



# Staff Report

PLANNING DIVISION

DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

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**To:** Salt Lake City Planning Commission

**From:** Caitlyn Miller, Principal Planner, caitlyn.miller@slcgov.com or 801-535-7706

**Date:** June 24, 2020

**Re:** Detached Accessory Dwelling Unit – Conditional Use (PLNPCM2020-00155)

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## Conditional Use

**PROPERTY ADDRESS:** 2496 South 1700 East  
**PARCEL ID:** 16-21-402-011-0000  
**MASTER PLAN:** Sugar House  
**ZONING DISTRICT:** R-1/7,000 (Single Family Residential)

**REQUEST:** Andrea Palmer, representing the property owner and Modal Living, is requesting Conditional Use approval for a 432-square foot accessory dwelling unit (ADU) to be located to the rear western portion of the property at approximately at 2496 South 1700 East. The property zoned R-1/7,000 (Single-Family Residential), where ADUs must be processed as a conditional use.

**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.
2. The ADU cannot be used as a short-term rental.
3. Approval is for the specific conditional use discussed and identified in the staff report. All applicable zoning regulations and requirements from other city departments still apply.

### ATTACHMENTS:

- A. [Vicinity Map & Property Photos](#)
- B. [Application Materials](#)
- C. [ADU Zoning Standards](#)
- D. [Conditional Use Standards](#)
- E. [Public Process & Comments](#)

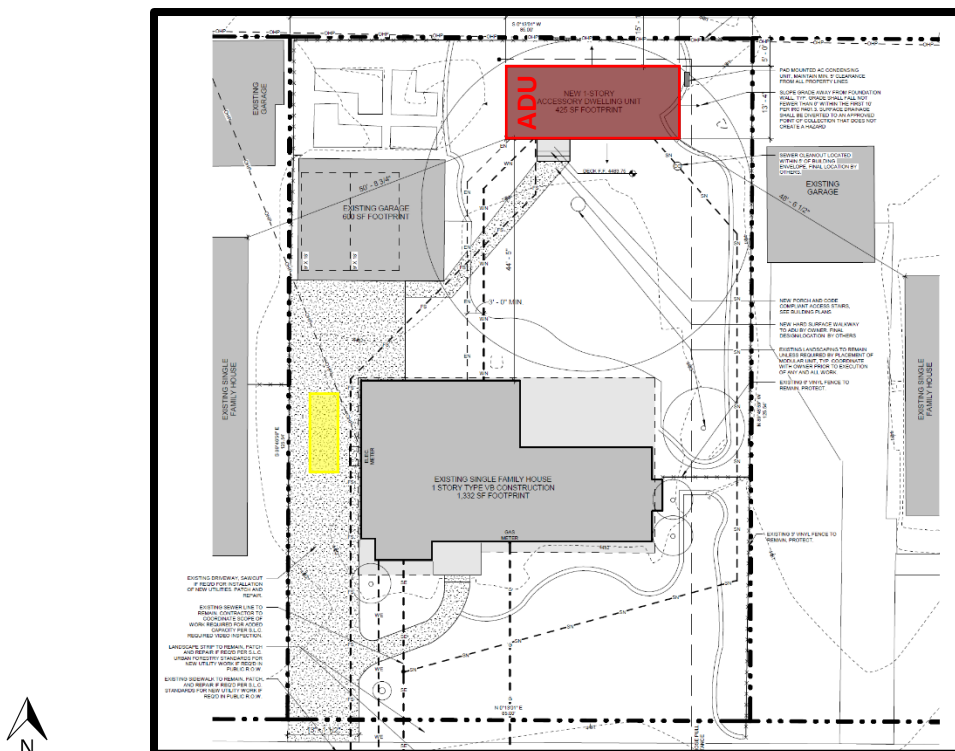
## PROJECT DESCRIPTION:

The proposed project is for the construction of a detached accessory dwelling unit (ADU) located in the rear, northeast corner of the property at approximately 2496 South 1700 East. The ADU will be 432-square feet in area with a living room, bedroom, and bathroom all on the same floor. It features a flat roof and is approximately 11' in height. Parking will be accommodated on the driveway.

The primary exterior building material is red cedar cladding. Two sliding doors will be located on the front of the ADU facing the east property line and the primary dwelling unit. A smaller horizontally oriented window will also be located on the south side of the ADU facing the southern property line. The ADU itself sits 4 feet from the rear (west) property line, thirty-three feet 9 inches from the side (south) property line, and 19 feet 7 inches from the side (north) property line. Single-family homes are located to the north, south, and west of the subject property.

## PLANNING COMMISSION REVIEW:

The property is in the R-1/7,000 zoning district, which is a single-family zoning district. Conditional use approval is required for any ADU located in a single-family zone. Notice was sent to property owners and tenants within 300 feet of the site on March 13, 2020, and no comments were received. Notice was also sent to the Sugar House Community Council (SHCC). The SHCC requested that the applicant present at their monthly meeting. The Applicant presented the proposed ADU at the April 20, 2020 meeting of the SHCC Land Use Committee. For complete analysis and findings concerning the Conditional Use standards, please refer to [Attachment D](#).



## **NEXT STEPS:**

### **Approval of Conditional Use**

If the request is approved, the applicant will need to need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Commission. The applicant will be able to submit plans for 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**

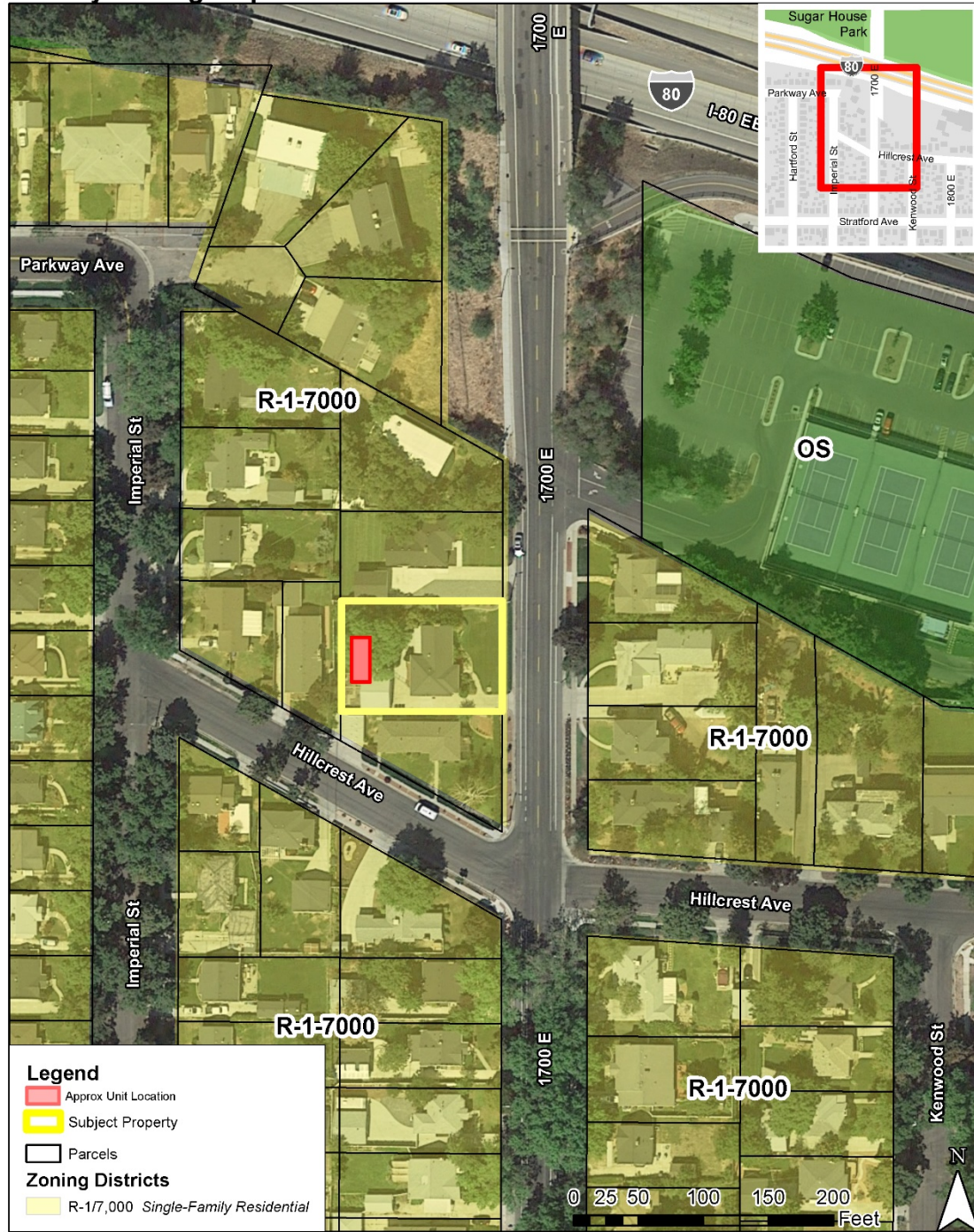
State and City code require that a Conditional Use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A conditional use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects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

