info@livemodal.com Cell/Fax:

Applicant's Interest in Subject Property:
 Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):
Kimberlee Lofthouse

E-mail of Property Owner:
mjlofthouse@me.com Phone:
801-949-1740

(Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

(Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address:	Planning Counter PO Box 145471 Salt Lake City, UT 84114	In Person:	Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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REQUIRED FEE

(Filing fee of \$758
(Plus additional cost of postage for mailing notice.

SIGNATURE

(If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: <i>Erika West</i>	Date: <i>07/10/19</i>
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SUBMITTAL REQUIREMENTS

Staff Review

- 1. Project Description** (please attach additional sheet)
Written description of your proposal
- 2. Conditional Use Information** (please attach additional sheet)
 - If applicable, what is the anticipated operating/delivery hours associated with the proposed use
 - What are the land uses adjacent to the property (abutting and across-the-street properties)
 - How many employees are expected to work on-site during the highest shift
 - If applicable, how many seats will be provided as part of the conditional use
 - Have you discussed the project with nearby property owners?
If so, what responses have you received?
- 3. Minimum Plan Requirements**
 - One paper copy (24" x 36") of each plan and elevation drawing
 - A digital (PDF) copy of the each plan and elevation drawing
 - One 11 x 17 inch reduced copy of each plan and elevation drawing
- 4. Site Plan**
Site plan (see [Site Plan Requirements](#) flyer for further details)
- 5. Elevation Drawing** (if applicable)
 - Detailed elevation, sections and profile drawings with dimensions drawn to scale
 - Type of construction and list the primary exterior construction materials
 - Number, size, and type of dwelling units in each building, and the overall dwelling unit density

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

942 S 900 E Salt Lake City UT 84105

1. Project Description

One detached accessory dwelling unit located in the rear yard behind the primary structure to be used as an owner-occupied dwelling.

2. Conditional Use Information

- a. Accessory dwelling - business hours N/A
- b. Single family homes
- c. N/A
- d. N/A
- e. This has not been discussed with nearby property owners

3. Minimum Plan Requirements

- a. Included
- b. Included
- c. Included

4. Site Plan - Included

5. Elevation Drawing

- a. Detailed elevation
- b. Type of Construction: Wood frame

Primary Exterior Construction Materials:

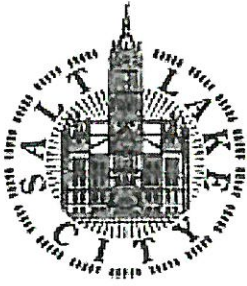
- 1. Exterior Siding: 6inch tongue and groove seater
- 2. Roof: TPO
- 3. Windows and Doors: composite
- 4. Decorative Inlay: birch plywood

- c. Number: 1 Dwelling unit

Size: 432 sqft

Type: 1 Bed, 1 Bath

Not a unit of density



SALT LAKE CITY CORPORATION

Buzz Center

451 South State Street, Room 215 Phone: (801) 535-7700

P.O. Box 145471 Fax : (801) 535-7750

Salt Lake City, Utah 84114

Date: Jul 11, 2019

PLANNING COMMISSION

150 S STATE
SALT LAKE CITY, UT 84111

Project Name: 942 ADU

Project Address: 942 S 900 E

Detailed Description:



* P L N P C M 2 0 1 9 - 0 0 6 5 1 *

Description	Qty	Dept	C Ctr	Obj	Amount		
					Invoice	Paid	Due
Invoice Number: 1619368							
Filing Fee	1	06	00900	125118	\$776.00	\$0.00	\$776.00
Postage	8	06	00900	1890	\$3.92	\$0.00	\$3.92
Total for invoice 1619368					\$779.92	\$0.00	\$779.92
Total for PLNPCM2019-00651					\$779.92	\$0.00	\$779.92

OFFICE USE ONLY
Intake By: EC3892

CAP ID #
PLNPCM2019-00651
Total Due: \$779.92



Treasurer's Office
Rcpt# 13108752
PL PLNPCM2019-00651 CAP
\$779.92 7/11/2019



* P L N P C M 2 0 1 9 - 0 0 6 5 1 *

www.slpermits.com

Please Keep This
Box Clear

ATTACHMENT C – ADDITIONAL INFORMATION

THE MODAL 01 is a one-bedroom, one-bathroom, 432-square foot footprint Accessory Dwelling Unit (ADU) built in compliance with current residential building codes (IBC/IRC 2018). Ceilings are 9 feet tall. Bed, daybed and cabinetry are built in, kitchen is fully equipped, a full-size bathroom, composite glass front door two independently-zoned heating/cooling units, and LED lighting. Unit weighs 10 tons/20,000 pounds. Dimensions are 32' long x 13'6" wide, and 11'3" tall with 432 square feet of living space. The foundation will be poured concrete footings and a site built concrete foundation skirting around the perimeter of the unit. The exterior facade is 6-inch tongue-and-groove painted and sealed western red cedar. Construction materials are 2x6 wood frame, double-plated top and bottom framing, TPO roofing system with an internal drain. R53 roofing/flooring insulation values, R24 wall insulation, and double pane composite 4 windows and doors. Baltic Birch cabinetry throughout, Quartz countertops, 3Form custom shower surround and kitchen backsplash, Euro glass shower divide, and engineered hardwood floors. The unit is built offsite, then shipped to the site in a fully completed state.

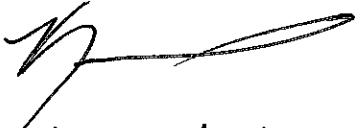
This Conditional Use application proposes one Accessory Dwelling Unit (ADU) to be placed at 942 S 900 E, currently a single-family home located in the R-1/5,000 zone. Proposed ADU location is at the south west end of the rear yard with the entrance facing the rear of the primary dwelling. There is an existing, open carport that is 240 SF or 20' long by 12' wide and would be a distance of 35' from the proposed ADU. Setbacks are as follows: rear-yard: (4'), front-yard: (138'- 4"), distance from primary structure: (64' - 1 1/2"). Entrance is located on the south east side of the ADU with another entrance to the bedroom on the north east side and an additional window on the south side. There will be a 149' - 2" distance from the public right of way for fire department access and a 267' - 8" distance from the nearest fire hydrant. Proposed use is as a rental property. The owner intends to comply with all applicable laws and ordinances. Total building coverage will be 23% including the primary dwelling (1,239 SF), the carport (240 SF), and the ADU (432 SF). Rear-yard coverage will be 15% with the ADU and the carport. Parking for ADU occupants will be made available in the carport and the existing driveway.

