

Staff Report

PLANNING DIVISION DEPARTMENT of COMMUNITY and NEIGHBORHOODS

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To:	Salt Lake City Planning Commission
From:	Krissy Gilmore, Senior Planner, <u>kristina.gilmore@slcgov.com</u> or 801-535-7780
Date:	January 26, 2022
Re:	PLNPCM2021-00930 – Detached Accessory Dwelling Unit

Conditional Use

PROPERTY ADDRESS:	2900 S 900 E
PARCEL ID:	16-29-127-011-0000
MASTER PLAN:	Sugar House
ZONING DISTRICT:	R-1/7,000 Single-Family Residential

REQUEST: Jon Layne, project architect, is requesting Conditional Use approval to build an Accessory Dwelling Unit (ADU) over a new detached garage at the above listed address. The ADU would measure approximately 650 square feet in size and 20 feet in height. The property is zoned R-1/7,000 Single-Family Residential, which requires Conditional Use approval for the construction of an ADU.

RECOMMENDATION: Planning Staff finds the project generally meets the applicable standards of approval. Therefore, recommends the Planning Commission approve the Conditional Use for the ADU with the following condition:

1. 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 and the accessory dwelling unit as defined in the Salt Lake City Zoning Ordinance.

ATTACHMENTS:

- A. Vicinity Map
- B. Plans
- C. <u>Site Visit Photographs</u>
- D. Analysis of Standards Accessory Dwelling Units
- E. Analysis of Standards Conditional Use
- F. Public Process and Comments
- G. Department Review Comments

PROJECT DESCRIPTION:

This proposal is for the construction of a detached ADU which will be located to the rear of the single-family home at 2900 S 900 E. The detached structure will include a two-car garage for the main home, with the one-bedroom ADU located above. The property is 13,500 square feet and the main home is 1,544 square feet. The proposed ADU will be 650 square feet and the garage is proposed at 720 square feet.

The ADU will be 12' from the side and 10' from rear property lines. One parking stall for the ADU is proposed adjacent to the structure, though the property is located within a ¹/₄ mile of a fixed transit stop (a bus stop is located in front of the home) and would not require additional parking. The parking would be accessed from the main driveway for the property off 900 E. The building is proposed with a height of approximately 20', where the main home is



Aerial Photo of Subject Property

also 20'. The primary exterior material will be EIFS, with some brick and vinyl siding. The entrance to the ADU is provided by an uncovered stairwell that faces the interior of the property.





Figure 2. ADU and Garage Elevations

PLANNING COMMISSION REVIEW:

The property is zoned R-1/7,000 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 and Conditional Use standards, please refer to <u>Attachment D</u> and <u>Attachment E</u>.

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 all conditions of approval are met, 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 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



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PHONE: 801-869-0850 CONTACT: CHRISTINE TANG

APPROVALS

GLASS TYPE DESIGNATION

— GLASS TYPE

Signer 1

Signer 2



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SHEET INDEX		
A202	SITE ELEVATIONS	
GENERAL:		
G001	COVER SHEET	
CIVIL/SITE:		
AS101	ARCHITECTURAL SITE PLAN	
ARCHITECTURAL	<u>.</u> :	
A100	FOUNDATION CONTROL PLAN & WALL TYPES	
A101	FLOOR PLANS	
A121	ROOF PLAN	
A201	NEW GARAGE + ADU EXTERIOR ELEVATIONS	
,		

INTERIOR ELEVATIONS

Date 1

Date 2

HATCH LEGEND

NOTE: HATCHING ANGLES MAY VARY DUE TO ANGLE OF WALL DRAWN, WHILE HATCHING PATTERN REMAINS SIMILAR.		
	CAST-IN-PLACE CONCRETE	
	CONCRETE MASONRY UNIT	
	PRECAST CONCRETE / GLASS FIBER REINFORCED CONCRETE (GFRC)	
	STEEL STUDS	
	WOOD STUDS	
	BRICK VENEER	
	RIGID INSULATION	
	BATT INSULATION	
	CONTINUOUS MATERIAL	
	NON CONTINUOUS MATERIAL (BLOCK	
	GYPSUM BOARD	
	PLYWOOD	
STATION STATION	EXTERIOR SHEATHING	
	GRAVEL	
	UNDISTURBED EARTH	
	BACKFILL OR FILL	

CONTRACTOR SHALL ABIDE BY THE UTAH DIVISION OF AIR QUALITY REQUIREMENTS, PRIOR TO ANY EXTERIOR DEMOLITION, AND SHALL CONTACT THE UTAH DIVISION OF AIR QUALITY AT (801) 536-4000