If the Planning requests are 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 an accessory dwelling. Accessory structures in the R-1/7,000 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 a pitched roof accessory building is 17 FT to the midpoint or 12 FT for a flat roof.

## **ATTACHMENT A – VICINITY MAP & PROPERTY PHOTOS**



# Vicinity Zoning Map







*Figure 1: View of subject property from south.*



*Figure 2: View of neighboring properties across 1700 East to the east.*

**ATTACHMENT B**

**APPLICATION MATERIALS**

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# ADU Project Description - 2496 S 1700 E

## Features

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).

- 9' tall ceilings
- Built-in furniture
  - Day bed
  - Custom wardrobe
  - Bed frame with integrated storage
- Fully equipped kitchen
  - Dishwasher
  - Refrigerator and freezer
  - Garbage disposal
  - 4-burner electric stove
- Full-size bathroom
  - Washer & dryer
- Composite glass front door
  - 8' tall by 6' wide
- Bedroom window
  - 3' tall by 6' wide
- 2-head independently-zoned, ductless mini-split heating, and cooling units
- Efficient LED lighting
- Plug and play utility hookups

## Specifications

- Weight: 10 Tons/20,000 lbs
- Dimensions (L/W/H): 32'/13'-6"/11'
- Foundation: Continuous, full perimeter thickened slab foundation

## Materials

### *Exterior*

- Building facade: tongue and groove knotty pine cladding, painted black and sealed.
- 2x6 wood frame construction
- Double plated top and bottom framing
- TPO roofing system with an internal drain

- R53 roofing/flooring insulation
- R24 wall insulation
- Double pane composite windows and doors

#### *Interior*

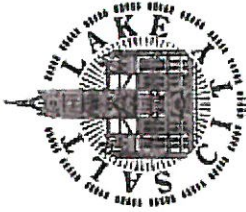
- 13 ply Baltic Birch cabinetry and wall finishes
- Quartz countertops
- 3Form custom shower surround and kitchen backsplash
- Euro glass shower divider
- Engineered hardwood flooring

## Site Specifications

- This Conditional Use application proposes one Accessory Dwelling Unit (ADU) to be placed at 2496 S 1700 E, currently, a single-family home located in the R-1/7,000 zone.
- The property is 6,534 SQ.FT. or .15 acres and has an existing single-family dwelling with a footprint of 880 SQ.FT. and does not exceed more than 50% of the ADU size (432 SQ.FT.).
- Existing lot coverage with the primary dwelling and detached garage (240 SQ.FT.) is 17% and with the ADU, 23%. This will not exceed the 40% maximum building coverage allowed in the R-1/7,000 zone.
- Existing rear yard coverage is 13% and with the ADU, 19%. This will not exceed the 50% rear yard coverage allowed for ADU's.
- The maximum height of the single-family dwelling is 16'-2" and will not exceed the height of the ADU, 11'.
- Setbacks are as follows: rear yard: (4'), front yard: (106'-11"), side yards: (19'-7" N, 33'-9" S).
- The proposed ADU would be placed 42'-6" behind the primary dwelling and the closest primary dwelling on an adjacent property is 47'-4".
- The entrance for the proposed ADU is oriented towards the rear of the primary dwelling and is over the 10' distance requirement between an ADU and a primary dwelling.
- The east elevation will have an 8' tall by 6' wide glass sliding door and a 3' tall by 6' high window to the bedroom. The south elevation will have a 2' tall by 7' wide clerestory window to provide for additional light while providing privacy for adjacent properties. The north and west elevations have no windows.

- Parking for the ADU occupant will be made available on-site on the existing driveway.
- The proposed ADU will be 269' away from the nearest fire hydrant, measured from the furthest point of the unit.
- Sewer, power, and water service to the ADU will be connected to the existing primary dwelling's utility lines. A televised sewer lateral inspection was performed on the existing sewer line on October 2nd, 2019. The city inspector required that the sewer line be cleaned out prior to inspection. After a clean out was performed, the city found a belly at the nose on to the city's mainline. Our plan is to dig to the nose on and replace the belly.
- To install the unit, we will crane drop the unit in the rear yard.
- The proposed use of the ADU is a rental property. The property owner intends to comply with all applicable laws and ordinances.





# Work Flow History Report

2496 S 1700 E

DRT2019-00290

Project: Proposed Accessory Dwelling Unit - 2496 S 1700 E

**Project Description:** THE MODAL 01 is a one-bedroom, one-bathroom, 425 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 405 square feet of living space. The foundation is W10x30 steel I-beam continuous base and footings are 6 helical screw piles. 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 2496 S 1700 E, currently a single-family home located in the R-1/7,000 zone. Proposed ADU location is at the north west corner of the rear yard with the entrance facing the rear of the primary dwelling. There is an existing detached garage in the rear yard that measures out to 594 square feet and will have a distance of 8' from the proposed ADU location. Setbacks are as follows: rear-yard: (4'), front-yard: (107'8"), distance from primary structure: (42'6"). Entrance is located on the south east side of the ADU with a window on the north east side of the ADU and additional window on the south side of the ADU. Proposed use is as a rental. The owner intends to comply with all applicable laws and ordinances. Total building coverage will be 23% including the primary dwelling (1,376 square feet) and the ADU (432 square feet). Rear-yard coverage will be 19% with the ADU. Parking for ADU occupants will be made available in the driveway.

**The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.**

Date	Task/Inspection	Status/Result	Action By
10/10/2019	Application Acceptance	Accepted	Hamilton, Kevin
COMMENTS			



