



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Sara Javoronok, Senior Planner, sara.javoronok@slcgov.com
Date: August 11, 2021
Re: PLNPCM2021-00009 – *Detached Accessory Dwelling Unit*

Conditional Use and Special Exception

PROPERTY ADDRESS: 1228 S 800 E
PARCEL ID: 16-08-355-018-0000
MASTER PLAN: Central Community – Low Density Residential
ZONING DISTRICT: R-1/5,000 Single-Family Residential

REQUEST: Jason Wheeler of Assist, Inc., on behalf of Lisa Benham, the property owner, is requesting Conditional Use approval for a 642 square foot, 15'2" tall detached accessory dwelling unit (ADU) in the rear yard and Special Exception approval for a condensing unit located less than 4 feet from the north lot line of the property located at 1228 South 800 East. The property is zoned R-1/5,000 Single-Family Residential, which requires Conditional Use approval for the construction of an ADU.

RECOMMENDATION: Based on the information in this staff report, Staff recommends that the Planning Commission approve the Conditional Use and Special Exception requests as proposed, and subject to complying with the following conditions:

1. Compliance with all Department/Division comments and conditions as noted in [Attachment H](#).
2. The property owner shall comply with the registration process as outlined in section 21A.40.200F of the Salt Lake City Zoning Ordinance.
3. The owner-occupant shall not operate or allow the operation of a short-term rental (i.e., less than 30 days) in the single-family dwelling or the accessory dwelling unit as defined in the Salt Lake City Zoning Ordinance.

ATTACHMENTS:

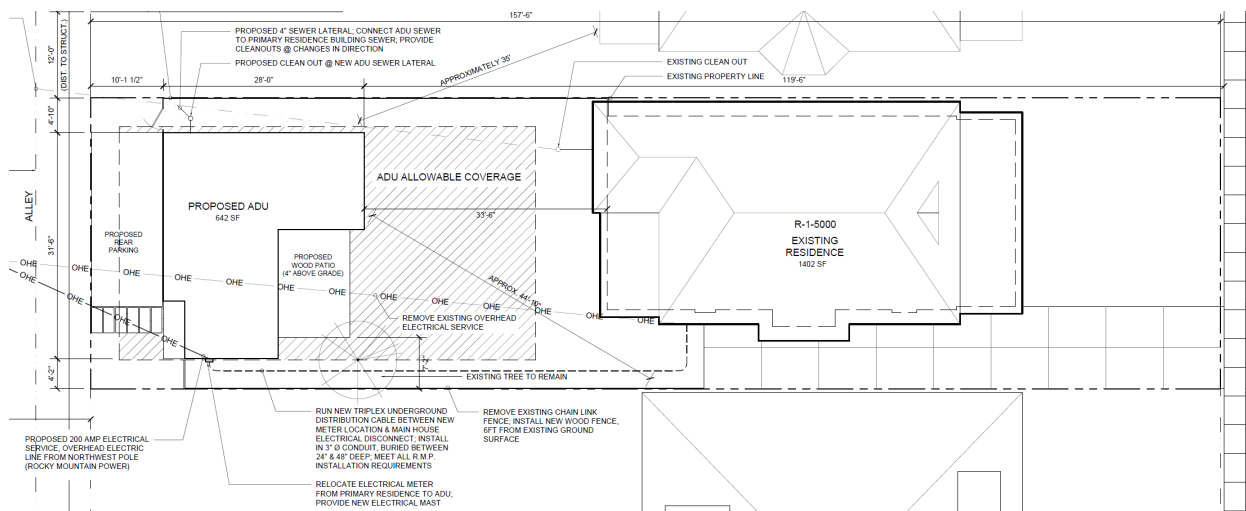
- A. [Vicinity Map](#)
- B. [Applicant Submittal](#)
- C. [Site Visit Photographs](#)
- D. [Analysis of Standards - Accessory Dwelling Units](#)
- E. [Analysis of Standards – Conditional Use](#)
- F. [Analysis of Standards – Special Exception](#)
- G. [Public Process and Comments](#)
- H. [Department Review Comments](#)



PROJECT DESCRIPTION:

The Conditional Use request is for a detached ADU to be placed in the rear yard of the existing single-family dwelling located at approximately 1228 South 800 East. The Special Exception request is for a mini split condensing unit to be placed less than 4 feet from the north property line. The ADU will be 642 square feet with all living spaces on the same floor. The proposed roof is pitched and approximately 15 feet in height. The existing primary residence parking is on the driveway. A single off-street parking space will be provided for the ADU to the rear of the unit. The proposed structure will not be highly visible from the public street.

The ADU has two entrances, one facing the alley and the other facing the rear of the existing single-family dwelling on the property. There is also a barn door entrance to the utility room on the west elevation. There are two clerestory windows on the north elevation. The south elevation has two windows, one in the kitchen and the other in the bedroom, which is set further back from the side property line. The proposed location of the mini split condensing unit is to the north. The ADU itself sits approximately 10 feet from the rear (west) property line and is 4 feet from the south and nearly 5 feet from the north property line. It is set back from the primary residence 33'6". It is nearly 16 feet to the closest structure on an adjacent property, a detached garage. It is approximately 35 feet from the closest primary structure on an adjacent lot. Single-family dwellings are located to the north and south of the dwelling. The immediate vicinity has a mix of single-family, duplex, and four plex units.



Perspective Drawing - Northeast

KEY CONSIDERATIONS:

1. Parking Location

The Zoning Ordinance requires one parking space for an ADU. The required parking space may be located on the property or on the street, if legal on-street parking space is available in the front of the property. In this case, one off-street parking space for the ADU would be provided in the rear yard and accessed from the alley. Additionally, one block to the east is the 209 bus route on 900 East. The proposed parking meets the standard and should not have a negative impact on the neighborhood.

2. Adopted Master Plan Policies

The proposed ADU is consistent with the goals and policies outlined within The Growing SLC Housing Plan. One of the goals outlined in the Housing Plan is to increase housing options.

Accessory dwelling units provide and promote diverse housing stock by providing additional units, while minimizing neighborhood impacts. The proposed ADU is consistent with the goals established within the Housing Plan.

The proposed ADU is consistent with the following Residential Land Use Goals/Policies 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.

Consistency with Salt Lake City's master plans is also discussed in [Attachment E](#).

3. Special Exception

The special exception request is for a condensing unit located less than 4 feet from a lot line. The condensing unit will be 3'4" feet from the north property line and 62 feet from the closest dwelling. The closest structure to the condensing unit is an accessory structure 15 feet away and on the property to the north. A fence will conceal the unit from this neighboring property.

Analysis with the ground mounted condensing unit special exception standards is in [Attachment F](#). The proposed location of the condensing unit is consistent with these standards.

PLANNING COMMISSION REVIEW:

The property is zoned R-1/5,000 Single-Family Residential. A Conditional Use approval is required for any ADUs that are located in a single-family zoning district. For complete analysis and findings for compliance with zoning standards for Accessory Dwelling Units, Conditional Use standards, and Special Exception standards please refer to [Attachment D](#), [Attachment E](#), and [Attachment F](#) respectively.

NEXT STEPS:

Approval of Conditional Use

If approved, the applicant may proceed with the project, subject to all conditions imposed by City departments and/or the Planning Commission and will be required to obtain all necessary permits. Building permits and certificate of occupancy for the building would only be issued contingent upon meeting all conditions of approval, including the registration process requirements outlined in 21A.40.200F 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 denied, the applicant would not be permitted to construct an ADU. An accessory building would be permitted on the property subject to compliance with the development standards and requirements of the R-1/5,000 Single-Family Residential District; however, no portion of the building may be used as a dwelling unit.