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BLOCKING)	C C C C C C C C C C C C C C C C C C C	CELSIUS COAT HOOK CONTRACTOR FURNISHED, CONTRACTOR INSTALLED CORNER GUARD CONTINUOUS INSULATION CONTROL JOINT CENTERLINE CEILING CLOSET CLEAR CONCRETE MASONRY UNIT COLUMN CONCRETE CONTINUOUS CORRIDOR CERAMIC TILE CONSTRUCTION JOINT CABINET UNIT HEATER
	D DEG DEMO DF DIA DIM DN DS DWGS	
	E EA EJ EIFS EL ELEC ELEV EOS ERD EQ EQUIP EWC EXIST EXP EXT	ELEVATOR EDGE OF SLAB EXISTING ROOF DRAIN EQUAL EQUIPMENT ELECTRIC WATER COOLER

LIST OF ABBREVIATIONS

Μ

FAHRENHEIT FIRE ALARM FIRE ALARM CONTROL PANEL FIRE DEPARTMENT CONNECTION FLOOR DRAIN FIRE EXTINGUISHER CABINET FIRE EXTINGUISHER FINISH GRADE	<u>M</u> Mach RM Max MFR Mech Mezz MIN MO	MACHINE ROOM MAXIMUM MANUFACTURER MECHANICAL MEZZANINE MINIMUM MASONRY OPENI
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HIGH HOSE BIBB HEADER	<u>Q</u> QТ	QUARRY TILE
HOLLOW METAL HIGH POINT HOUR HEIGHT	<u>R</u> R RAD RCP RD	RISER OR RADIUS RADIUS REFLECTED CEIL ROOF DRAIN
INSIDE DIAMETER; INSIDE DIMENSION INCH INFORMATION INTERIOR	REF REQD REV RH RM RO	REFRIDGERATOR REQUIRED REVISION RELATIVE HUMIDI ROOM ROUGH OPENING ROOF TOP UNIT
JANITOR	RWL	RAIN WATER LEA
(NOT USED) LABORATORY LAVATORY POUNDS LONG LEG HORIZONTAL LONG LEG VERTICAL LOW POINT	<u>S</u> SAM SCHED SECT SIM SPEC SS STD	SMOKE DETECTO SELF ADHESIVE M SCHEDULE SECTION SIMILAR SPECIFICATION STAINLESS STEE STANDARD
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SHEET INDEX A302 SECTIONS A900 ISO VIEWS STRUCTURAL: S1.1 GENERAL STRUCTURAL NOTES S1.2 STRUCTURAL DETAILS S1.3 STRUCTURAL DETAILS S1.4 STRUCTURAL DETAILS S2.1 STRUCTURAL PLANS S2.2 STRUCTURAL NOTES & SCHEDULES ELECTRICAL: E101 LEVEL 01 ELECTRICAL PLAN

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MAXIMUM MANUFACTURER MECHANICAL MEZZANINE MINIMUM MASONRY OPENING NOT APPLICABLE NOT IN CONTRACT NOMINAL NOT TO SCALE ON CENTER OUTSIDE DIAMETER; OUTSIDE DIMENSION OVERFLOW DRAIN OVERHEAD DOOR OPPOSITE HAND OPPOSITE ORIGINAL

PLASTIC LAMINATE PLASTER PLUMBING PAIR POUNDS PER SQUARE INCH POUNDS PER SQUARE FOOT POLYVINYL CHLORIDE

QUARRY TILE

RISER OR RADIUS RADIUS REFLECTED CEILING PLAN ROOF DRAIN REFRIDGERATOR REQUIRED REVISION **RELATIVE HUMIDITY** ROOM ROUGH OPENING ROOF TOP UNIT **RAIN WATER LEADER**

SMOKE DETECTOR SELF ADHESIVE MEMBRANE SCHEDULE SECTION SIMILAR SPECIFICATION STAINLESS STEEL STANDARD STRUCT STRUCTURAL

TREAD TELEPHONE TEMPORARY THICK TOP OF CONCRETE TOP OF MASONRY TOP OF PARAPET TOP OF SLAB; TOP OF STEEL TOP OF WALL TYPICAL TOP OF

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UNDERWRITER'S LABORATORIES UNLESS NOTED OTHERWISE

VINYL COMPOSITE TILE VERTICAL VESTIBULE VERIFY IN FIELD

WITH WITHOUT WOOD WALL HYDRANT WORKING POINT WEATHER RESISTIVE BARRIER

X.Y.Z (NOT USED)

THE PRECEDING LIST OF ABBREVIATIONS IS PRESENTED AS A GENERAL GUIDE AND DOES NOT NECESSARILY SHOW ALL ABBREVIATIONS USED. OTHER GENERALLY ACCEPTED ABBREVIATIONS MAY BE FOUND AMONG THE DRAWINGS -SOME ABBREVIATIONS SHOWN ABOVE MAY NOT BE USED WITHIN THIS DRAWING SET.