Exhibit F

Owner Authorization

Customer hereby authorizes Modal Living, Inc. ("**Modal**") to apply on their behalf for permits and other necessary approvals from governing bodies and/or municipalities in relation to the installation of Accessory Dwelling Unit(s). Customer represents and warrants to Modal that Customer has full power, authority and legal right to provide such authorization.

Signature:



Printed Name:

Kimberlee Lott House

Date:

8/30/19

SITE GENERAL NOTES

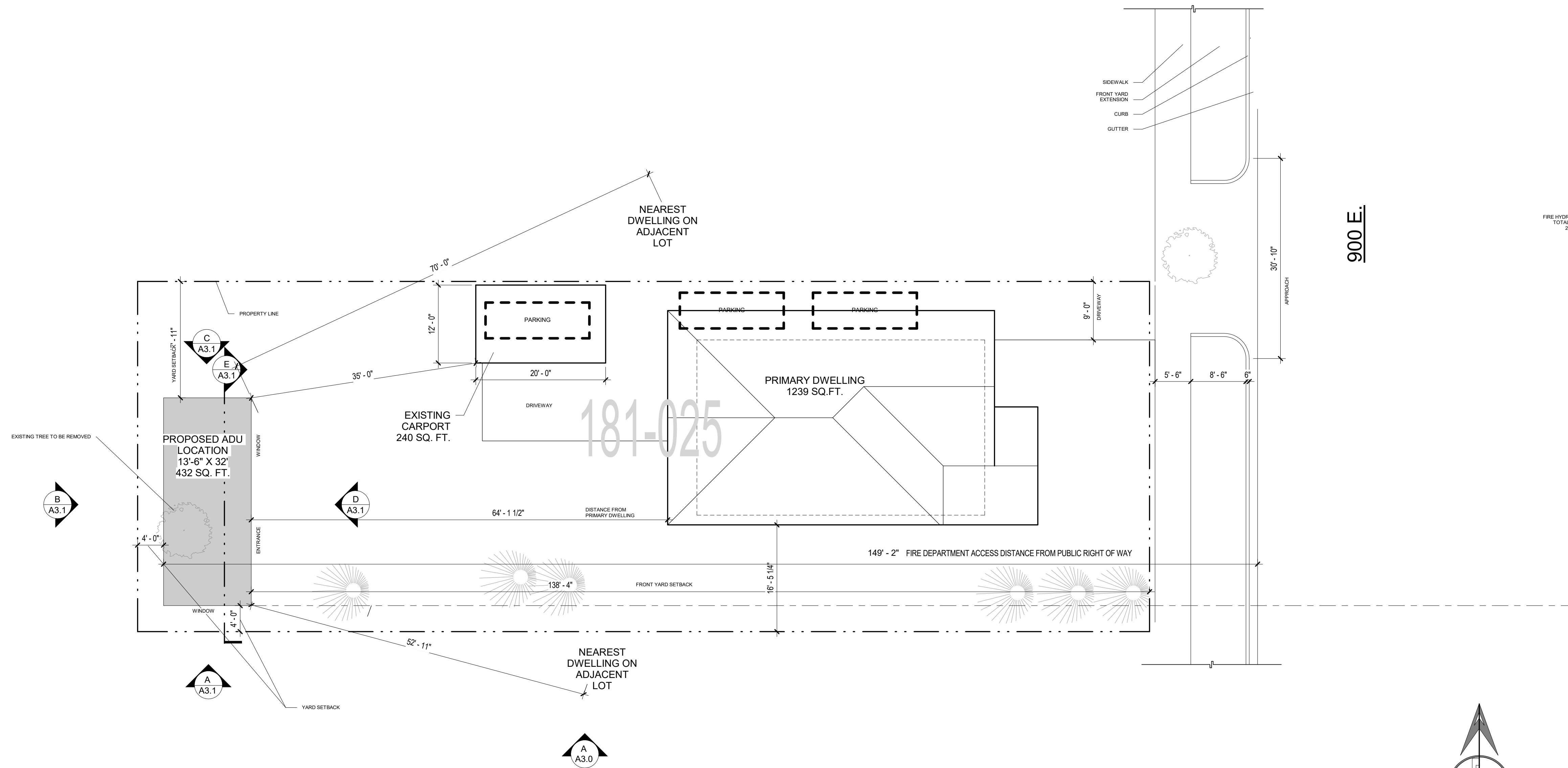
1	CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED.
2	CONTRACTOR TO FIELD VERIFY MIN. 3'-0" SEPARATION BETWEEN GAS AND ELECTRICAL LINES.
3	REESTABLISH NATURAL GRADE AND NATURAL VEGETATION. PROVIDE TEMP. IRRIGATION TO ASSURE ESTABLISHED VEGETATION.
4	SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE, BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT. (IRC R401.3).
5	RETAINING WALLS (>4' OR SUPPORTING A SURCHARGE), SWIMMING POOLS, SOLAR AND/OR GEO-THERMAL HEATING SYSTEMS, AND PHOTO-VOLTAIC- AND/OR WIND-GENERATED ELECTRICAL SYSTEMS REQUIRE SEPARATE PERMITS. SEPARATE PLANS, SPECIFICATIONS AND APPLICATIONS ARE TO BE SUBMITTED AND REVIEWED PRIOR TO ISSUANCE OF THESE PERMITS.