10/16/2019	Public Utilities Review	Comments	Beitel, Kristeen
<b>COMMENTS</b>			
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. Only one culinary water meter is allowed per parcel. Water service for the ADU must be provided from the existing water service to the property. A new, separate water service will not be allowed. If a new fire hydrant is required, then the water main must be 8" or larger. If the existing water main is smaller than 8", then a water main upsized will be required. Required improvements on the public water system will be determined by the Development Review Engineer. New water mains must cross the entire frontage of the property. A plan and profile and Engineer's cost estimate must be submitted for review. The property owner is required to bond for the amount of the approved cost estimate. Each building requires a separate sewer lateral with separate connection to the sewer main. If desired to connect to the existing sewer lateral, then a request for exception must be filed. Also, the existing sewer lateral must be inspected prior to permitting and verified in good enough condition by SLCPU for reuse. Approval of the exception to connect to the existing sewer lateral and permitting of a connection to the existing sewer lateral is not guaranteed. Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks. Any change to grade for the installation of the ADU must verify that stormwater is not discharged across property lines.			
10/16/2019	Zoning Review	Comments	Hardman, Alan
<b>COMMENTS</b>			
3:00 PM - 2496 S 1700 E - Andrea Palmer R1-7,000 zone. Proposal is to place a 432 SF factory-built ADU in the rear yard. See 21A.40.200 for the general and specific requirements for an ADU. The zone requires conditional use approval from the planning commission. Initiate the planning application with the planning desk in room 215. A foundation system of steel I-beam and helical screw piles is not allowed. The foundation must be on a standard concrete foundation system per 21A.24.010.U and 21A.36.190. One parking space needs to be available on site for the existing SFD. Parking for the ADU in the driveway must be beyond the front facade of the house to maintain one legal parking space. Consult the building code personnel in room 215 for building code requirements. An Impact Fee for a new SFD will need to be paid at the time the building permit is issued. The building permit must be submitted to the city electronically. Alan Hardman Senior Development Review Planner 801-535-7742 alan.hardman@slcgov.com			
10/17/2019	Fire Review	Comments	Bateman, Douglas
<b>COMMENTS</b>			
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.			
10/18/2019	Engineering Review	Comments	Crockett, Jack
<b>COMMENTS</b>			
From our meeting I gathered that there would be no altering of the Public Way such as cuts into the road, altering of the curb, or removal of sidewalk. Please contact the Engineering office at 801.535.6396 if this changes.			
10/22/2019	Transportation Review	Comments	Barry, Michael
<b>COMMENTS</b>			
Please feel free to contact me if you have any questions. Michael Barry, PE SLC Transportation Division 801-535-7147 email: michael.barry@slcgov.com			
10/28/2019	Closure	Emailed Notes to Applicant	Grange, Lilian
<b>COMMENTS</b>			





**Salt Lake City Public Utilities**  
**SEWER LATERAL TELEVISION INSPECTION WORK ORDER**  
Salt Lake City, UT 84115  
801-483-6727

Work Order ID: **1119625**

Date Permit Issued: 09/25/2019

Activity: **TELEVISION INSPECTION**

Issued By: AYON, MORIAH

Address / Location: **2496 S 1700 E**

Sewer Lateral ID: **9050034**

Submit to: BACKUS, BRANDON

Finished Date:

**Contractor Information:**

NAME: **FRIENDLY PLUMBER**

OFFICEPHONE: \_\_\_\_\_

ADDRESS: 347 W 3000 S

CITY, STATE, ZIP SLC

UT

84115

Contact Name: **FRIENDLY PLUMBER/JAREN**

Contact Cell #: **385-414-4582**

Owner's Name: \_\_\_\_\_

Subdivision: \_\_\_\_\_

**Fees:**

Inspection Fees: \$ **30**

Receipt/PUT #: **PUT2019-01572**

Amount Paid: \$ **30**

Pipe Size: **4**

Pipe Type: **VCP**

Pass (Y/N): \_\_\_\_\_

**Instructions:**

TV INSPECT

**Comments**

This rl will need to be cleaned prior to a inspection.

This lateral will need to be cleaned prior to inspection.

Final Inspection Date & Time: **10/2 @ 9:00**

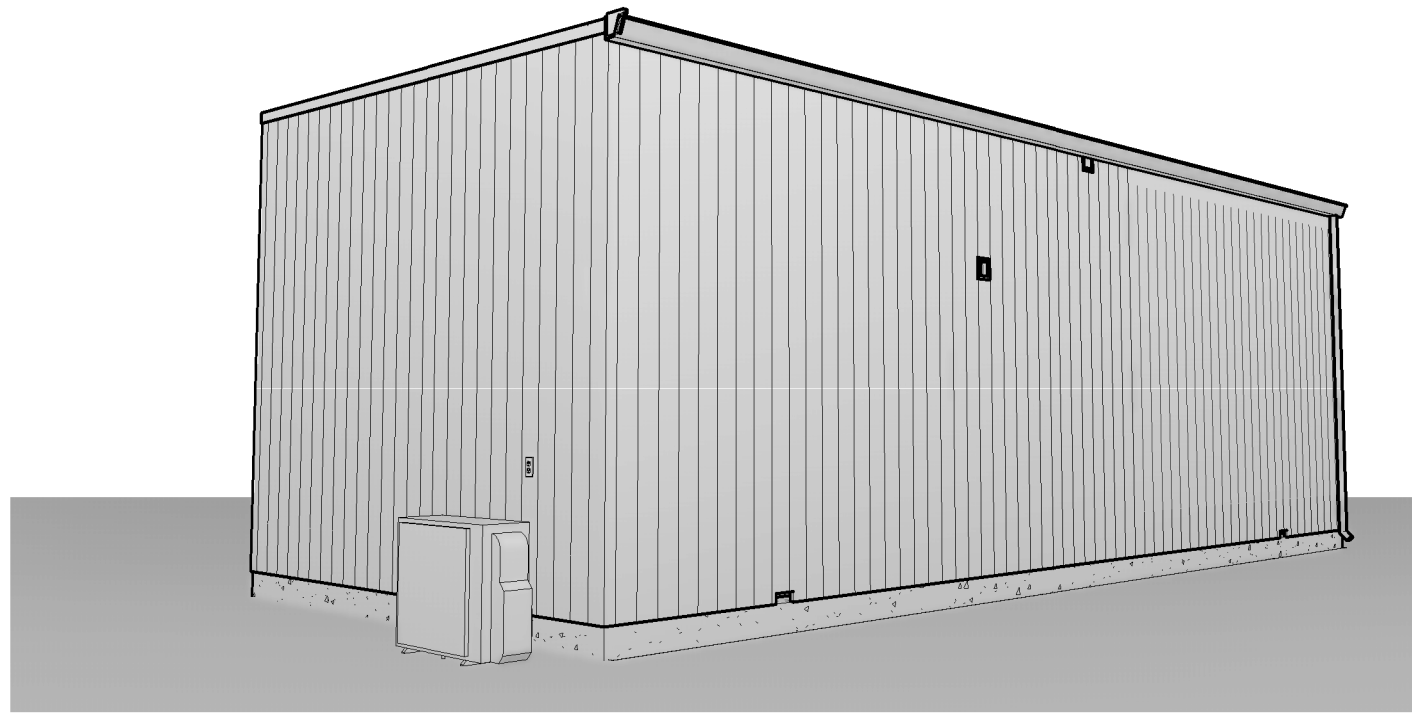
Authorized Signature: \_\_\_\_\_

54-8a-3.5. Excavation-related information included with construction and building permit. Any entity issuing a permit for building or construction that may require excavation may, and is encourage to, include a notice on or with a permit stating, "Attention, Utah law requires any excavator to notify the owner of underground facilities 48 hours before excavating and comply with Utah Code Title 54, Chapter 8a, Damage to Underground Utility Facilities.