Approval of Special Exception

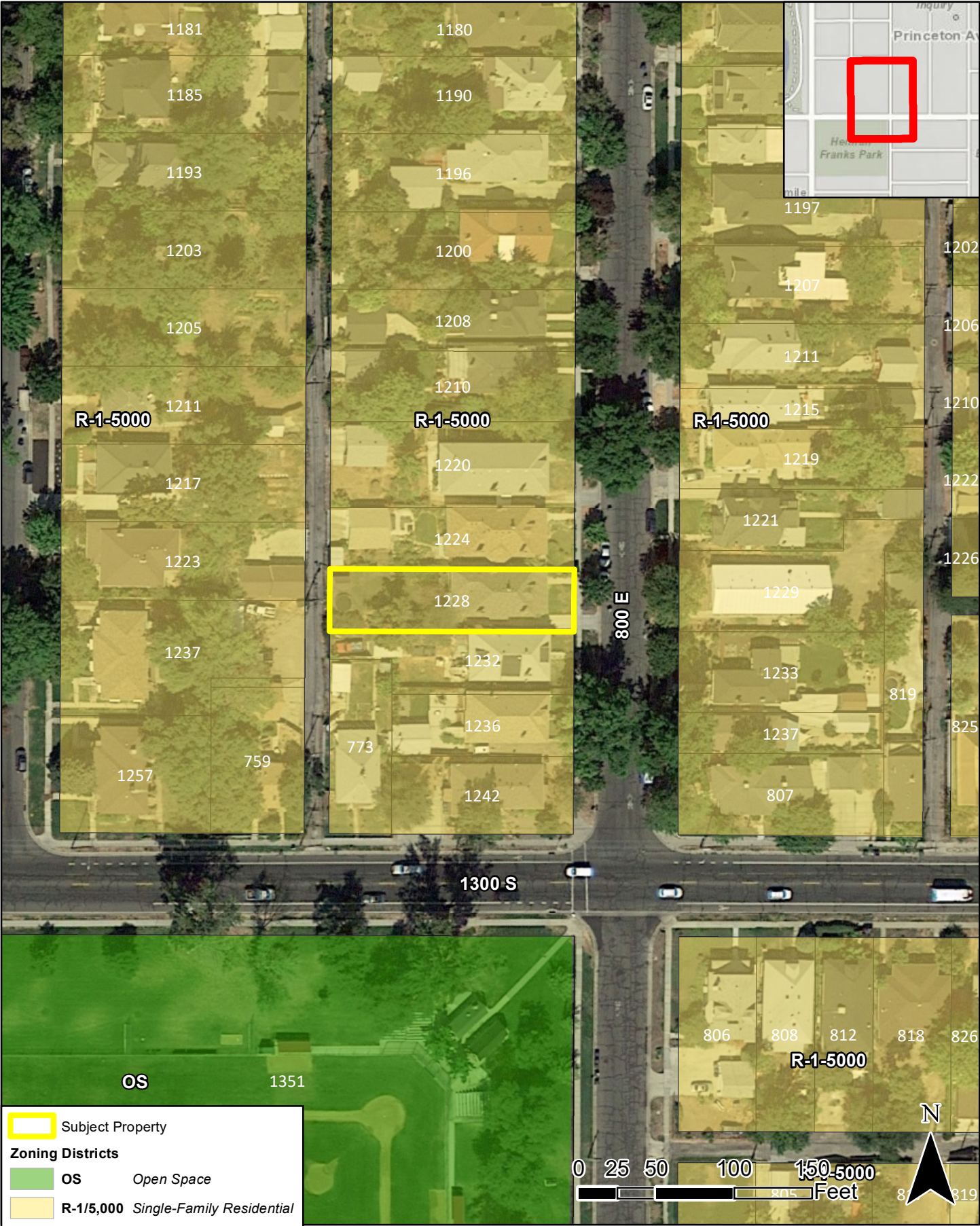
If approved, the applicant may locate the condensing unit 3'4" from the property line, subject to any conditions imposed.

Denial of Special Exception

If denied, the applicant would need to relocate the condensing unit to a location at least 4 feet from the property lines.

ATTACHMENT A: VICINITY MAP

Vicinity Zoning Map



ATTACHMENT B: APPLICANT SUBMITTAL

BENHAM ADU PROPOSAL

CONDITIONAL USE PERMIT SUBMISSION - 1228 SOUTH 800 EAST - SALT LAKE CITY - UT, 84105

Vicinity Map



PROJECT LOCATION

Project Contact Information

OWNER:

CONTACT: LISA HENRY BENHAM
1228 SOUTH 800 EAST
SALT LAKE CITY, UT
801.815.9552

ARCHITECT:

ASSIST INC. COMMUNITY DESIGN CENTER
CONTACT: JASON W. WHEELER
218 EAST 500 SOUTH
SALT LAKE CITY, UT 84111
801.355.7085

Project Description



THE BENHAM ADU IS A PROPOSED ACCESSORY DWELLING UNIT TO BE LOCATED AT 1228 SOUTH 800 EAST IN THE 9TH AND 9TH DISTRICT IN SALT LAKE CITY, UTAH. THE PROPOSED ADU WILL BE A NEWLY-CONSTRUCTED SINGLE STORY STRUCTURE IN THE REAR YARD OF AN EXISTING SINGLE FAMILY RESIDENCE. THE SINGLE-STORY DWELLING UNIT WILL PROVIDE PARKING AT THE REAR OF THE STRUCTURE.

THE PROPOSED ADU IS LOCATED IN A R-1-5000 SINGLE RESIDENTIAL ZONE, WITH ACCESSORY DWELLING UNITS BEING A "CONDITIONAL" USE. THE EXISTING RESIDENCE ON THE PARCEL WAS BUILT IN 1909 IN A BUNGALOW STYLE, SIMILAR TO MANY OTHERS THROUGHOUT THE 9TH AND 9TH DISTRICT. THE MAIN FLOOR AREA OF THE EXISTING RESIDENCE IS 1221 SF FINISHED (1402 SF FOOTPRINT), WITH AN ADDITIONAL 619 SF IN A FINISHED BASEMENT.

THE PARCEL IS BORDERED TO THE WEST BY A PUBLIC ALLEY, WHICH IS USED TO ACCESS OFF-STREET PARKING FOR THE RESIDENCE LOCATED ON BOTH 1300 EAST AND LIBERTY AVENUE. MULTIPLE EXISTING ACCESSORY BUILDINGS ARE CURRENTLY LOCATED ALONG THE ALLEY, A MIX OF DETACHED GARAGES AND STORAGE STRUCTURES. THE PROPOSED BENHAM ADU HAS BEEN DESIGNED TO COMPLEMENT THE FORMS AND MASSING OF THE EXISTING ACCESSORY STRUCTURES, WHILE INCORPORATING A MODERN MATERIAL PALETTE OF PRE-FINISHED METAL PANELS, STUCCO AND WOOD LAP SIDING. THE ADU HAS FURTHER BEEN DESIGNED TO MEET EXISTING ZONING STANDARDS FOR BOTH EXISTING ZONING CODE AND SALT LAKE CITY'S ADU ORDINANCE: THE PROPOSED STRUCTURE IS 642 SF, MEETING THE ADU ORDINANCE 650 SF BULK FOOTPRINT REQUIREMENT MAXIMUM ALLOWED. TOTAL HEIGHT IS 15'-10" TO TOP OF RIDGE, BELOW THE 17' HEIGHT LIMIT FOR PITCHED ROOF AS ALLOWED BY THE SALT LAKE CITY'S ADU ORDINANCE. OFF-STREET PARKING IS PROVIDED AT THE REAR OF THE PROPOSED ADU STRUCTURE, PER SALT LAKE CITY ADU ORDINANCE (NOTE: EXISTING 909 BUS TRANSIT STOP IS LOCATED 690 FT FROM PROPOSED STRUCTURE).

THE PROPOSED ADU CONTRIBUTES TO THE OBJECTING OF SALT LAKE CITY'S ADU ORDINANCE BY INCREASING PRIVATELY-FUNDED HOUSING STOCK IN ALREADY-DEVELOPED URBAN NEIGHBORHOODS.