9 OCTOBER 2019

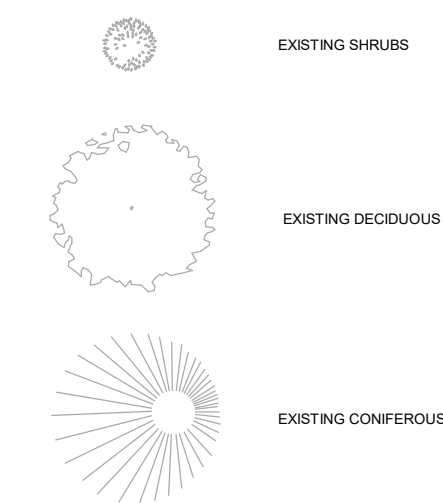
REVISIONS

- * DUST, MUD AND EROSION SHALL BE CONTROLLED BY WHATEVER MEANS NECESSARY, AND THE ROADWAY SHALL BE KEPT FREE OF MUD AND DEBRIS, AT ALL TIMES.
- * BUILDER/ OWNER SHALL SECURE AN EXCAVATION PERMIT PRIOR TO DOING ANY WORK IN THE PUBLIC RIGHT-OF-WAY. TRAFFIC PLAN, BONDING AND INSURANCE WILL BE REQUIRED.
- * PROVIDE FINISH GRADING AWAY FROM THE UNIT ON ALL SIDES AT A MINIMUM OF 6" IN. FIRST 10'-0" HORIZONTAL SLOPE IN LANDSCAPED AREAS, THEN MAINTAIN 2% MIN. HORIZONTAL SLOPE IN GRADE THEREAFTER TO APPROVED DRAINAGE AREAS.
- * PROVIDE ON SITE RETENTION OF ALL STORM RUN OFF, BY WHATEVER MEANS NECESSARY DURING CONSTRUCTION.
- * SHOULD GROUND WATER BE INCURRED DURING EXCAVATION, A QUALIFIED SOILS ENGINEER SHALL BE RETAINED TO DESIGN AND APPROVE A CONTINUOUS FRENCH DRAIN AT FOUNDATION, ON SITE.
- * MAINTAIN NATURAL EXISTING GRADE AT REAR AND SIDES OF LOT WHERE POSSIBLE TO RETAIN STORM WATER. NO RUNOFF ONTO ADJACENT PROPERTIES.
- * EXCAVATOR AND CONTRACTOR TO VERIFY ALL EXISTING UTILITIES- CALL BLUE STAKES!

THE SEWER, WATER AND UTILITY LINES ARE SHOWN AS APPROXIMATE LOCATIONS. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADE AND VEGETATION AS MUCH AS POSSIBLE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADE AND VEGETATION AS MUCH AS POSSIBLE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ORIGINAL OR BETTER CONDITION.

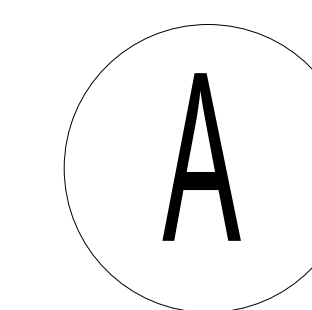
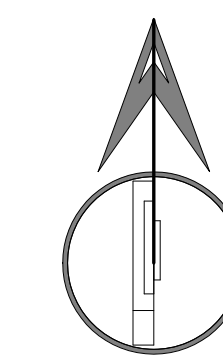


TREE LEGEND



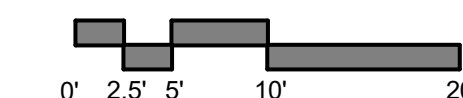
SQUARE FOOTAGE LEGEND

LOT SIZE:	8,276 SQ. FT. (.19 ACRES)
HOME FOOTPRINT SQ. FT.:	1,239 SQ. FT.
PROPOSED ADU SQ. FT.:	432 SQ. FT.
EXISTING LOT COVERAGE:	18%
LOT COVERAGE + ADU:	23%
EXISTING REAR YARD COVERAGE:	5%
REAR YARD COVERAGE + ADU:	15%



SITE PLAN

SCALE: 1" = 10'-0"



942 SOUTH 900 EAST SALT LAKE CITY, UT 84105

A NEW DESIGN FOR THE :