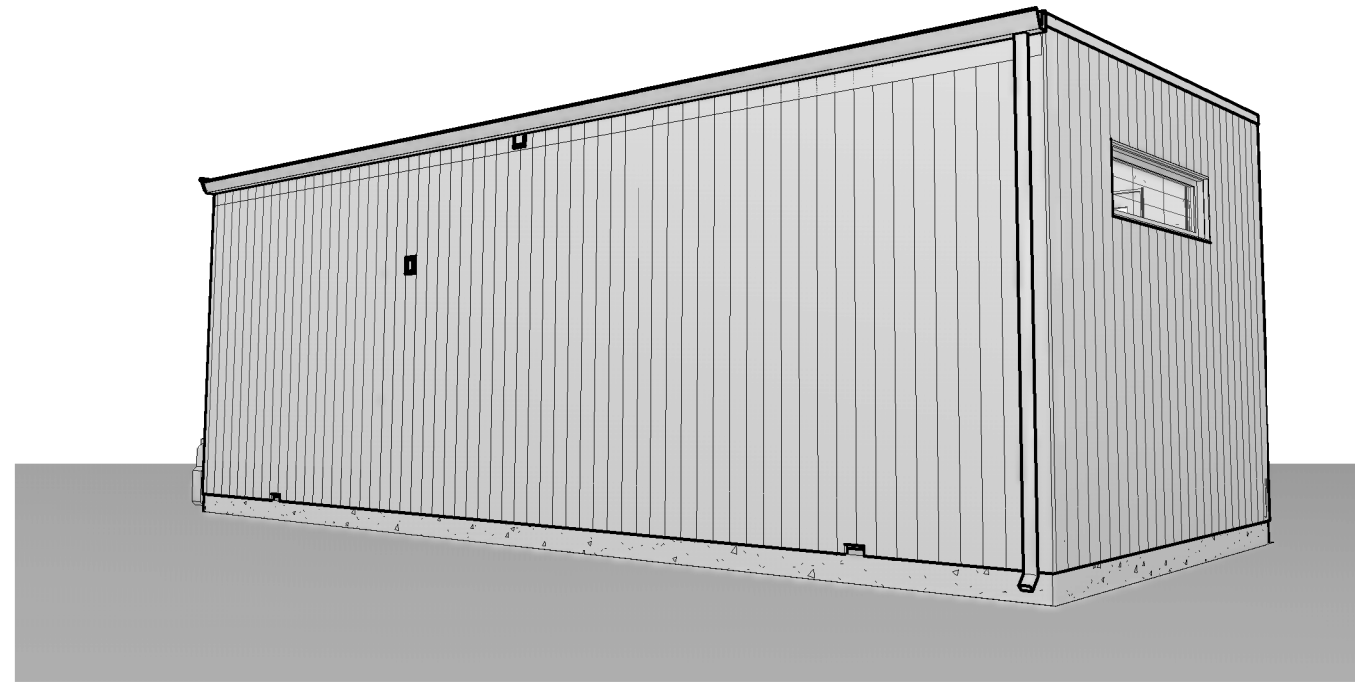
THE DESIGN AND IDEAS SHOWN AND HEREIN DESCRIBED, THE TECHNICAL DRAWINGS, GRAPHIC REPRESENTATION, AND MODELS THEREOF HAVE BEEN PREPARED AS AN INSTRUMENT OF SERVICE FOR THIS SOLE PROJECT AND SHALL REMAIN THE SOLE PROPERTY OF RANGE ARCHITECTURE AND DESIGN AND THEIR CONSULTANTS. WITHOUT THE SOLE AND EXCLUSIVE WRITTEN PERMISSION OF RANGE ARCHITECTURE AND DESIGN, REPRODUCTION, COPYING, IMITATION, COMMERCIAL EXPLOITATION, OR USE FOR ANY OTHER PURPOSE OTHER THAN FOR THIS SPECIFIC PROJECT IS PROHIBITED. THE FULL EXTENT OF LEGAL ACTION



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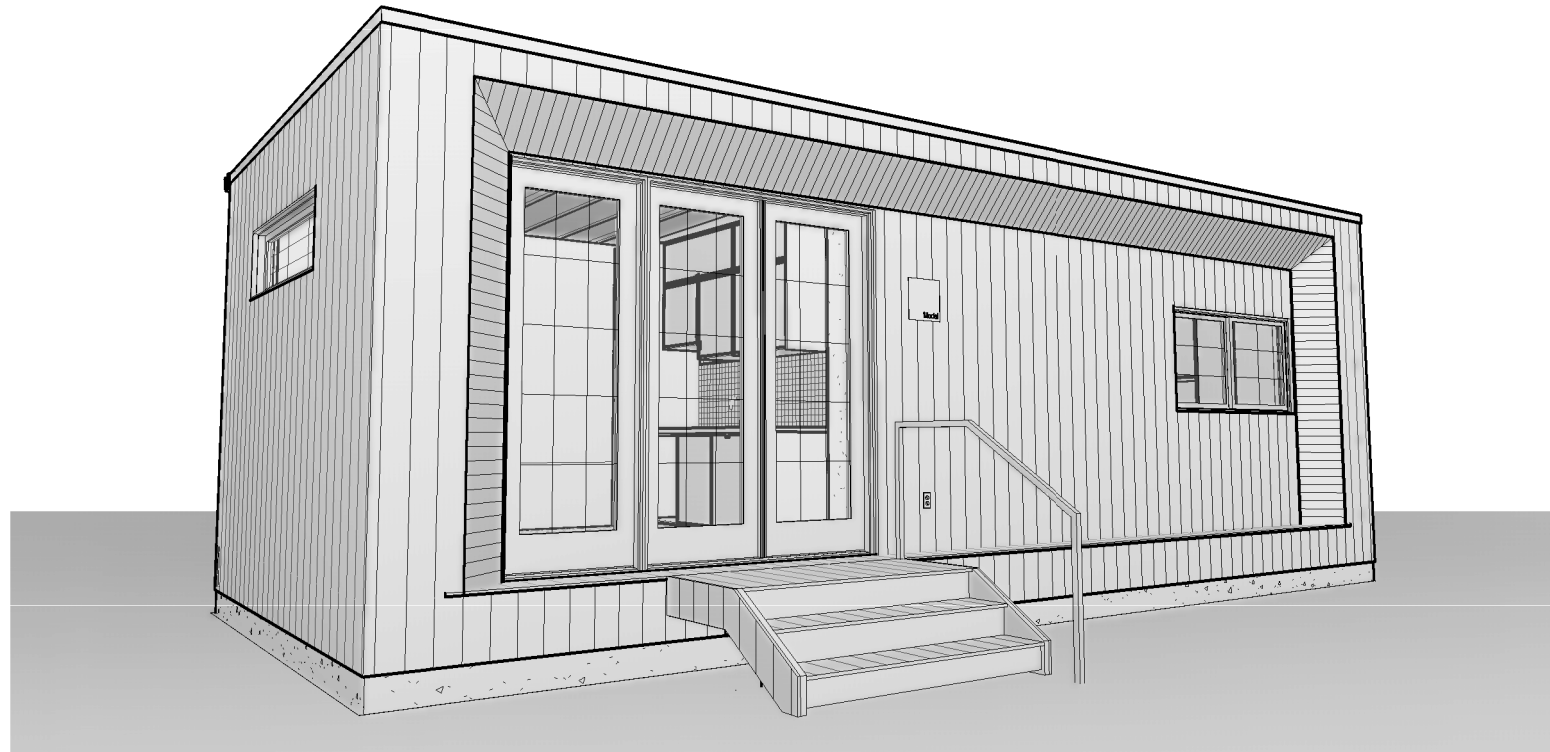
## PERSPECTIVE 4