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DOOR SCHEDULE				
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	S	ZE		FIRE
NUMBER	WIDTH	HEIGHT	TYPE	RATING
101	16' - 0"	8' - 0"		
102	3' - 0"	6' - 8"		
103	2' - 8"	6' - 8"		
105	3' - 0"	6' - 8"		
201	3' - 0"	6' - 8"		
202	2' - 8"	6' - 8"		
203	4' - 0"	6' - 8"		
204	4' - 0"	6' - 8"		
205	2' - 8"	6' - 8"		
206	2' - 8"	6' - 8"		
207	2' - 6"	6' - 8"		

A1 LEVEL 01 - FLOOR PLAN

A101 / 1/4" = 1'-0"

720 GROSS SF

TYPE	R.C	D.
MARK	WIDTH	HEIGHT
A	3' - 6"	3' - 6"
С	3' - 0"	5' - 0"
D	5' - 0"	4' - 0"
E	2' - 0"	4' - 0"
F	2' - 0"	4' - 0"
G	4' - 0"	4' - 0"
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GENERAL NOTE - FLOOR PLAN

- A. PLAN WALL DIMENSIONS AT NEW CONSTRUCTION ARE TO FACE OF WALL STRUCTURE. PLAN WALL DIMENSIONS AT EXISTING CONSTRUCTION ARE TO FACE OF WALL. "CLEAR" DIMENSIONS ARE TO FACE OF WALL FINISH.
- B. FIELD VERIFY ALL EXISTING CONDITIONS AND THEIR COMPATIBILITY WITH NEW CONSTRUCTION PRIOR TO THE COMMENCEMENT OF WORK. COORDINATE DISCREPANCIES WITH ARCHITECT.
- C. DO NOT SCALE DRAWINGS. D. SEE ELECTRICAL DRAWINGS FOR MORE
- INFORMATION.

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- E. CONTRACTOR SHALL COORDINATE WALL FRAMING & NON-COMBUSTIBLE MATERIAL LOCATIONS W/ FIREPLACE MFG REQ'S AND ADJUST CONSTRUCTION ACCORDINGLY.
- F. PROVIDE BACKING BEHIND ALL SURFACE MOUNTED EQUIPMENT AND/OR FIXTURES PER MFG REQ'S

GENERAL NOTES - FIRE RATING

- A. GARAGES SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC AREA BY NO LESS THAN 5/8" TYPE X GYPSUM BOARD. ALL SUCH SHEET ROCK SHALL BE NAILED 4" O.C. AT EDGES AND 6" O.C. IN THE FIELD OF EACH SHEET. THE DOOR BETWEEN GARAGE AND DWELLING SHALL BE METAL 1-3/8" MIN. THICK AND 20 MINUTE FIRE RATED OR BETTER.
- B. FIREPLACE CHIMNEYS SHALL EXTEND 2'-0" MIN. ABOVE ANY ROOF LINE WITHIN 10'. ALL MASONRY CHIMNEYS SHALL HAVE TERRA COTTA FLUE LINERS AND SHALL BE CAPPED WITH 4" MIN. CONCRETE CAPS.
- C. FIREBLOCK SOFFITS, FLOOR, SUSPENDED CEILINGS & STAIRS PER IRC REQUIREMENTS.
- D. PROVIDE A FOAM PROTECTIVE BARRIER BETWEEN CONCRETE FOUNDATION WALL AND SILL, RIM, AND SHEATHING.
- E. FIRE BLOCK STUD SPACES OVER 10' IN HEIGHT, FURRED SPACES, SOFFITS, DROP CEILINGS, COVE CEILINGS, STAIR STRINGERS AT TOP AND BOTTOM OF RUN, BEARING WALLS AND CEILING JOIST LINES, ETC. FIRE STOPPING SHALL CONSIST OF 2" NOMINAL LUMBER. FIRE STOP OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS, AND FIREPLACES AT CEILING AND FLOOR LEVELS WITH APPROVED NON-COMBUSTIBLE MATERIALS. GARAGE ATTIC ACCESS SHALL BE OF 1 HR. FIRE **RESISTANT CONSTRUCTION & HAVE LATCH** PROVIDED. FIREPLACE FLUES EXTENDING THROUGH ATTIC SPACE MUST BE SEPARATED FROM BY 5/8" TYPE GYPSUM BOARD.
- F. PROVIDE 5/8" TYPE X GYPSUM BOARD AT UNDERSIDE OF ALL STAIR STRUCTURES AND ON THE WALLS AND CEILING OF GARAGE.