Drawing Sheet Index

G0.0 TITLE SHEET
G0.1 SYMBOLS & ABBREVIATIONS
G0.2 EXISTING SITE IMAGES & PROPOSED RENDERINGS

C1.1 SITE PLAN

A1.1 PROPOSED PLAN
A2.1 BUILDING ELEVATIONS
A3.1 BUILDING SECTIONS

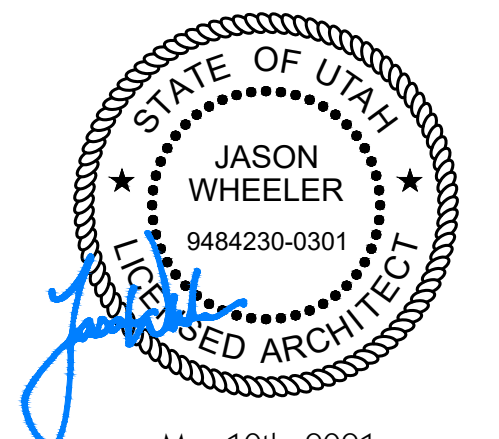
Accessory Dwelling Unit

Lisa Henry Benham
1228 South 800 East
Salt Lake City, UT 84105

801.815.9552
Henry@arch.utah.edu

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org



May 10th, 2021

Revision Date

Project No: 20004

Date: 05.10.2021

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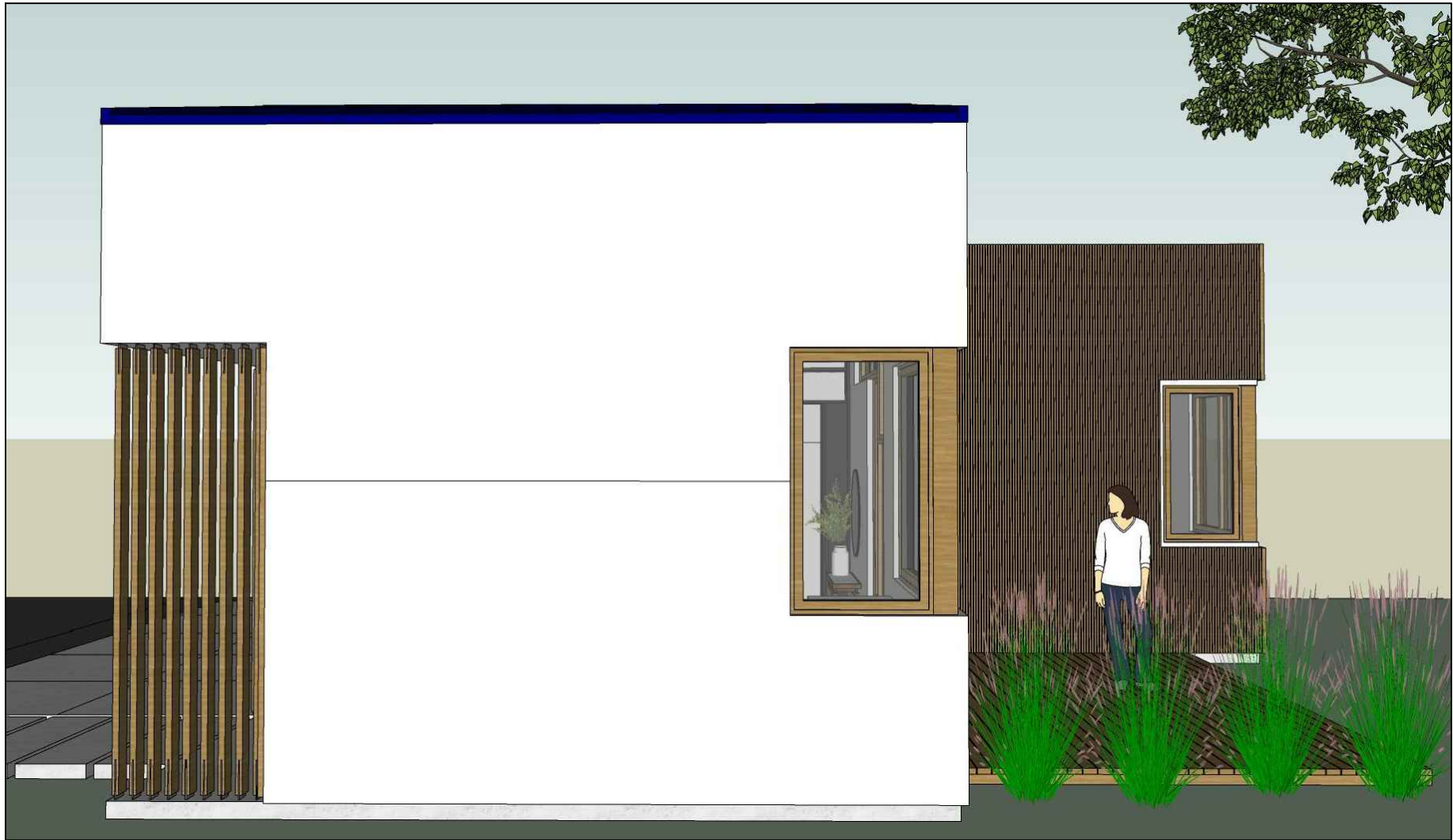
Title Sheet

G0.0



D1 Main Level Plan

G0.2 1/4" = 1'-0"



D8 South Perspective - Proposed

G0.2 1/4" = 1'-0"



G1 Main Level Plan

G0.2 1/4" = 1'-0"



H8 North East Perspective - Proposed

G0.2 1/4" = 1'-0"



-- Main Level Plan

G0.2 1/4" = 1'-0"



K8 West Perspective - Proposed

G0.2 1/4" = 1'-0"

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Lisa Henry Benham
1928 South 800 East
Salt Lake City, UT 84105

801.815.2552
Henry@arch.utah.edu

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org



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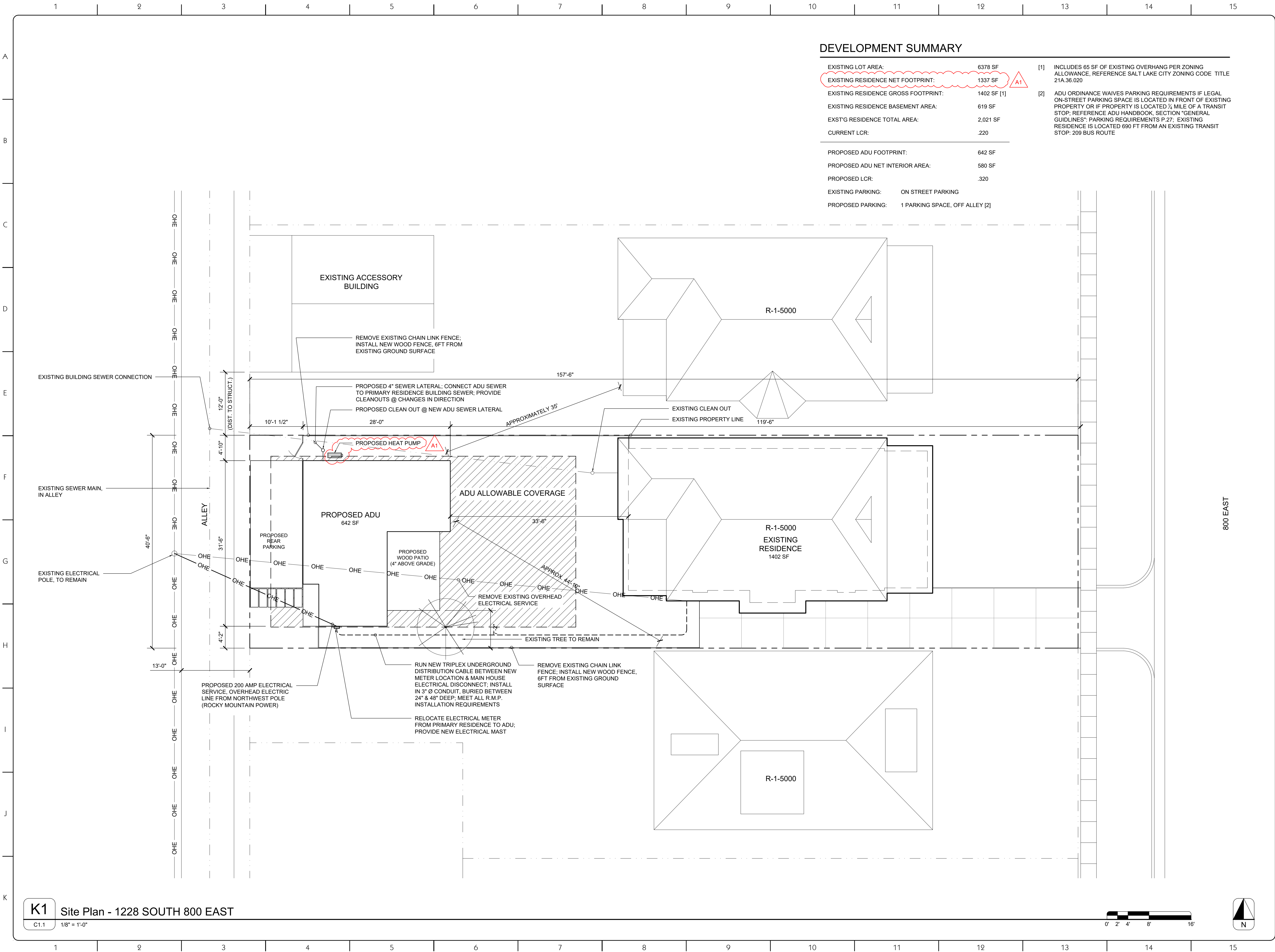
Project No: 20004

Date: 05.10.2021

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Existing Site Images &
Proposed Renderings

G0.2



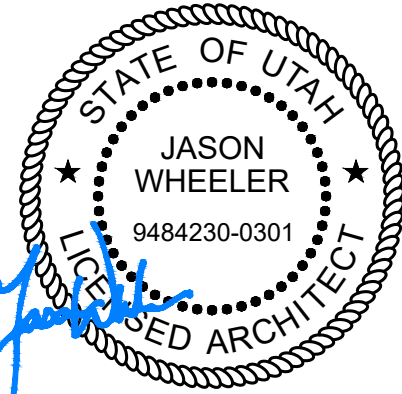
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Lisa Henry Benham
1928 South 800 East
Salt Lake City, UT 84105

801.815.2552
Henry@arch.utah.edu

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COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org