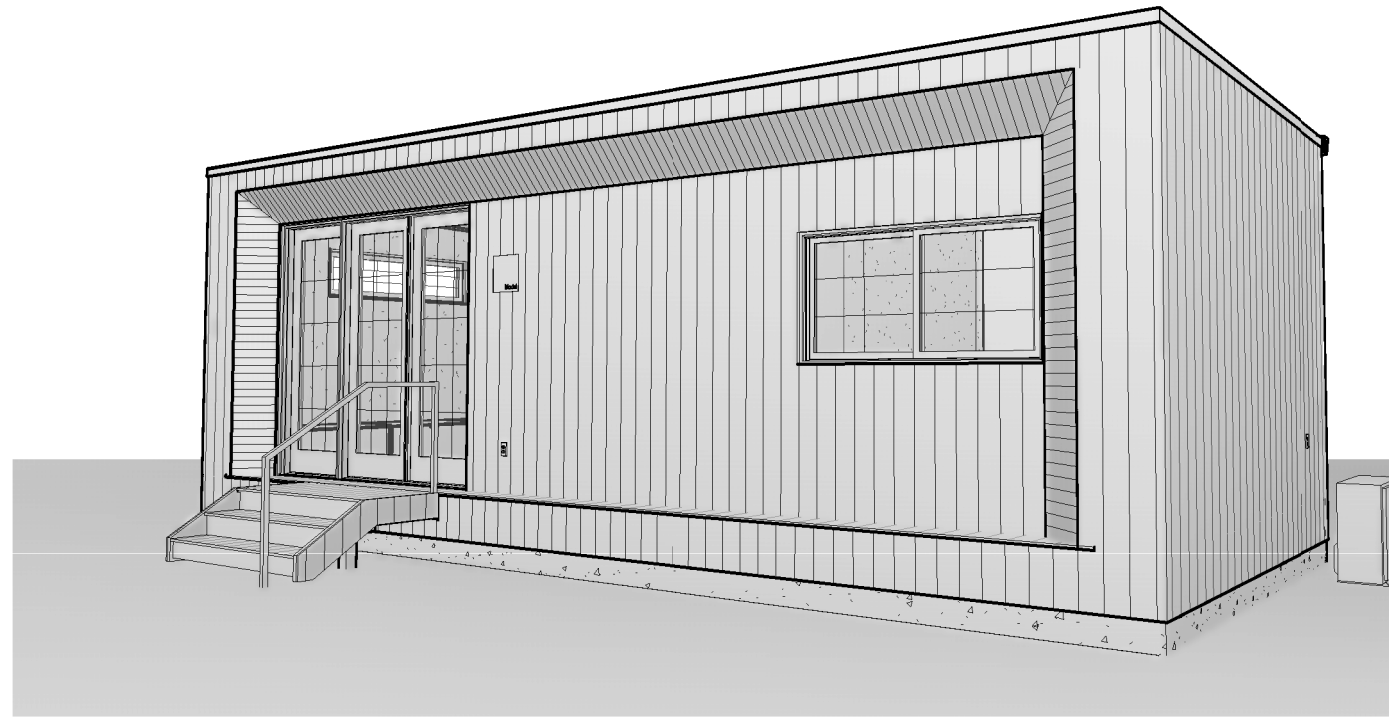
### PERSPECTIVE 3

MARK	MATERIAL	MANUFACTURER	COLOR / MODEL #
1	VERTICAL WOOD SIDING - 6"	TBD	STAINED - CHARCOAL
2	HORIZONTAL WOOD SIDING - 6"	TBD	STAINED - CHARCOAL
3	VERTICAL CEDAR SIDING - 3"	TBD	CLEAR COAT SEALANT
4	HORIZONTAL CEDAR SIDING - 3"	TBD	CLEAR COAT SEALANT
5	NOT USED	N/A	N/A
6	PLASTERED FOUNDATION WALL	TBD	COLOR TO MATCH EXTERIOR SIDING
7	MTL. ROOF FLASHING	TBD	BLACK
8	ALUM. GUTTER AND DOWNSPOUT	TBD	BLACK
9	STEEL HANDRAIL	TBD	POWDERCOAT BLACK
10	STAIR RISER	TBD	STAIN TO MATCH DECK FINISH