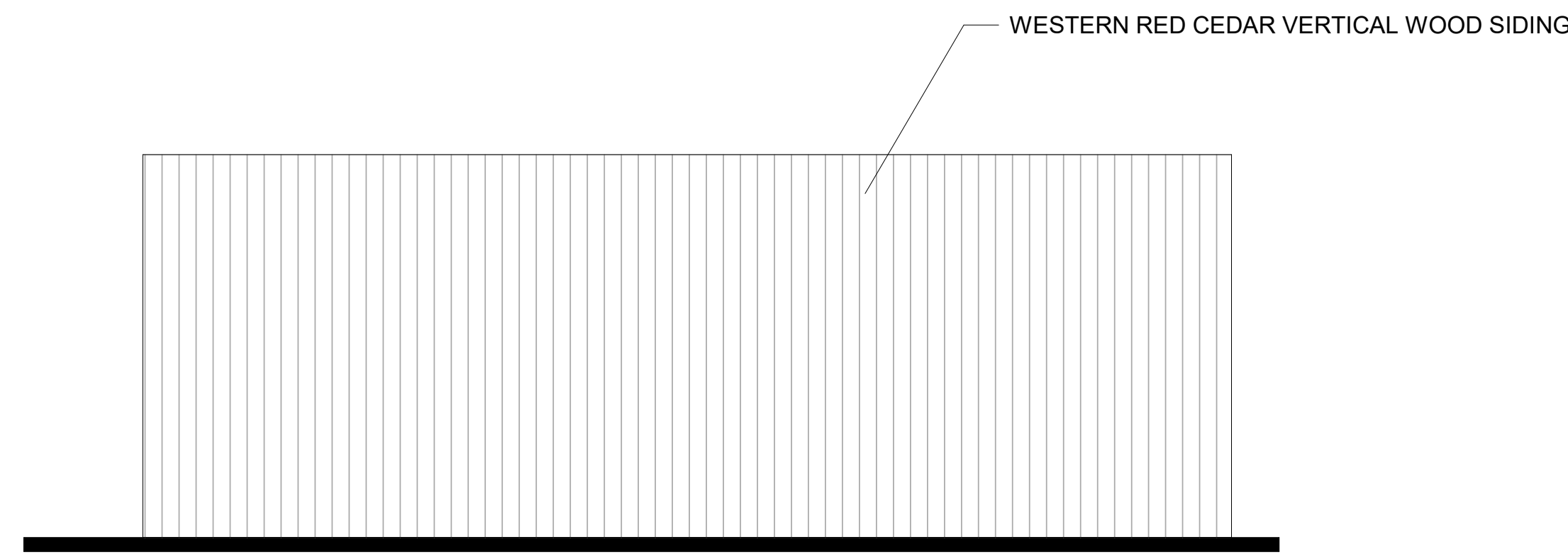
LOFTHOUSE RESIDENCE

A1.2

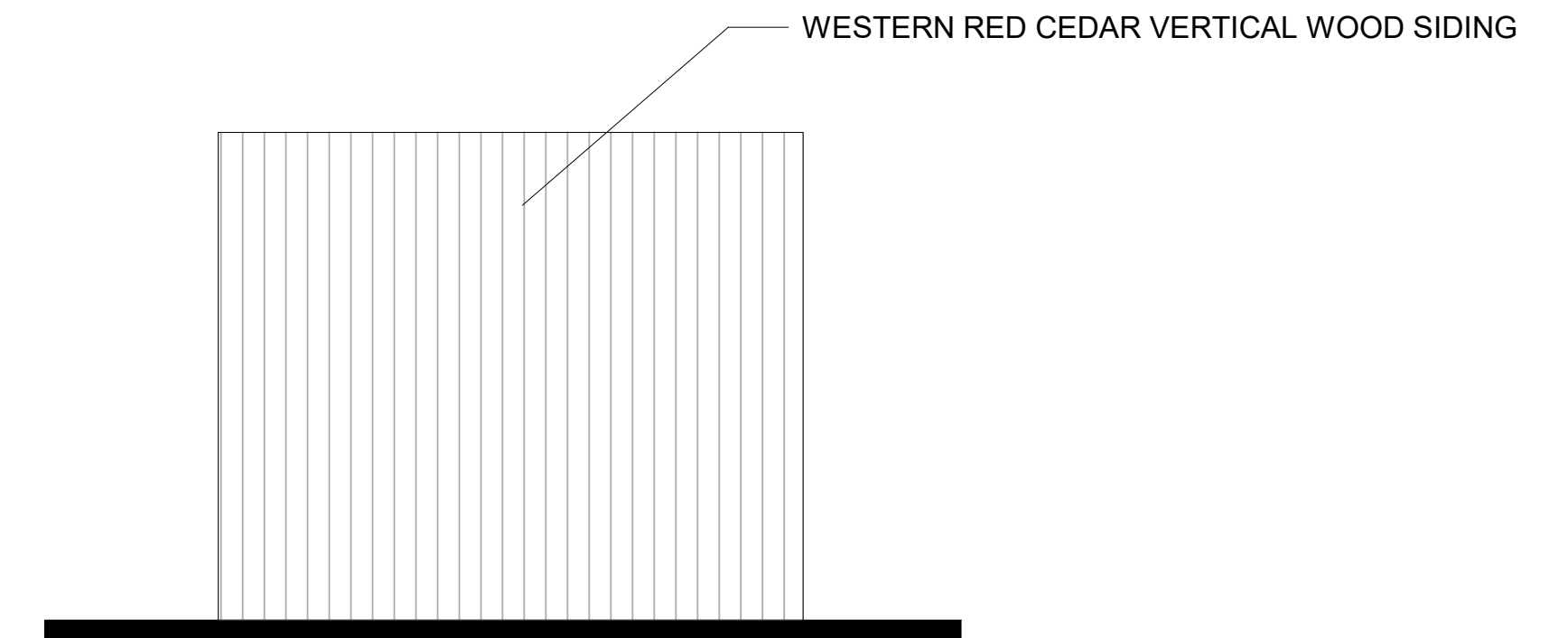
SITE PLAN

REVISIONS	

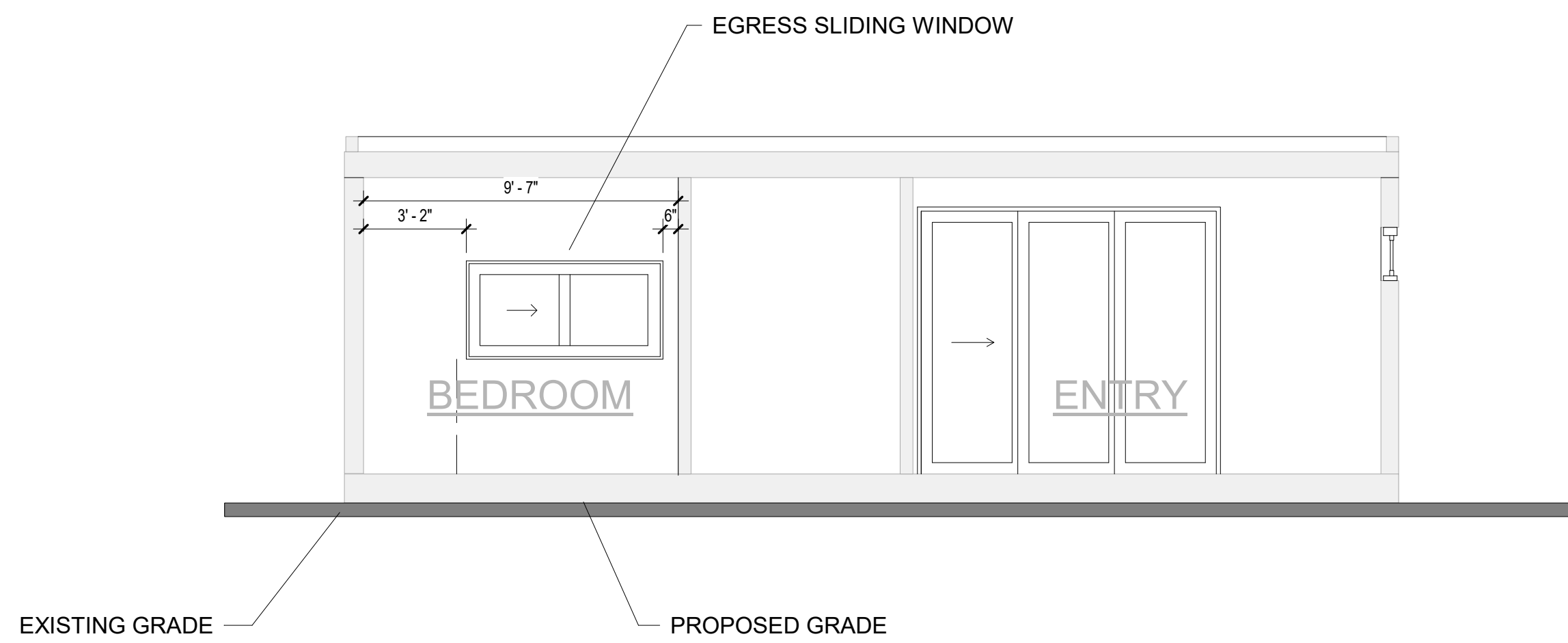
A NEW DESIGN FOR THE :
LOFTHOUSE RESIDENCE
 942 SOUTH 900 EAST SALT LAKE CITY, UT 84105