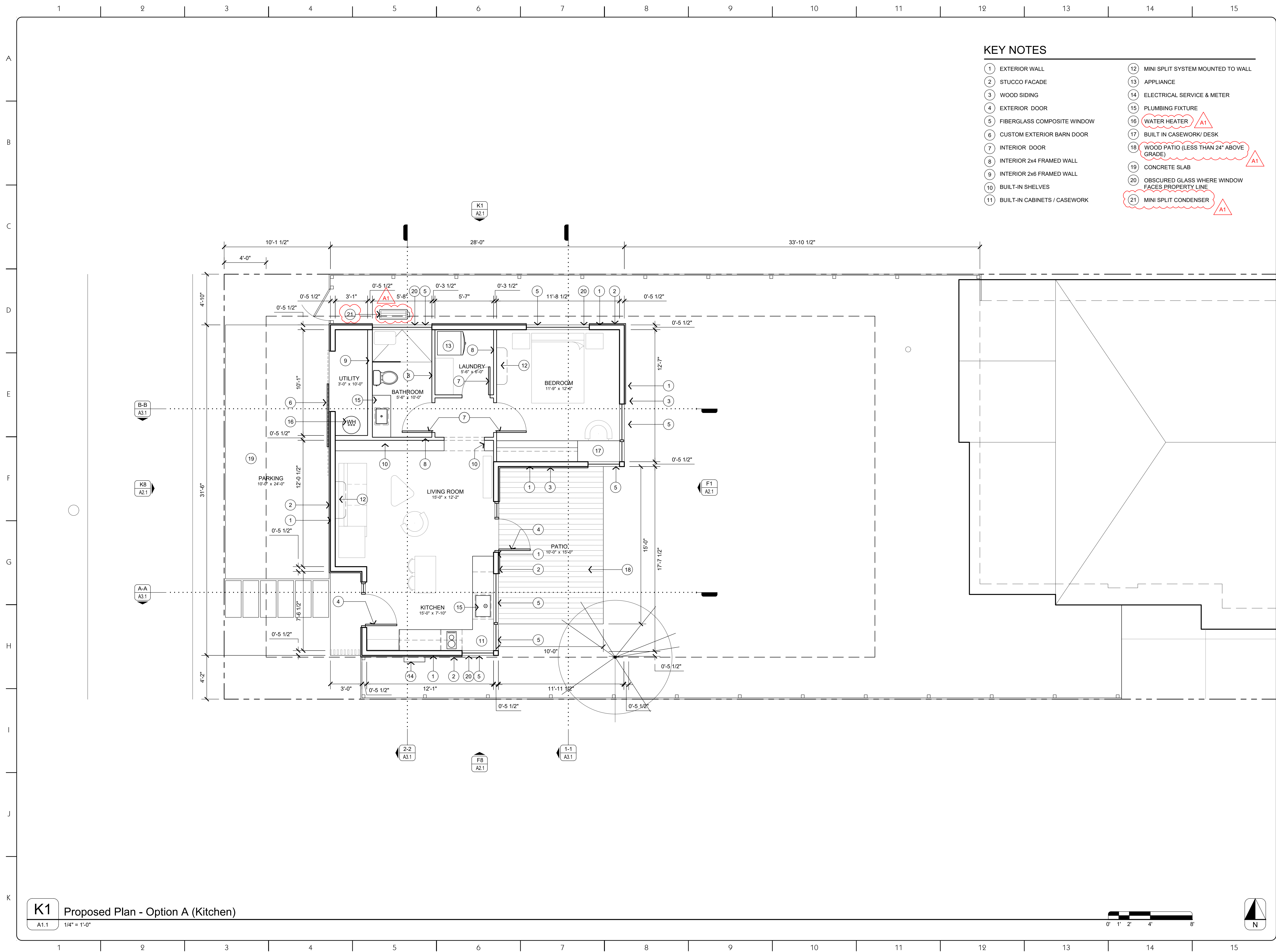
May 10th, 2021

Revision Date
Addendum 1 07.26.2021

Project No: 20004
Date: 05.10.2021
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Site Plan

C1.1



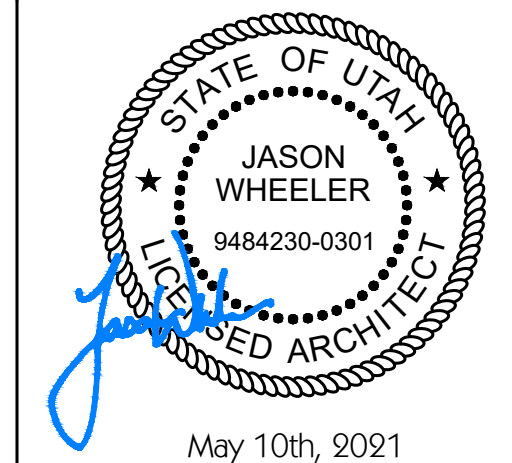
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Lisa Henry Benham
1928 South 800 East
Salt Lake City, UT 84105

801.815.2552
Henry@arch.utah.edu

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org



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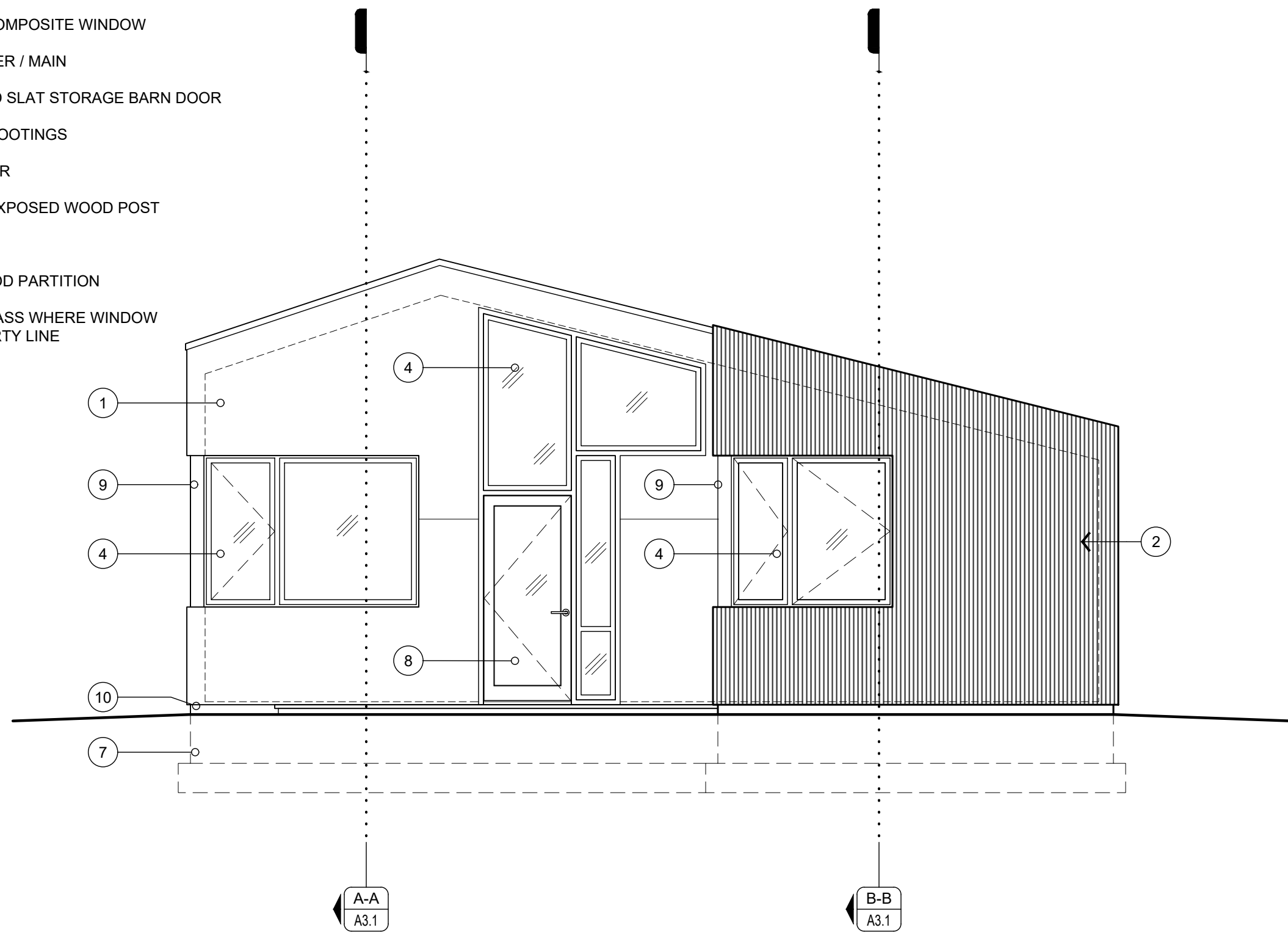
Proposed Plan