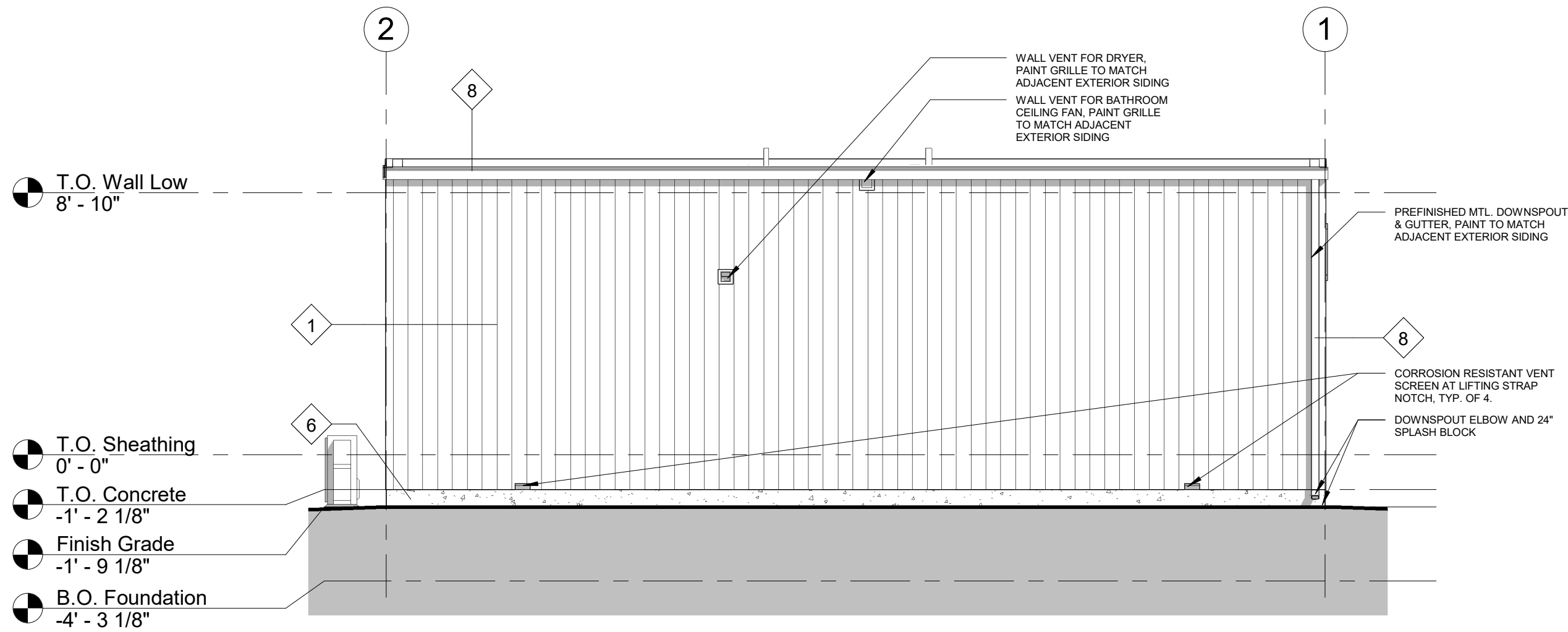
## EXTERIOR FINISH SCHEDULE



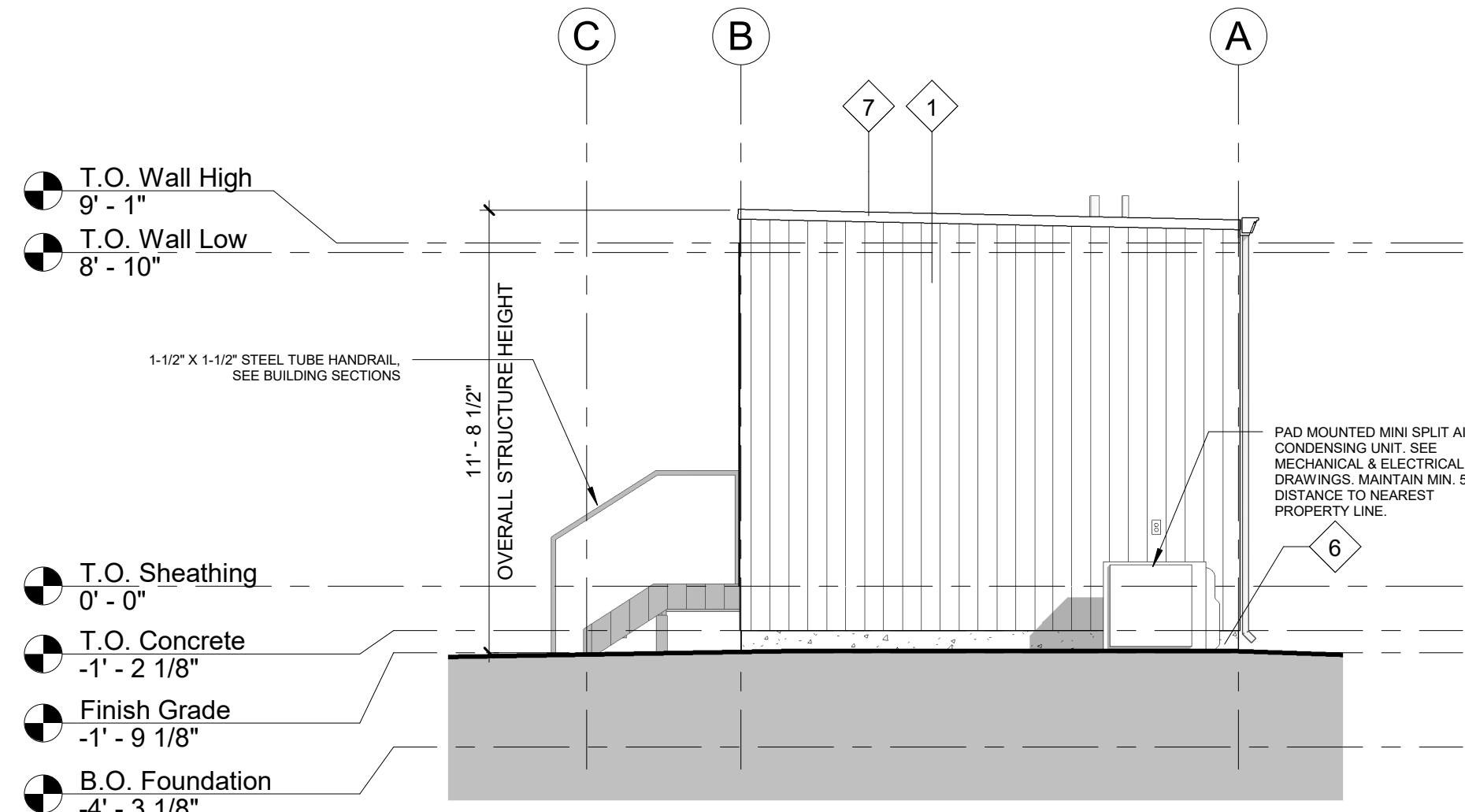
## PERSPECTIVE 2



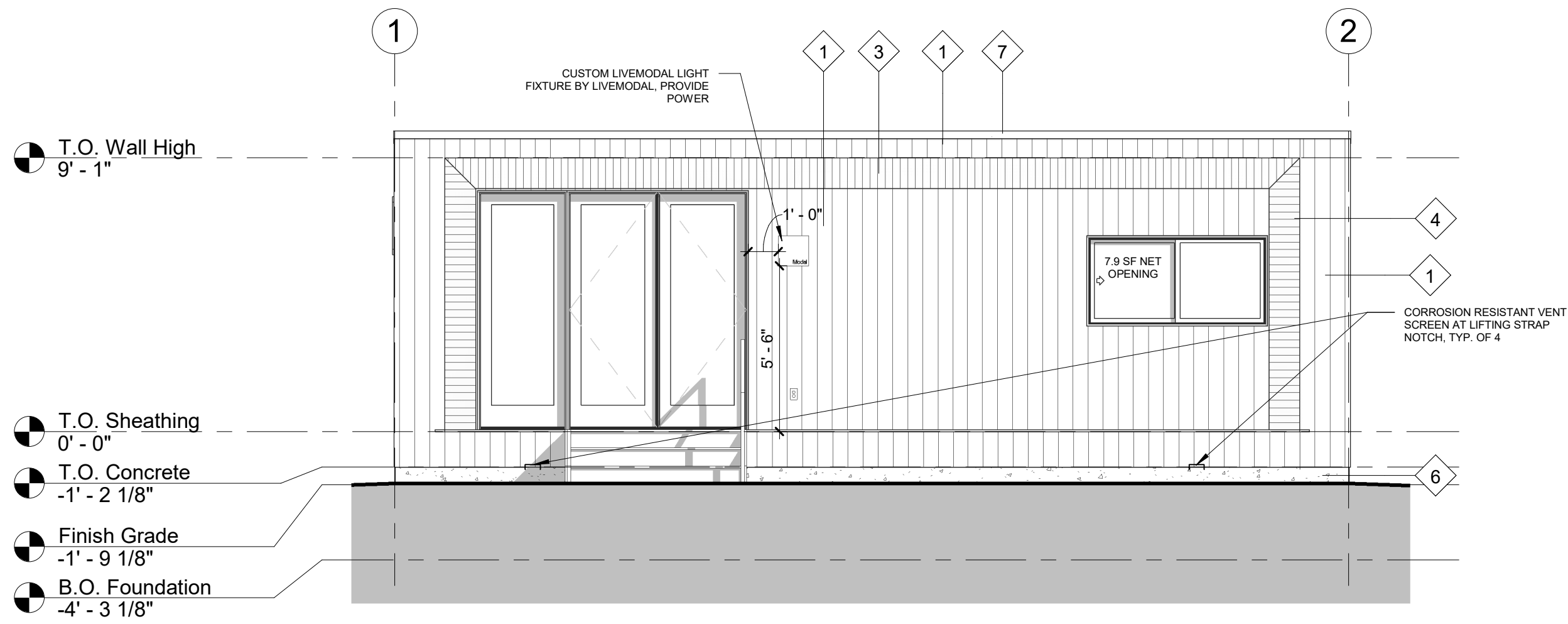
## PERSPECTIVE 1



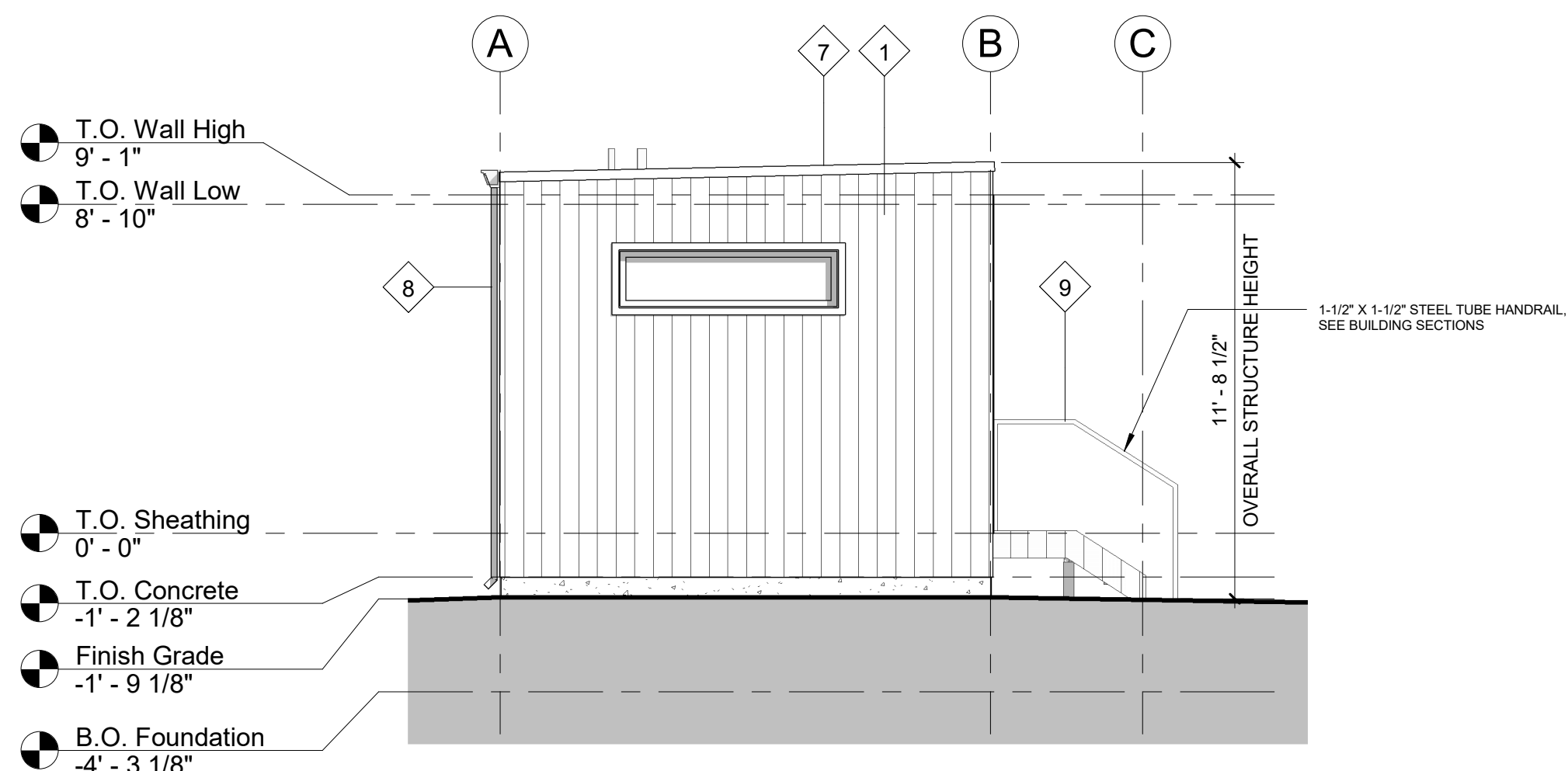
04 WEST ELEVATION  
1/4" = 1'-0"