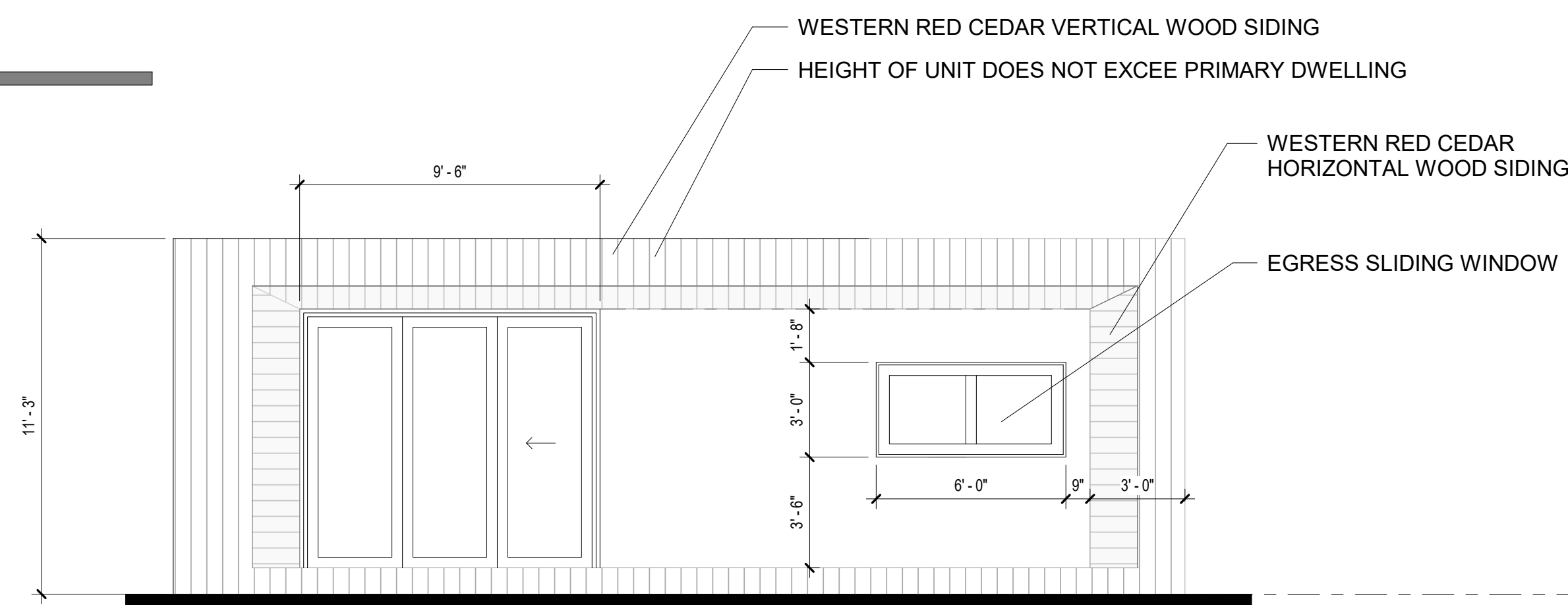
WEST ELEVATION
B ELEVATION
 SCALE: 1/4" = 1'-0"
 0' 1' 2' 4' 8'



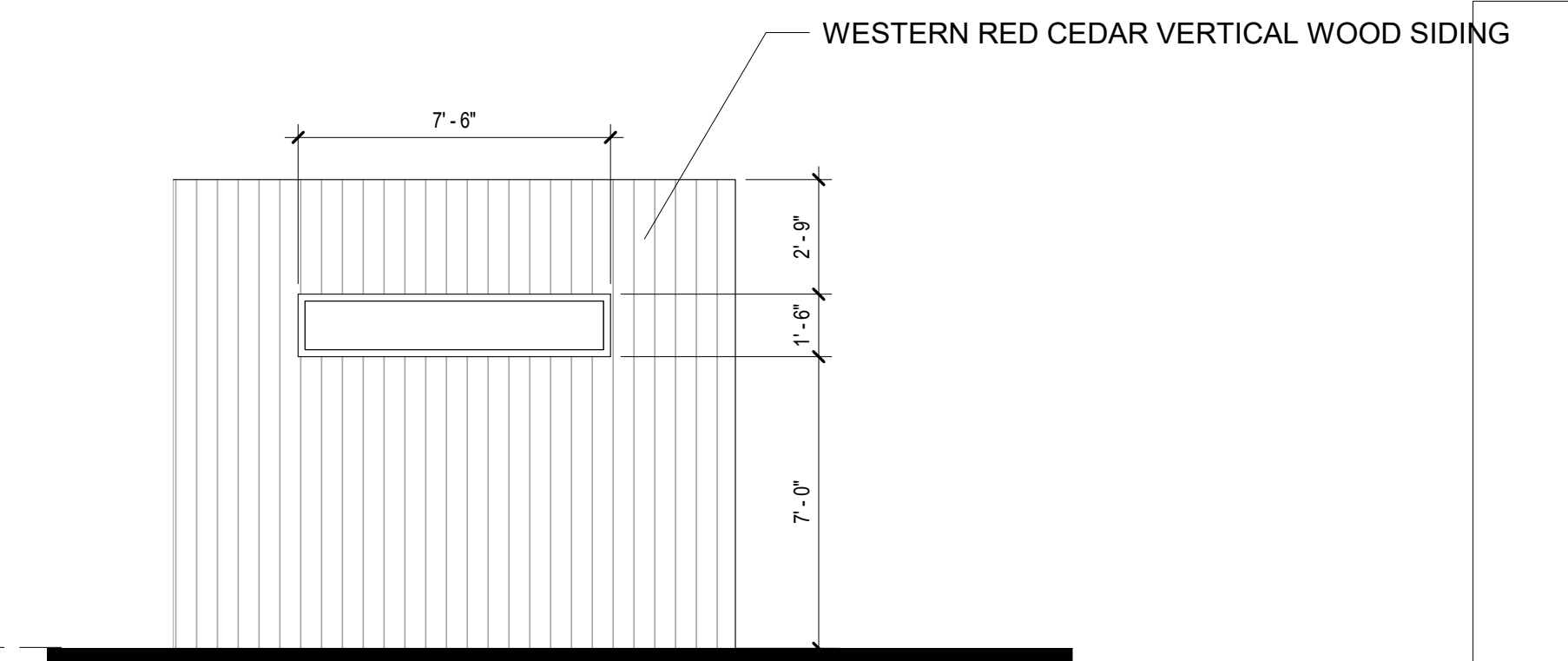
SOUTH ELEVATION
A SECTION
 SCALE: 1/4" = 1'-0"
 0' 1' 2' 4' 8'