A1.1

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

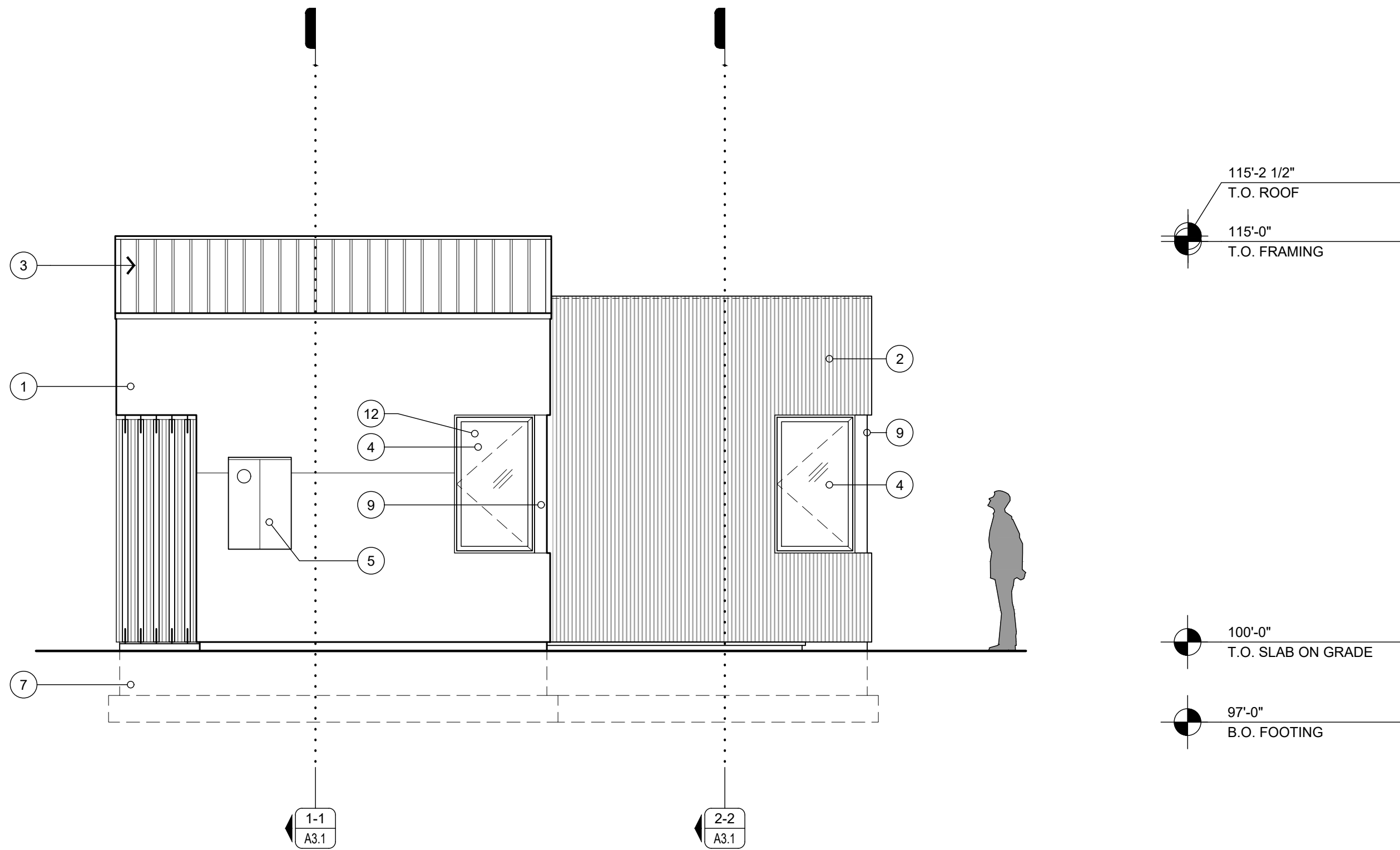
KEY NOTES

- 1 WHITE STUCCO FACADE
- 2 WOOD SIDING, $\frac{1}{2}$ " SPACING
- 3 DEEP BLUE METAL SEAM ROOF, PTD STEEL
- 4 FIBERGLASS COMPOSITE WINDOW
- 5 ELECTRIC METER / MAIN
- 6 CUSTOM WOOD SLAT STORAGE BARN DOOR
- 7 FOUNDATION FOOTINGS
- 8 EXTERIOR DOOR
- 9 DECORATIVE EXPOSED WOOD POST
- 10 WOOD DECK
- 11 EXTERIOR WOOD PARTITION
- 12 OBSCURED GLASS WHERE WINDOW FACES PROPERTY LINE



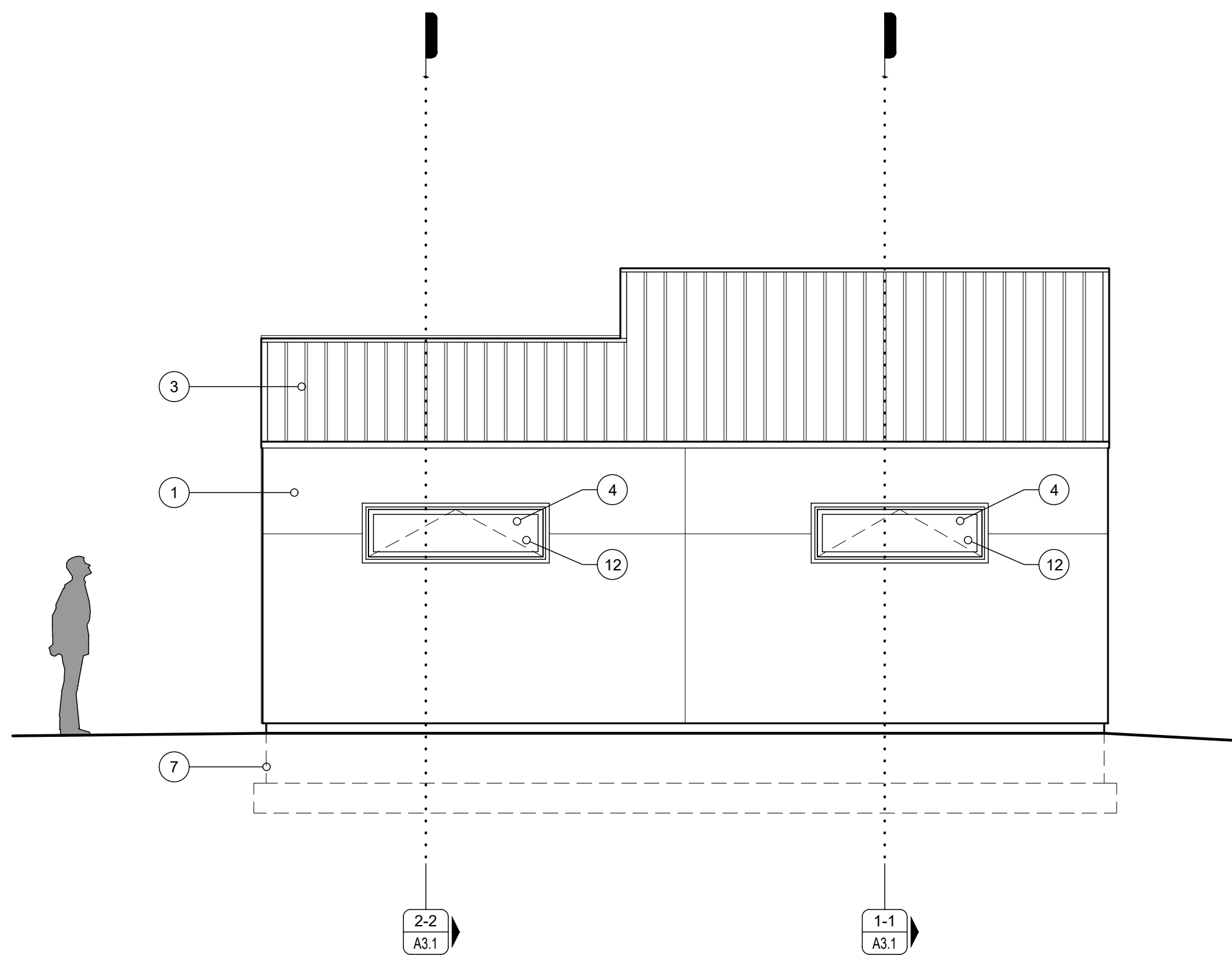
F1 East Elevation

A2.1 1/4" = 1'-0"