03 NORTH ELEVATION  
1/4" = 1'-0"



02 EAST ELEVATION  
1/4" = 1'-0"



01 SOUTH ELEVATION  
1/4" = 1'-0"

## GENERAL NOTES - ELEVATIONS

1. WHEN SHOWN IN ELEVATION OR SECTION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE OR TOP OF CEMENT-BASED UNDERLAYMENT, U.N.O.
2. DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS GOVERN.
3. ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.

# RANGE

RANGE ARCHITECTURE | DESIGN  
3745 EAST HERMES DRIVE SLC, UT 84124  
WWW.RANGEARCHITECTURE.COM 801.694.9150

LIVEMODAL  
150 S STATE STREET SLIC, UT 84102  
WWW.LIVEMODAL.COM

# Vocal

MODAL 01 ADU - ANDREW  
2496 S 2700 E, Salt Lake City, UT 84106

REVISIONS	
COND. USE	03/09/2020
REVISIONS MARK	DATE
PLOT DATE	04/16/2020
PROJECT	2014
DRAWN BY	IK
CHECKED BY	N/A
SHEET TITLE	

## BUILDING ELEVATIONS & 3D VIEWS

A300

## ATTACHMENT C – ADU ZONING STANDARDS

### 21A.40.200 – ACCESSORY DWELLING UNITS:

ADU STANDARDS	PROPOSED	COMPLIES ?
<b>SIZE:</b> ADU footprint shall not exceed <b>50% of footprint of principal dwelling</b> , up to a <b>maximum of 650 sf.</b>	The footprint of the principal dwelling on the property is 972 square feet and the footprint of the proposed ADU is <b>432 square feet, or approximately 31% of the footprint of the principal dwelling.</b>	<b>Complies</b>
<b>MAXIMUM COVERAGE:</b> The surface coverage of all principal and accessory buildings shall not exceed <b>40% of the lot area.</b>	Lot Size: 10,454 Sq. Ft. (0.24 Acres) Primary Dwelling: 1,376 Sq. Ft. Existing Detached Garage: 594 Sq. Ft. Proposed ADU: 432 Sq. Ft.  Proposed coverage of combined principal and accessory structures on the lot is 2,402 square feet or <b>23% of the total lot area.</b>	<b>Complies</b>
<b>HEIGHT:</b> Shall not exceed the <b>height of the single-family dwelling on the property</b> or <b>17 feet</b> , whichever is less.  *If the principal dwelling is over 17 feet in height, the ADU may be equal in height up to a maximum of 24 feet if 10 foot side and rear yard setbacks are provided. The setback for additional height may be reduced to 4 feet if the side or rear lot line is adjacent to an alley.	The height of the proposed ADU will be <b>11' tall.</b>	<b>Complies</b>
<b>SETBACKS:</b> New accessory structures shall be located a minimum of <b>4 feet</b> from any side or rear lot line.	The proposed ADU will be located <b>4 FT</b> from the rear lot line, and <b>4 FT</b> from the west side and <b>32 FT 5 IN</b> from the east side lot line.	<b>Complies</b>
<b>SEPARATION:</b> Shall be located a minimum of <b>10 feet</b> from any primary dwelling on the property or adjacent property	The proposed ADU will be located approximately <b>21 FT</b> from the house on the property and the closest house on an adjacent property is approximately <b>28 FT 3 IN.</b>	<b>Complies</b>

<p><b>ENTRANCE LOCATIONS:</b> The entrance to an ADU in an accessory building shall be located:</p> <p><b>(1)</b> Facing an alley, public street, or facing the rear façade of the single-family dwelling on the same property.</p> <p><b>(2)</b> Facing a side or rear property line provided the entrance is located a minimum of <b>ten feet (10')</b> from the side or rear property line.</p> <p><b>(3)</b> Exterior stairs leading to an entrance shall be located a minimum of <b>ten feet (10')</b> from a side or rear property line unless the applicable side or rear property line is adjacent to an alley in which case the minimum setback for the accessory building applies to the stairs.</p>	<p>The proposed entry is facing the east side lot line and does not have any exterior stairs.</p>	<p><b>Complies</b></p>
<p><b>REQUIREMENTS FOR WINDOWS:</b></p> <p><b>(1)</b> 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.</p> <p><b>(2)</b> 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>	<p>Proposed windows meet building code requirements for egress. Windows are similar in dimension and design as the windows on the principal structure.</p>	<p><b>Complies</b></p>
<p><b>PARKING:</b> Minimum of <b>one parking space</b> 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 the property is within ¼ mile of a transit stop.</p>	<p>There is an existing 2-car garage on the site that accommodates the parking for the single-family home and an off-street parking spot has been designated in the driveway for the ADU.</p>	<p><b>Complies</b></p>

## **ATTACHMENT D – CONDITIONAL USE STANDARDS**

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### **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 in the R-1/7,000 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 C](#), 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 is anticipated in the R-1/7,000 zoning district and is considered a use that is potentially compatible with adjacent and surrounding residential uses by being listed as a conditional use in the land use table. The ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the primary house on the property. All the surrounding uses are single-family residential homes and the proposed ADU is also a residential use.

**Finding:** The proposed development and use is generally compatible with the surrounding uses. It is a residential use located in a residential neighborhood.

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

**Analysis:** The proposal is located within the Sugar House Planning Area. The Sugar House Community is characterized by stable residential neighborhoods with unique architectural styles and development patterns. The existing zoning on the property is R-1/7,000, single family residential.

*The purpose of the R-1/7,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. 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 aspiration of the Sugar House Master Plan to “provide a diversity of housing types, sizes, and prices in the community as a whole.”