SECTION
E SECTION
 SCALE: 1/4" = 1'-0"
 0' 1' 2' 4' 8'



EAST ELEVATION
D SECTION
 SCALE: 1/4" = 1'-0"
 0' 1' 2' 4' 8'

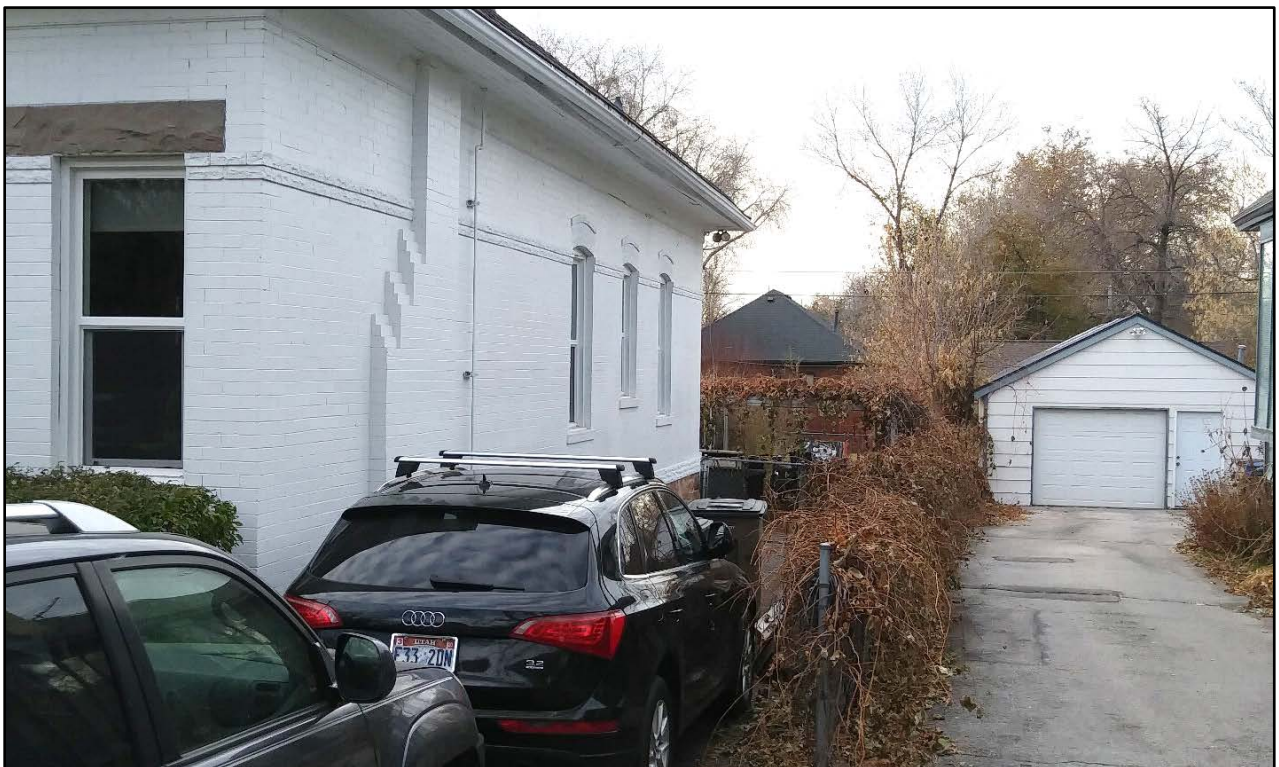


NORTH ELEVATION
C ELEVATION
 SCALE: 1/4" = 1'-0"
 0' 1' 2' 4' 8'

ATTACHMENT D – SITE PHOTOS



Looking West from 900 East towards the Subject Parcel



Looking West at the Driveway and Canopy in the North Side Yard



Looking West from 900 East along the South Side Yard



Looking East from the Alley at the Rear Yard and Lot Access



Looking Southeast from the Alley at the Rear Yard Location of the ADU

ATTACHMENT E – ADU ZONING STANDARDS

21A.40.200 – Accessory Dwelling Units

ADU STANDARDS	PROPOSED	COMPLIES Y/N
<p>SIZE ADU footprint can be 50% of the footprint of the primary house up to a maximum of 650 SF.</p>	<p>Primary house is approximately 1,239 SF, ADU can be 50% of that or approximately 620 SF.</p> <p>Proposed footprint is approximately 432 SF</p>	<p>Complies</p>
<p>MAXIMUM COVERAGE The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot.</p>	<p>Lot size is approximately 8,499 SF. 40% of the lot is 3, 399 SF.</p> <p>Primary House – 1,239 SF Existing Carport – 240 SF Proposed ADU - 432 SF Total coverage – 1.911 SF</p> <p>The surface coverage all principal and accessory buildings (including the proposed ADU) is 22.5% of the lot.</p>	<p>Complies</p>
<p>HEIGHT 17 FT or the height of the single family dwelling on the property, whichever is less.</p> <p>*If the principal dwelling is over 17 feet in height, the ADU may be equal in height up to a maximum of 24 FT if 10 foot side and rear yard setbacks are provided. The setback for additional height may be reduced to 4' if the side or rear lot line is adjacent to an alley.</p>	<p>Approximately 11' 3"</p>	<p>Complies</p>
<p>SETBACKS Minimum of 4 FT from any side or rear lot line.</p>	<p>Located 4 FT from the south side lot line and 11 FT from north side lot line and 4 FT from the rear lot line.</p>	<p>Complies</p>
<p>SEPARATION Located 10 FT from any primary dwelling on the property or adjacent property</p>	<p>Located approximately 64 FT from the primary house on the property and the closest house on an adjacent property is approximately 53 FT.</p>	<p>Complies</p>