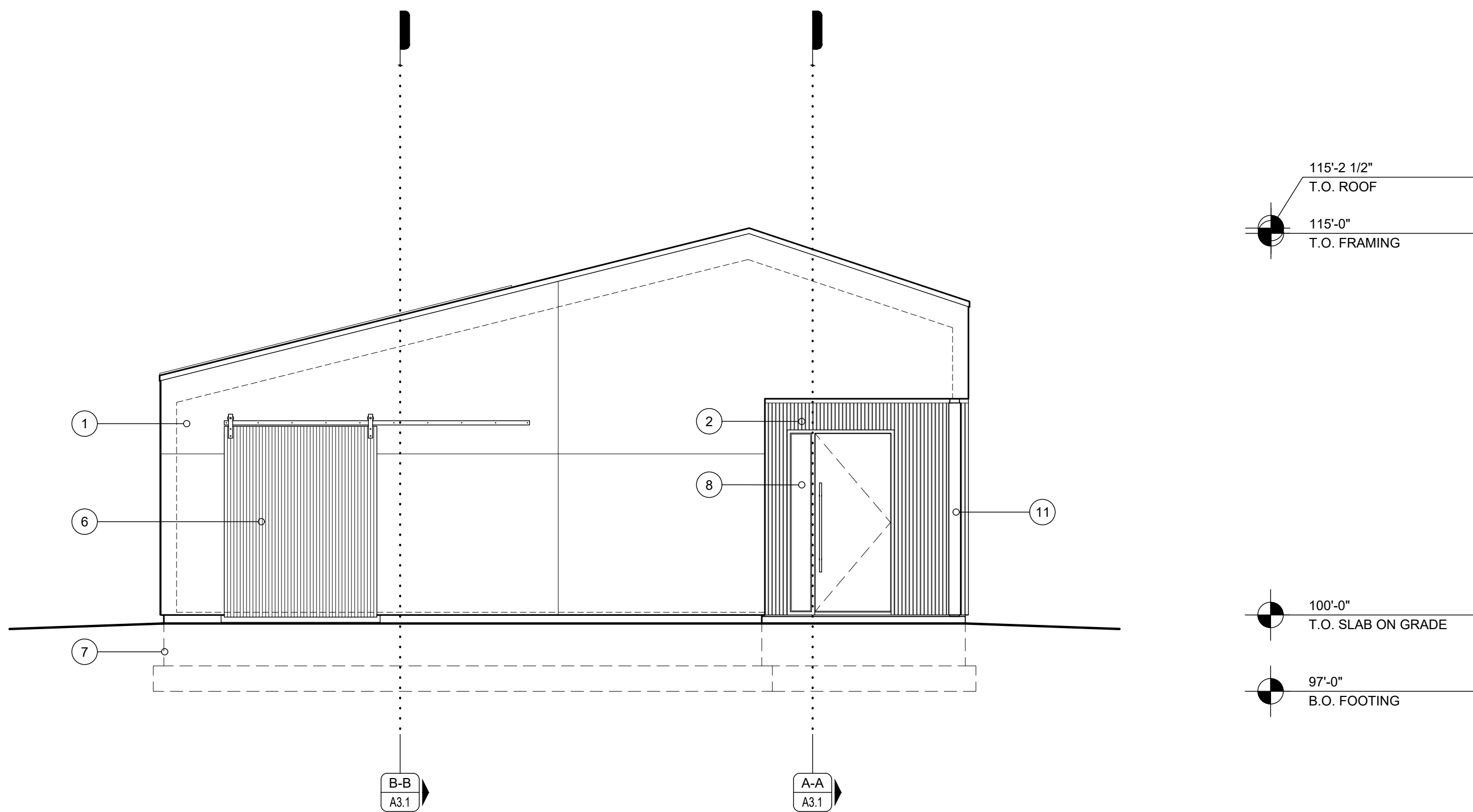
F8 South Elevation

A2.1 1/4" = 1'-0"



K1 North Elevation

A2.1 1/4" = 1'-0"



K8 West Elevation

A2.1 1/4" = 1'-0"

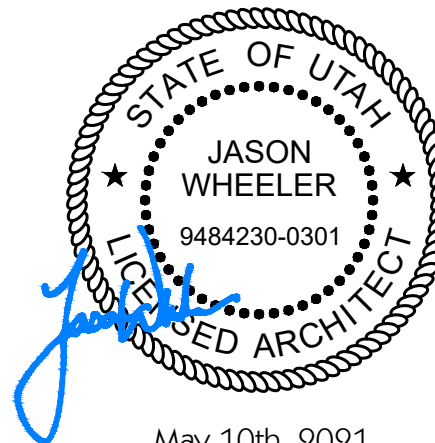
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Lisa Henry Benham
1928 South 800 East
Salt Lake City, UT 84105

801.815.2552
Henry@arch.utah.edu

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org



May 10th, 2021

Revision Date

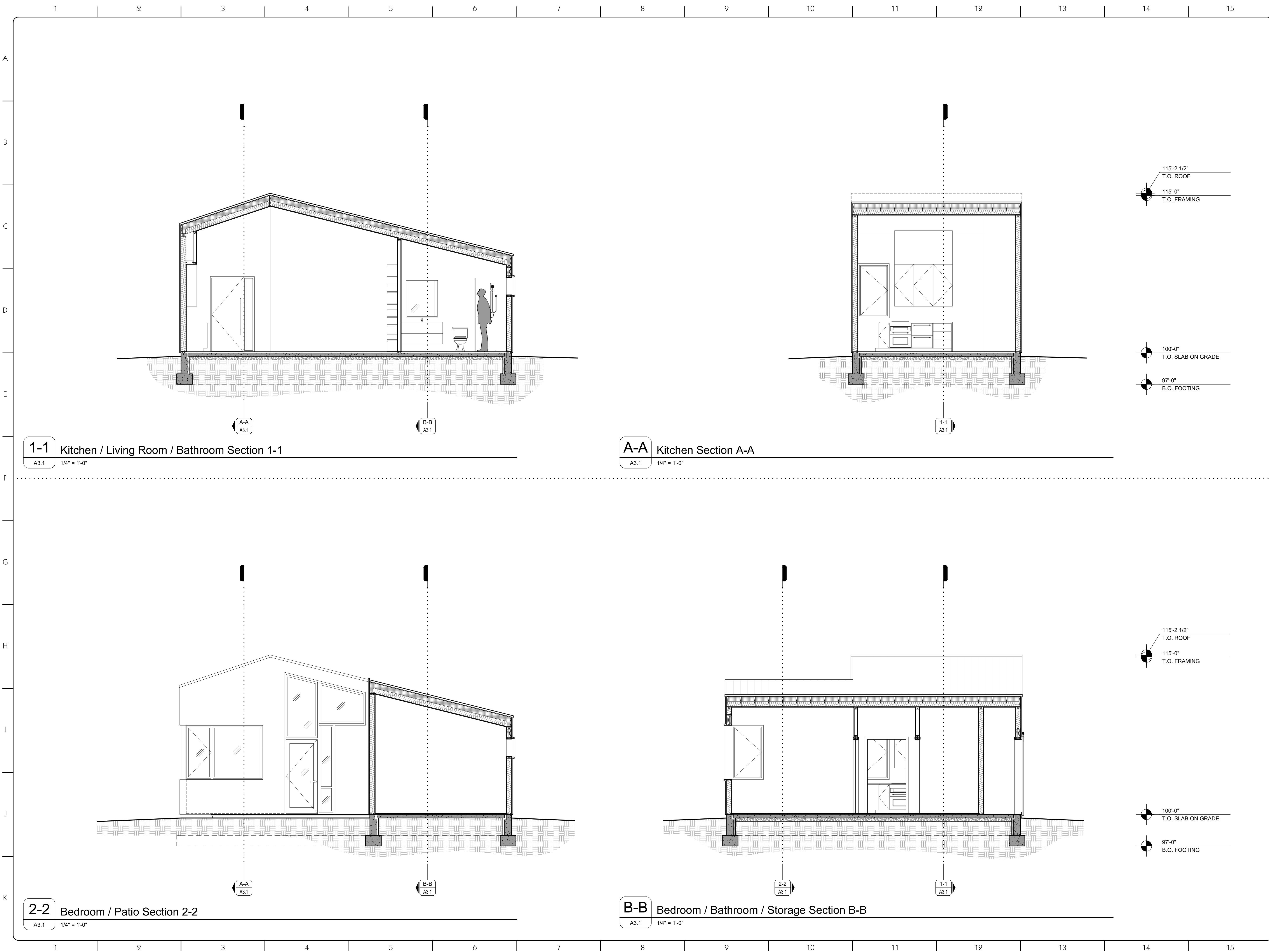
Project No: 20004

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Building Elevations

A2.1



Accessory Dwelling Unit

Lisa Henry Benham
1928 South 800 East
Salt Lake City, UT 84105

801.815.9559
Henry@arch.utah.edu

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | TTY: 711
218 East 500 South | Salt Lake City, UT 84111 | www.assistutah.org

STATE OF UTAH
JASON WHEELER
9484230-0301
LICENSED ARCHITECT

May 10th, 2021

Revision	Date

Project No: 20004
Date: 05.10.2021
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Building Sections

A3.1



July 26, 2021

Salt Lake City Planning Commission
c/o Sara Javoronok
Department of Community and Neighborhoods
Salt Lake City Corporation

Dear Salt Lake City Planning Commission,

ASSIST Inc, on behalf of Lisa Henry Benham, is submitting a Special Exception Application requesting an allowance to locate a mini-split heat pump condensing unit in the side yard setback of a property located at 1228 South 800 East in Salt Lake City.

This request is being made in conjunction with Conditional Use Permit application PLNPCM2021-00009, for an Accessory Dwelling Unit located at the same property.

The proposed HVAC unit will be located on the north side of the proposed Accessory Dwelling Unit and will partially encroach into the 4' required side yard setback. The proposed unit will be equal or similar to Mitsubishi Model PUMY-P36NKMU1. The unit is relatively compact with a footprint of approximately 13" x 41" and a height of 52". Sound is rated at 58 decibels. A fence will conceal the unit from the neighboring property. The HVAC unit will be located near the rear property line, 62' from the closest residence, and 15' from a neighboring accessory building (garage).

As an alternative, the HVAC unit could be located within the required side yard setbacks, on the east side of the proposed ADU. However, while locating the condenser in that location would not require a special exception, it would place the unit 25' closer to the existing neighboring residence. It is the architect's opinion that locating the unit further away from the neighboring residence (at the location illustrated on the site plan) will reduce the overall impact on the adjacent properties.

Please feel free to contact me if you have any additional questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Wheeler".