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 proposed use is 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
<b>1. This title specifically authorizes the use where it is located</b>	<b>Complies</b>	The proposed ADU is an accessory residential use and is allowed as a conditional use within the R-1/7,000 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 <a href="#">Attachment C</a> .
<b>2. The use is consistent with applicable policies set forth in adopted citywide, community, and</b>	<b>Complies</b>	The use is located in an area zoned and designated by the associated master plan for low density residential. Low-density includes single-family attached and

<b>small area master plans and future land use maps</b>		<p>detached dwellings as permissible on a single residential lot subject to zoning.</p> <p>As discussed under Conditional Use standard 3 above, the proposed ADU is consistent with the purpose of the ADU ordinance 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.</p>
<b>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</b>	<b>Complies</b>	An ADU is residential in nature and the subject property is in a single-family residential neighborhood. The unit will also be relatively compact with a footprint of 432 square feet.
<b>4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered</b>	<b>Complies</b>	The scale of the proposal will be compatible with the main house on the property and meets the footprint and height requirements for an ADU. Though it has a flat roof unlike neighboring homes, it does not exceed the 17-foot height limit for ADUs. Its location in the corner of the site that minimizes impacts to adjacent properties.
<b>5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows</b>	<b>Complies</b>	The main house and ADU on the subject property will be accessed from Garfield Avenue. No new access points are proposed and the proposal will not impede traffic flows.
<b>6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic</b>	<b>Complies</b>	It's not anticipated that the addition of the accessory unit will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.
<b>7. The site is designed to enable access and circulation for pedestrian and bicycles</b>	<b>Complies</b>	The proposed ADU will not affect circulation for pedestrians and bicycles in the area. A concrete walkway (shown on the site plan) is proposed to lead from the driveway to the ADU.
<b>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street</b>	<b>Complies</b>	The proposed ADU proposed an off-street parking space with internal circulation to mitigate unreasonable impacts on the street.
<b>9. The location and design of off-street parking complies with applicable standards of this code</b>	<b>Complies</b>	An off-street parking space is provided in the driveway. Tandem parking is allowed for ADU's per 21A.40.200.E.G.



<b>10. Utility capacity is sufficient to support the use at normal service levels</b>	<b>Complies</b>	Public Utilities supports the conditional use.
<b>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts</b>	<b>Complies</b>	The surrounding properties are all residential uses and the proposed use is also residential.
<b>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</b>	<b>Complies</b>	The use does not significantly impact sustainability plans. Environmental impacts are not anticipated to be associated with the proposal.
<b>13. The hours of operation and delivery of the use are compatible with surrounding uses</b>	<b>Complies</b>	The proposed use is an accessory residential structure and is compatible with the surrounding uses as they are also residential.
<b>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</b>	<b>Complies</b>	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.
<b>15. The proposed use does not undermine preservation of historic resources and structures</b>	<b>Complies</b>	The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.

**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 E – PUBLIC PROCESS & COMMENTS**

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## **Public Notice, Meetings, Comments**

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- March 13, 2020 – Notice of the proposed ADU was provided to the Sugar House Community Council as well as property owners and residents within 300 FT of the project.
- April 20, 2020 – Staff attended the virtual Sugar House Community Council meeting on April 20, 2020. The applicant presented and answered several questions that were raised. Generally, the SHCC is not supportive of ADU's in their area. For this ADU, the community council voted against approving the request.

A formal letter reporting the council's position is attached. The Sugar House Community Council received a few comments mainly concerning increased traffic and parking in the area as well as a concern that the ADU would be utilized as a short term rental.

## **Notice of the public hearing for the proposal included:**

Public hearing notice mailed on June 3, 2020.

Public notice posted on City and State websites and Planning Division list serve on June 11, 2020.

Public hearing notice posted on June 10, 2020.

## **Public Input:**

Besides the Sugar House Community Council's attached letter, no other formal public comments have been submitted to date.



May 13, 2020

TO: Salt Lake City Planning Commission

From: Judi Short, Vice Chair and Land Use Chair

RE: PPLNPCM2020-00155 Conditional Use Request for an ADU at 2496 S 1700 East

The Sugar House Community Council did its usual review of this land use request. We put the project on our website, with a comment form for people to give us feedback. We made a flyer and put it on the porches of homes on the side streets, and included a link to the project and feedback form. For this project, we received two comments, which are attached. We also put this in our newsletter, which reaches about 1800 people, and it was one of the seven land use projects on the agenda for our virtual LUZ meeting on April 20.

The request is to build a detached ADU built by Modal Living, Inc. at this address. This will be an ADU of 432 square feet, 11 feet in height, located in the rear yard. The people providing comments had serious concerns. One felt they would lose their privacy since all the windows look onto this ADU. And they worried that there is no way a fire truck could get to the building. Somehow, with all the years (5?) that it took to try to get this ordinance right, we missed the mark. People don't even know that this ordinance exists, or how it could affect them, until they find out one is proposed for next door. And, there is very little you or I can do to deny these petitions. This one comes with a rumor that the owner doesn't live in the home, and now wants to add another unit to rent out. And they also fear that it will be an Air BnB, which you have no way to enforce. You need to find out if the owner lives in the current home and if not, reject this application.

This lot appears larger than the others we are reviewing, although the graphic we were given is so blurry it is impossible to know how big the lot is and what the lot coverage is in the rear yard. People feel like this is going to ruin their neighborhood, and that is sad.

Enclosures

Flyer

Comments

## Comments 2496 South 1700 East Accessory Dwelling Unit

From: Donald and Judith Drew <[dedjwd@gmail.com](mailto:dedjwd@gmail.com)>

Subject: 2496 South 1700 East Website Feedback

### Message Body:

It is with grave concern that we approach the subject of construction of an ADU project in our neighborhood specifically since it mostly impacts our property with construction right next to our east property line. We have lived in our home since approximately 1975 and have made every attempt to be friendly and neighborly however, we never expected to be confronted with such a proposition as this. We have other very close neighbors along our west property line and having such a structure on the east side will be very confining. Not only will it ruin our very pleasing view, it will greatly effect our privacy having someone living in such close proximity to our home, yard and patio. We are of the opinion that our property value will be negatively impacted, since this is primarily a neighborhood of single family dwellings on fairly small lots. We have concerns about increased traffic and parking along with too much density in quite a small area. It is rumored that the property in question might be currently used as an Airbnb, which, if true, means the potential of the new structure being used as a rental in a commercial venture. Approval of such a project may encourage others to consider similar ventures which will surely change the nature of our neighborhood and is concerning to some of our neighbors. There is also a definite fire hazard in as much as there is no adequate way for the fire department to gain access to the potential new structure. It is definitely a life safety issue.

From: Bob Busico <[bbusico54@gmail.com](mailto:bbusico54@gmail.com)>

Subject: 2496 S 1700 East ADU Feedback

### Message Body:

Hi Judi,

I joined the online meeting last night and heard some good information. The proposed 2496S. ADU is a few homes to

the north of my home. I am opposed to the additional building partially due to more overcrowding in this area and

limited parking for homes on 1700 E. which will overflow onto adjoining streets.

Sugarhouse building has gone to the extreme with apparently no concern for street or traffic infrastructure and the

ability to avoid mass traffic congestion.

I understand the 2496 S. home is owned by a person that does not live there but rents the home and now wants to

add a ADU for more rental income which is against zoning rules for our area as well as the ADU guidelines.

After the max influx of newly developed apartments and condos, our quaint little Sugarhouse area is changing for the negative.

Please feel free to contact me if you like to.

801-487-1480

Thanks, Bob



## 2496 S 1700 EAST ADU



The applicant is requesting a Conditional Use to construct an Accessory Dwelling Unit at 2496 S 1700 East. The ADU is proposed to be detached from the house and will be located at the rear yard. The ADU will be 432 square feet, include one-bedroom and be 11 feet in height. A single-family house is currently on the subject property. One parking space is provided on-site for the ADU. The plans are below, along with the regulations for an ADU.

Please read the proposal on our website, and give us your feedback using the comment form. We will send comments along with our letter to the Planning Commission. This proposal may be on the agenda of the Sugar House Community Council Land Use and Zoning Committee April 20 at 7 p.m. This will be a virtual meeting. **If you provide a comment, we will give you the link to join the meeting using Zoom.**

If we don't get any comments, we may not put this on the agenda, we have 7 Land Use items for that hour, and it is impossible to do them all.

The plans and the regulations for an Accessory Dwelling Unit are below:

Go here to review the plans and provide a comment.

<https://www.sugarhousecouncil.org/2496-s-1700-east-adu/>



[www.sugarhousecouncil.org](http://www.sugarhousecouncil.org)

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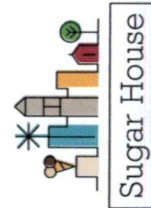
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Google Maps 2496 S 1700 E