<p>ENTRANCE LOCATIONS</p> <p>The entrance to an ADU in an accessory building shall be located:</p> <ul style="list-style-type: none"> • Facing an alley, public street, or facing the rear façade of the single family dwelling on the same property. 	<p>The entrance for the proposed ADU is oriented towards 900 East and the rear façade of the house on the same property. It is approximately 138 FT from the front property line.</p>	<p>Complies</p>
<p>REQUIREMENTS FOR WINDOWS</p> <ul style="list-style-type: none"> • Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required. Skylights, clerestory windows, or obscured glazing shall be used when facing a side or rear property line to comply with minimum Building Code requirements for air and light on building elevations that are within ten feet (10') of a side or rear property line unless the side or rear property line is adjacent to an alley. • Except as required in subsection E3g(1) of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure. 	<p>The front building elevation of the ADU faces 900 East and the rear of the single family house and is not within 10 FT of a property line. The front elevation will have a 9 FT wide by 9 FT high glass sliding door divided vertically into thirds, and a 6 FT wide by 3 FT high egress window. The west and east elevations are within 10 FT of a side property line, there are no egress windows on these elevations. The west elevation will have an 8 FT wide by 1 FT 6 IN high clerestory window to allow for natural lighting. The rear building elevation is within 10 FT of the rear property line. There are no windows on this elevation.</p> <p>Egress windows are required in habitable space. To meet these requirements, the bottom of the egress window opening can't exceed 44 IN from the finished floor. The minimum opening area of the egress window is 5.7 SF, the minimum egress window opening height is 24 IN high. The minimum egress window opening is 20 IN wide.</p> <p>Windows are similar in dimension and design as the windows on the principal structure.</p>	<p>Complies</p>
<p>PARKING</p> <p>Minimum of one parking space on site.</p> <p>*This requirement may be waived if there is legal on street parking along the street frontage of the property OR if it's within ¼ mile of a transit stop.</p>	<p>In addition to the parking spaces for the house already provided on the driveway in the north side yard, the ADU will have carport parking in the rear yard via the alley.</p> <p>Additionally, on-site parking could be waived because they have one legal street parking space and they are also located within ¼ mile of a transit stop.</p>	<p>Complies</p>

ATTACHMENT F – CONDITIONAL USE STANDARDS

21A.54.080 Standards for Conditional Use

Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

Analysis: The proposed ADU use is located in the R-1/5000 zoning district which allows for an ADU to be approved through the conditional use process subject to meeting the specific regulations for an ADU in section 21A.40.200 of the zoning ordinance. As analyzed in [Attachment E](#), the ADU complies with the requirements of 21A.40.200.

Finding: The proposed use will comply with the applicable provisions of the Salt Lake City Zoning Ordinance.

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

Analysis: The proposed ADU use is a small residential unit that should be readily compatible with surrounding uses which are all single family homes. The ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the primary house on the property.

Finding: The proposed use is compatible with the surrounding uses.

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

Analysis: The proposal is located in the East Liberty Park neighborhood within the East Central South neighborhood planning area as established by the *Central Community Master Plan*. Besides the commercial area at the 9th and 9th area approximately ½ block to the north of the subject parcel, most of the area was filled in with modest single-family dwellings with architectural styles ranging from cottages to bungalows by 1925. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5000, single family residential.

The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The purpose of accessory dwelling units are to:

- 1) Create new housing units while respecting the appearance and scale of single-family residential development;
- 2) Provide more housing choices in residential districts;
- 3) Allow more efficient use of existing housing stock, public infrastructure, and the embodied energy contained within existing structures;
- 4) Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households;

- 5) Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- 6) Broaden the range of affordable housing throughout the City;
- 7) Support sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption;
- 8) Support transit oriented development and reduce auto usage by increasing density near transit; and
- 9) Support the economic viability of historic properties and the City's historic preservation goals by allowing accessory dwellings in historic structures.

The proposed ADU is consistent with the following Residential Land Use Goals included in the Central Community Master Plan:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Encourage a mix of rental properties for those who cannot afford or do not choose home ownership.
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community.

The proposal is also consistent with the goals and policies outlined in *Growing SLC: A Five Year Housing Plan* which aims to increase housing options, promote diverse housing stock, and allow for additional units while minimizing neighborhood impacts.

Finding: The uses are consistent with applicable adopted city planning policies, documents, and master plans.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart below for details).

21a.54.080B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	The proposed ADU is an accessory residential use and is allowed as a conditional use within the R-1/5000 zoning district. The proposed ADU complies with all specific regulations for an ADU including size, height, setbacks, distance to other houses, etc. as outlined in Attachment E .
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	The uses are located in an area zoned and designated by the associated master plan for low density residential. This land use designation allows moderate sized lots (i.e., 3,000-10,000 square feet) where single-family detached homes are the dominant land use. Low-density includes single-family attached and detached dwellings as permissible on a single residential lot subject to zoning.

		As discussed under Conditional Use standard 3 above, the proposed ADU is consistent with the purpose of the ADU ordinance, several residential land use policies in the Central Community Master Plan and supports goals outlined in Growing SLC: a Five Year Housing Plan by providing more housing options, and creating a new housing unit that respects the scale of the neighborhood.
3. The use is well-suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area	Complies	Uses surrounding the property are generally single family residential with a few multi-family properties and a rather substantial commercial component to the north along 900 South. The residential lots in this area are large enough to provide separation between the proposed ADU and the house on the property as well as adjacent primary residences. The proposal complies with the size requirements for an ADU which can be up to 50% of the footprint of the primary house up to 650 SF and is compatible with the scale of surrounding accessory buildings and adjacent uses.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	As discussed above, the scale of the proposal is compatible with the main house on the property as well as surrounding structures and meets the footprint and height requirements for an ADU. An ADU can be a maximum of 17 FT, however, the proposed ADU will be a height of 11' 3". The ADU is proposed in a location on the site that minimizes impacts to adjacent properties.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The main house on the subject property has a driveway located off of 900 East and is also accessible via the alley at the rear of the parcel. The ADU will utilize the alley for parking. No new access points are proposed and the proposal will not impede traffic flows.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The proposed ADU will be accessed from the alley or 900 East. The ADU is also located within ¼ mile of the transit stops located at the intersection of 900 South and 900 East and has parking on the street adjacent to the property. It's not anticipated that the ADU will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The site is designed for pedestrian and bicycle access. The pedestrian circulation within the site will be improved with outdoor spaces.