Jason Wheeler, AIA
Executive Director

Job Name:

System Reference:

Date:

**UNIT OPTION**

Standard Model.....PUMY-P48NKMU3
 Seacoast (BS) Model.....PUMY-P48NKMU3-BS

ACCESSORIES

Optional Defrost Heater.....PAC-SJ20BH-E
 Drain Pan.....PAC-SH97DP-E
 Front Wind Baffle (One Piece)*.....WB-PA3
 Air Deflector Vertical.....ADV-1
 Air Outlet Guide (One Piece)*.....PAC-SH96SG-E
 Header Kit.....for details see Pipe Accessories Submittal
 Joint Kit.....for details see Pipe Accessories Submittal

*PUMY requires two outlet guides and two wind baffles for installation

Specifications			System
Unit Type			PUMY-P48NKMU3(-BS)
Cooling Capacity (Nominal)		BTU/H	48,000
Heating Capacity (Nominal)		BTU/H	54,000
Guaranteed Operating Range	Cooling ^{1,2}	°F [°C]	5.0~115.0 [-15.0~46.0]
	Heating	°F [°C]	-13~-59 [-25.0~15.0]
External Dimensions (H x W x D)		In. [mm]	52-11/16 x 41-11/32 x 13+1 [1,338 x 1050 x 330+25]
Net Weight		Lbs. [kg]	271 [123]
External Finish			Galvanized sheets (+power coating for -BS type) <MUNSELL 3Y 7.8/1.1>
Electrical Power Requirements	Voltage, Phase, Hertz, Power Tolerance		208/230V, 1-phase, 60 Hz,
Minimum Circuit Ampacity		A	29.0
Maximum Overcurrent Protection		A	44
Recommended Fuse Size		A	30
SCCR		kA	5
Refrigerant Piping Diameter	Liquid (High Pressure)	In. [mm]	3/8 [9.52] Flare
	Gas (Low Pressure)	In. [mm]	5/8 [15.88] Flare
Indoor Unit Connectable	Total Capacity		50.0~130.0% of outdoor unit capacity
	Model/Quantity		P04~P54/1.0~12.0
Sound Pressure Levels		dB(A)	51.0~54.0
Compressor Operating Range		Cooling	28.0% to 100.0 %
		Heating	18.0% to 100.0%
Compressor	Type x Quantity		INVERTER-driven Scroll Hermetic x 1
Compressor Motor Output		kW	3.3
Refrigerant	Type x Original Charge		R410A x 10 lbs + 9 oz [4.8 kg]
	High Pressure Protection		High pressure sensor, High pressure switch 601 psi (4.15 MPa)
Protection Devices	Inverter Circuit (Comp./Fan)		Over-heat protection, Over-current protection
	Compressor		Discharge thermo protection, Over-current protection
Lubricant			FV50S (2.3 liters)
AHRI Ratings (Ducted/Non-ducted)	EER		11.3/13.1
	SEER		16.5/22.6
	COP		3.3/4.0
	HSPF		11.0/12.0

NOTES:

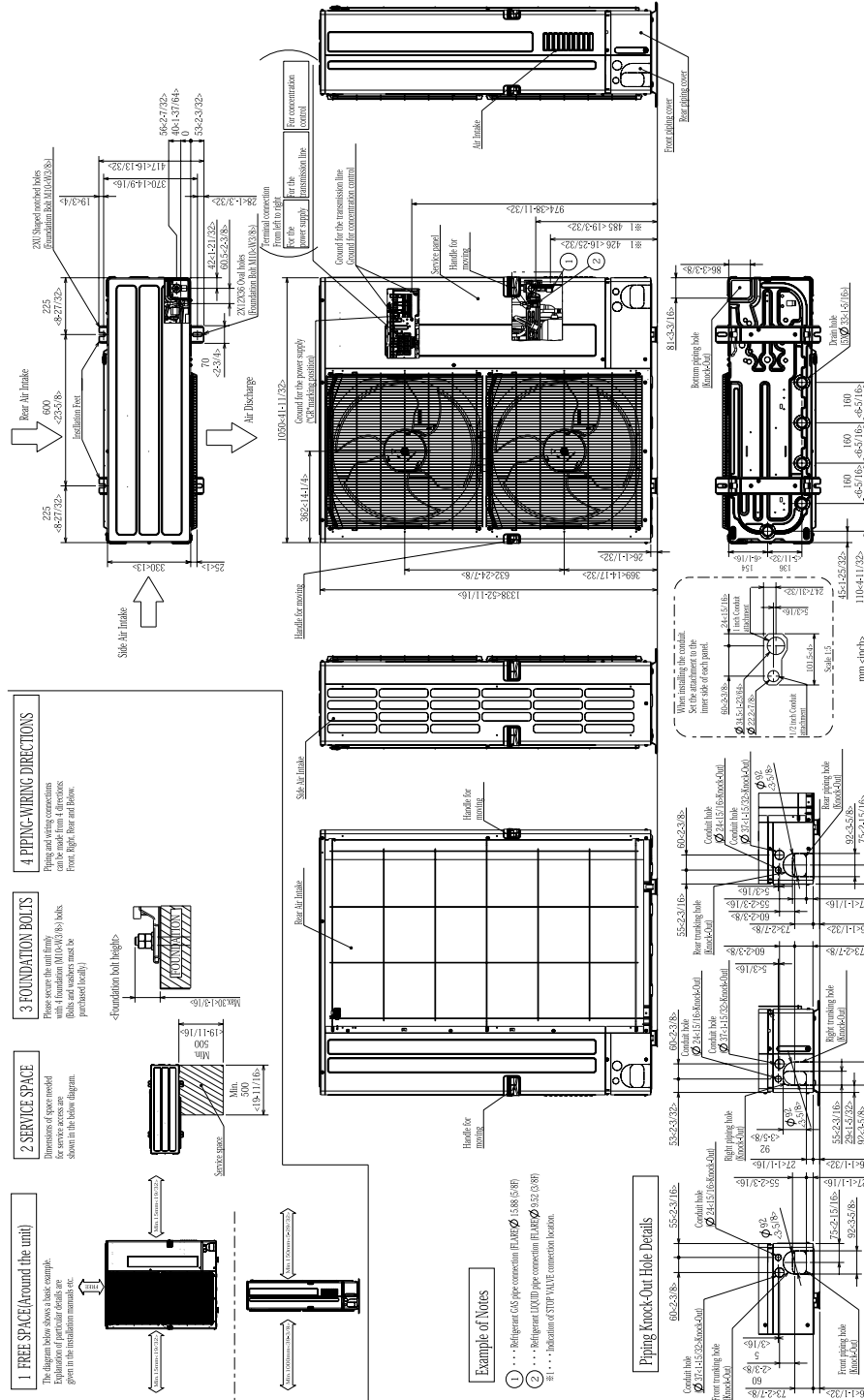
Cooling | Indoor: 81 ° F (27 ° C) DB / 66 ° F (19 ° C) WB; Outdoor: 95 ° F (35 ° C) DB

Heating | Indoor: 68° F (20° C) DB, Outdoor 45° F (7° C) DB / 43° F (6° C) WB

¹When using Wind Baffles [WB-PA3], the minimum operating range is 5° F. Without Wind Baffles, the minimum operating range is 23° F²When connecting PKFY-P06NBMU/P08NHMU, PFFY-P06/08/12NEMU or PFFY-P06/08/12NRMU indoor units, the minimum operating range is 50° F

OUTDOOR UNIT: PUMY-P48NKMU3(-BS) – DIMENSIONS

Unit: mm(in)



NOTES:
SEACOAST PROTECTION
 Anti-corrosion Protection: A coating treatment is applied to condenser coil for protection from air contaminants.
 Standard: Salt Spray Test Method - no unusual rust development to 480 hours.
 Sea Coast (BS): Salt Spray Test Method (JRA 9002) - no unusual rust development to 960 hours.