<p>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street</p>	<p>Complies</p>	<p>Vehicular access to the site and sufficient parking is existing. There are two parking spaces in the north side yard for the house with a parking space for the ADU under the carport in the rear yard via the alley. No unreasonable impacts to the service level of the adjacent streets is anticipated.</p>
<p>9. The location and design of off-street parking complies with applicable standards of this code</p>	<p>Complies</p>	<p>As discussed in other areas of this analysis, one parking space is provided in the rear yard for the ADU. Additionally, parking for the ADU could be waived because of the site's close proximity to transit and the on street parking that is available in front of the property on 900 East.</p>
<p>10. Utility capacity is sufficient to support the use at normal service levels</p>	<p>Complies</p>	<p>The Public Utilities department provided comments on the project. A utility plan will need to be submitted for review and compliance will be ensured during the building permitting process.</p>
<p>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts</p>	<p>Complies</p>	<p>The proposed ADU may result in increased activity in the rear yard of the subject property. Which must be taken into account for potential impacts to the abutting properties that are all single family residences, The subject parcel currently has chain link fence along the side and rear property lines. With a combination of plants that have grown enmeshed in the chain link, along with those planted along the fence, it seems to be appropriated screened to mitigate potential conflicts with neighbors on adjacent lots. The clerestory window on the west side of the ADU is within 10 FT of a property line but it is placed at 7' above the floor to maintain privacy. Additionally, the closest primary residence to the subject property is approximately 53 FT away.</p>
<p>12. The use meets City sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke</p>	<p>Complies</p>	<p>The use does not significantly impact sustainability plans. The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.</p>
<p>13. The hours of operation and delivery of the use are compatible with surrounding uses</p>	<p>Complies</p>	<p>The proposed use is an accessory residential structure and is compatible with the surrounding uses are also residential.</p>
<p>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</p>	<p>Complies</p>	<p>Signs are not associated with this proposal. Any lighting on the accessory structure is not expected to have a negative impact on the surrounding uses or otherwise cause a nuisance.</p>

15. The proposed use does not undermine preservation of historic resources and structures	Complies	The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.
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Finding: In analyzing the anticipated detrimental effects of the proposed use, Staff finds that with the conditions identified in the analysis, the request complies with the criteria listed above.

ATTACHMENT G – PUBLIC PROCESS & COMMENTS

Notice of Application to East Liberty Park and East Central Community Councils:

A notice of application and submitted materials were sent to the East Liberty Park and East Central Community Council chairpersons, on July 26, 2019. The subject parcel is within the East Liberty Park boundaries and within 600' of the boundaries of the East Central boundaries. They were each given 45 days to respond with any concerns or request staff to meet with them and discuss the proposed rezoning and text amendment.

Early Notification to Property Owners and Renters within 300' of the Subject Parcel:

An early notification to property owners and renters was also sent out on July 26, 2019. It provided them information about the project with Staff contact information to provide comments or seek additional information. It also let them know that it had been sent to the applicable Community Councils.

Public Open Houses:

Two public Open Houses were held because there was an error mailing the notices to the first one and Planning Staff was not confident that all residents and owners within 300' of the subject parcel received the notice.

The first Open House was held on November 21, 2019. Notices were mailed and posted on November 8, 2019. It was attended by a member of one of the Community Councils mentioned above, a neighboring property owner, and another member of the community. Only one comment was provided (see below).

The second Open House was held on December 3, 2019. Notices were mailed and posted on November 22, 2019. There was no one in attendance.

Notice of the Planning Commission Public Hearing:

Notice of the public hearing scheduled for December 11, 2019 were mailed and posted on November 22, 2019.

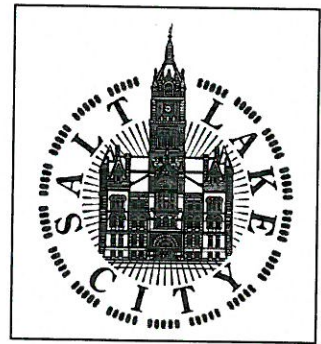
Public Input:

No comments were provided from the Central City or Liberty Wells Community Councils. As of the publication of this Staff Report, Staff has received only one public comment from the first Open House.

If any comments are received after publication of the Staff Report, they will be forwarded to the Planning Commission and included in the public record.

**OPEN HOUSE
PUBLIC COMMENT SHEET**

November 21, 2019



Planning Division
Department of Community
and Neighborhoods

**942 South 900 East Accessory Dwelling Unit (ADU)
PLNPCM2019-00649**

Name: James Alfandre

Address: _____

Zip Code _____

Phone: _____ **E-mail:** james@urbanalfandre.com

Comments: I support this conditional use I believe more housing, especially like this ADU are perfect to locate in areas close to walkable amenities.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the open house, or you can provide your comments via e-mail at chris.lee@slcgov.com or via mail at the following address: Chris Lee, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by 5/9/2019.

ATTACHMENT H – DEPARTMENT REVIEW COMMENTS

Engineering:

No comment provided.

Transportation:

No comment provided.

Zoning: (Scott Browning)

- Need to show North arrow on site plan
- Need to show the alley on the site plan for access to the ADU parking stall. If not, the parking stall will be “blocked” by the tandem parking for the main home (or find a new parking layout).
- Driveway to legal parking spot must be an improved surface
- need to show overall height of the building on elevation drawings (only stated it in written narrative)
- Lot size and lot coverage need to be on site plan (in only narrative)

Building Code:

No comment provided.

Public Utilities: (Kristeen Beitel)

The sewer lateral for the existing home on the property runs from the west side of the home to the sewer main in the alley west of the property. The ADU cannot be installed over the existing lateral and must be installed to provide adequate distance from the existing lateral for potential repairs. Plans for building permit must show the existing sewer lateral with dimensions to show clearance between ADU and existing sewer lateral.

A new sewer lateral will be required from the ADU to the sewer main in the alley to the west of the property. If desired to make a connection on site to the existing sewer lateral, then an exception will be required. Additionally, a video inspection of the existing sewer lateral will be required to confirm the condition of the lateral (installed in 1926).

Only one culinary water meter is allowed per parcel. Water service to the ADU must be provided from the existing water service to the property. Plans must show the new water service from the existing home to the ADU with new connection after the existing water meter.

Public Utility permit, connection, survey, and inspection fees will apply.

All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.

All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12” vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12” vertical separation from any non-sewer utilities.

This additional information was provided when Planning Staff requested clarification on the location of the sewer lateral:

The lateral runs from the northwest corner of the house directly west to the alley. This is based on the original survey notes from 1926, so it will need verified. Based on the survey notes, I think they are okay. If the lateral bends at all, then they may be close. They will need to install a new lateral regardless, which creates several options to mitigate IF it is an issue.

Fire: (Doug Bateman)

Fire apparatus access road shall extend to within 150-feet of all portions of the building and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.

Exception: There are not more than two Group R-3 or Group U occupancies

For Group R-3 and Group U occupancies, fire hydrants shall be within 600-feet of all exterior portions of the buildings as measured by an approved route around the building.

**"Approved" is defined as the height of the structure times 70 % plus 4 feet will be the dimension measured from the exterior wall.

Provide a site plan that shows the location of existing or proposed fire hydrants that meet this requirement.