1340 Satellite Boulevard Suwanee, GA 30024
 Toll Free: 800-433-4822 www.mehvac.com

FORM# PUMY-P48NKMU3(-BS) - 202008



ATTACHMENT C: SITE VISIT PHOTOGRAPHS



Subject Property



Proposed ADU location in rear



Property to the north



Property to the south



Property across the street and to the east

ATTACHMENT D: ANALYSIS OF STANDARDS - ACCESSORY DWELLING UNITS

21A.40.200: Accessory Dwelling Units

Standard	Proposed	Findings
Size <i>A [detached] ADU shall not have a footprint that is greater than fifty percent (50%) of the footprint of the principal dwelling, and shall not exceed six hundred fifty (650) square feet (SF).</i>	Principal dwelling is approximately 1,340 SF. Fifty percent (50%) of principal dwelling equals approximately 668 SF. Proposed ADU is approximately 642 SF .	Complies
Maximum Coverage <i>The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot.</i>	Lot size is approximately 6,378 SF. Forty percent (40%) of the lot is approximately 2,551 SF. Primary Dwelling: 1,340 SF Proposed ADU: 642 SF Total Coverage: 1,982 SF The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately 31% of the lot.	Complies
Building Height <i>The maximum height of an accessory building containing an accessory dwelling unit shall not exceed the height of the single family dwelling on the property or exceed seventeen feet (17') in height, whichever is less.</i>	The existing structure is approximately 20' tall. The proposed structure containing the ADU has a pitched roof. Height of proposed ADU pitched roof is approximately 15' .	Complies
Side or Rear Yard Setbacks <i>New Accessory Buildings: Shall be located a minimum of four feet (4') from any side or rear lot line.</i>	Side [North] Lot Line: 4'10" Side [South] Lot Line: 4'2" Front [East] Lot Line: 119'6" Rear [West] Lot Line: 10' 1½"	Complies
Separation <i>All ADUs [located in an accessory building] shall be located a minimum of ten feet (10') from the single family dwelling located on the same parcel and any single family dwelling on an adjacent property.</i>	The proposed ADU is approximately 33'6" from the principal dwelling on the same parcel. The nearest single-family dwelling on an adjacent property is approximately 35' .	Complies

<p>Entrance Locations <i>The entrance to an ADU in an accessory building shall be located:</i></p> <p><i>(1) Facing an alley, public street or facing the rear facade of the single family dwelling on the same property.</i></p>	<p>The entrances for the proposed ADU are on the east and west elevations, facing an alley and the rear façade of the single-family dwelling on the same property.</p>	<p>Complies</p>
<p>Requirement for Windows <i>Windows on an accessory building containing an ADU shall comply with the following standards:</i></p> <p><i>(1) Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required.</i></p> <p><i>(2) 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.</i></p> <p><i>(3) 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.</i></p>	<p>There are several windows on all elevations. The proposed windows are similar in size and profile as the windows found on the principal structure.</p> <p>There are three windows proposed within ten feet of a side property line. The proposed windows will be obscured where facing the property line.</p>	<p>Complies</p>
<p>Parking <i>An ADU shall require a minimum of one on-site parking space.</i></p>	<p>The proposal would provide an off-street parking space accessed from the alley for the proposed ADU.</p>	<p>Complies</p>

ATTACHMENT E: ANALYSIS OF STANDARDS – CONDITIONAL USE

21A.54.080: Standards for Conditional Uses

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-1/5,000 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 D](#), 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 include single-family, duplex, and fourplex residences. The proposed ADU, with the exception of the mini split condensing unit, meets the required setbacks and separation requirements between adjacent houses and the principal dwelling 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 subject property is in the Low-Density Residential neighborhood as established by the Central Community Master Plan. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5,000 Single-Family Residential.

The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) 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 following Residential Land Use Goals/Policies 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 Effects Determination analysis below).

21A.54.080B: Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

Standards	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-1/5,000 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 Attachment D .
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 use is an area zoned and designated by the associated master plan for low density residential. This land use designation allows 1-15 dwelling units per acre where single-family detached homes are generally more common than other housing types. Low-density includes single-family detached dwellings as permissible on a single residential lot subject to zoning requirements.
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 subject property are a mix of single-family, duplex, and fourplex residential properties. The residential lots in this area are large enough to provide separation between the proposed ADU and the principal dwelling 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 principal dwelling on the property as well as surrounding structures. The proposal also meets the building footprint and height requirements for an ADU.
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 proposal would add a parking space for the ADU to the rear, accessed from the alley. The proposal would not impede traffic flows and no new access points or driveways are proposed.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;	Complies	It is not anticipated that the proposed ADU would create any adverse impacts in terms of motorized, nonmotorized, 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 ADU could be accessed from the alley or the driveway for the existing dwelling.
8. Access to the site does not unreasonably impact the service	Complies	There is vehicular access to the site. No unreasonable impacts to the

level of any abutting or adjacent street;		service level of the adjacent streets are anticipated.
9. The location and design of off-street parking complies with applicable standards of this code;	Complies	One off-street parking space for the proposed ADU would be provided in the rear yard.
10. Utility capacity is sufficient to support the use at normal service levels;	Complies	The Public Utilities Department provided comments which will need to be addressed during the building permit phase. No capacity issues were identified.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;	Complies	The proposed ADU may result in increased activity in the rear yard of the subject property. The ADU is approximately 35 feet from any adjacent primary dwellings.
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;	Complies	The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.
13. The hours of operation and delivery of the use are compatible with surrounding uses;	Complies	The proposed use is an accessory residential structure and is compatible with the surrounding uses that are also residential.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and	Complies	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.
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.

Finding: In analyzing the anticipated detrimental effects of the proposed ADU, Staff finds that with the conditions identified in the analysis, the request complies with the criteria listed above.

ATTACHMENT F: SPECIAL EXCEPTION STANDARDS

21A.52.060: General Standards and Considerations for Special Exceptions:

No application for a special exception shall be approved unless the Planning Commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

Standard	Finding	Rationale
A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Special Exception for ground mounted condensing units: Complies	<p>The proposed Special Exception is generally in harmony with, and does not hinder, the overall intent of the zoning ordinance found in 21A.24.070.</p> <p><i>“The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) 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.”</i></p> <p>Staff finds that the proposed Special Exception for the ground mounted mini split condensing unit generally complies with the purpose statement of the R-1/5,000 zoning district.</p> <p>The proposed mini split condensing unit is to be located to the north of the ADU and 3’4” from the property line. This location is approximately 62 feet from the closest dwelling. The closest structure is an accessory structure on the property to the north that is approximately 15 feet away. A fence will conceal the mini split condensing unit. Overall, the proposed location is in harmony with the intent of the R-1/5,000 zoning district.</p>
B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the	Special Exception for ground mounted condensing units: Complies	<p>The proposed location of the mini split condensing unit maintains the single-family use of the property and the surrounding neighborhood. Staff does not believe that the proposed mini split condensing unit would diminish or</p>

neighborhood in which it is located.		impair any property values within the neighborhood.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.	Special Exception for ground mounted condensing units: Complies	The Special Exception request is compatible with the developmental pattern of the existing neighborhood and would not have a material effect upon the character of the area or the public health, safety and general welfare.
D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Special Exception for ground mounted condensing units: Complies	The proposed location of the mini split condensing unit is to the rear of the primary dwelling on the property and the dwellings on adjacent properties. Its location is compatible with the surrounding development.
E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Special Exception for ground mounted condensing units: Complies	Staff finds that the property does not contain any natural, scenic, or historic features of significant importance.
F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Special Exception for ground mounted condensing units: Complies	There is no foreseen material pollution of the environment.
G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Special Exception for ground mounted condensing units: Complies	Staff finds that the project complies with all applicable standards.

ATTACHMENT G: PUBLIC PROCESS AND COMMENTS

Public Notice:

- Recognized Organization Notice sent on May 11, 2021
- Early notice of application mailed on May 11, 2021
- Public hearing notice mailed on July 29, 2021
- Public hearing sign posted on the property on July 30, 2021
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on July 29, 2021

Public Comments:

As of the publication of this Staff Report, staff has not received comments.

ATTACHMENT H: DEPARTMENT REVIEW COMMENTS

Planning, Sara Javoronok, sara.javoronok@slcgov.com, 385-226-4448

- Please provide the square footage of the footprint of the existing dwelling.
- Per the zoning comments below:
 - o A DRT can be scheduled by submitting an application (http://www.slcdocs.com/building/DRT_App_4-21.pdf) to drt@slcgov.com.
 - o The mini-split and water heater can be relocated to meet the zoning requirements or a [Special Exception](#) application can be submitted. This needs to be submitted [online](#) – please let me know if you will submit this application and it can be reviewed with the conditional use for the ADU.

Public Utilities, Jason Draper, jason.draper@slcgov.com

- ADU must connect to the water service for the property.
- The existing sewer lateral is more than 100 years old and must have a video inspection done before connecting the ADU sewer. The applicant may install a new lateral to the main in the alley if they would prefer
- All public utility policies and ordinances must be met.

Zoning, Anika Stonick, patriciaanika.stonick@slcgov.com

- Correct location of water heater and mini split condenser to meet requirement for 4-foot setback from side and rear property lines (required by 21A.36.020.B table); or seek Special Exception to possibly allow where shown.
- Get project reviewed by DRT (Development Review Team) ahead of seeking building permit. Discuss with SLC Engineering need for Certificate of Address for proposed structure.
- Impact Fees will need to be paid with permit fees that will be due.
- For permit review provide proof of ownership, for permit issuance provide recorded deed restriction, and for situation requiring business license participate in Good Landlord Program.

Building, Timothy Burke, timothy.burke@slcgov.com

- The design must be complete, including mechanical, electrical and plumbing scopes of work. After adding these designs, the drawings would appear ready to be prescreened for log-in for formal review.
- The designs for all facets of the project must be included in the submitted design package. Nothing may be deferred nor "design-build" nor "grandfathered".
- As always, this project must be submitted for formal review.

Engineering, Scott Weiler, scott.weiler@slcgov.com

- The plan doesn't propose any construction in the public way. Engineering has no objections.

Transportation, Michael Barry, michael.barry@slcgov.com

- The proposed space in the back is adequate. It shows the pad as 10'x24' which is a sufficient for a parallel parking space. I don't have any other comments.

Fire, Ted Itchon, edward.itchon@slcgov.com

- No issues from fire