GENERAL NOTES - PLUMBING

- A. ALL TOILETS OR WATER CLOSETS SHALL BE LOW FLUSH TYPE. MAXIMUM 1.6 GALLONS PER FLUSH.
- B. MAIN PLUMBING STACKS SHALL RUN UNDIMINISHED IN SIZE (3" MIN.) AND AS DIRECT AS POSSIBLE FROM THE MAIN. ALL INTERIOR WALLS CONTAINING SUPPLY OR WASTE PLUMBING TO RECEIVE INSULATION FOR SOUND CONTROL. NO PLUMBING VENT SHALL TERMINATE LESS THAN 10' HORIZONTALLY OR 3' ABOVE ANY GRAVITY OR POWER AIR INLET. PLUMBING VENTS NOT TO BE FLAG POLED. SLIP JOINT PLUMBING NOT ALLOWED IN CONCEALED SPACES W/O 24"X24" ACCESS. ALL WASTE VENTS SHALL BE MINIMIZED AND COMBINED TO PENETRATE REAR ROOF SURFACES.

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- C. FREEZE LESS, ANTI-SIPHON & BACKFLOW PREVENTATIVE HOSE BIBS TO BE USED. SHOWER HEADS TO HAVE 2.5 GAL/MIN. MAXIMUM OUTPUT.
- D. HOT WATER LINES IN UNFINISHED BASEMENTS, CRAWL SPACES, WALLS OF FLOORS EXPOSED TO UNHEATED AREAS SHALL BE INSULATED W/ MIN OF R-2 INSULATION PER 2012 IRC N1103.4.
- ANTI-SCALD FAUCETS REQ. ON ALL SHOWER & SHOWERFUB-COMBINATIONS PER 1RC 22708.4% -+2713.3
- F. FLOOR DRAINS SHALL BE OF THE DEEP SEAL TRAP OR TRAP SEAL PRIMER TYPE.
- G. PROVIDE HOT WATER RECIRCULATION SYSTEM TO ALL PLUMBING FIXTURES. PROVIDE 1/2" - MINIMUM WATER-LINE TO ALL BATHTUBS AND SHOWERS.
- H. INTERIOR WATER AND GAS PIPING SHALL BE BONDED PER IRC R3609.6 & R3609.7. PROVIDE SHOWER PAN PER IRC P2709
- WATER HEATER SHALL BE INSTALLED ON WATERPROOF PAN & DRAIN, SHALL HAVE SEISMIC BRACING PER IRC P2801.8, AND SHALL HAVE AN EXPANSION TANK PER IRC P2903.4. MIN CLEARANCES AT PLUMBING FIXTURES SHALL BE PROVIDED PER IRC R307 & P2705.1

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ATTACHMENT C: SITE VISIT PHOTOGRAPHS



<u>**Top:</u>** Primary dwelling</u>

Bottom Left: Adjacent property to south of subject property

Bottom Middle: View of subject

View of subject property and approximate location of garage/ADU

Bottom Right: Adjacent property to north of subject property





PLNPCM2021-00930

ATTACHMENT D: ANALYSIS OF STANDARDS -ACCESSORY DWELLING UNITS

21A.40.200: Accessory Dwelling Units

21A.40.200: Accessory Dweiling Units			
Standard	Proposed	Findings	
Size 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).	Principal dwelling is approximately 1,544 SF. Fifty percent (50%) of principal dwelling equals approximately 772 SF. Proposed ADU is approximately 650 SF .	Complies	
Maximum Coverage The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot. [Rear] Yard Coverage: In residential districts, any portion of an accessory building, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, shall occupy not more than fifty percent (50%) of the total area located between the rear façade of the principal building and the rear lot line.	Lot size is approximately 13,500 SF. Forty percent (40%) of the lot is approximately 5,400 SF. Primary Dwelling: 1,544 SF Existing Accessory Building: 636 Garage & ADU: 720 SF Total Coverage: 2,900 SF The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately 21% of the lot. Rear Yard Coverage: 37%	Complies	
Building Height <i>Exception: If the single family dwelling</i> <i>on the property is over seventeen feet</i> (17') <i>in height, an accessory building</i> <i>containing an accessory dwelling unit</i> <i>may be equal to the height of the single</i> <i>family dwelling up to a maximum</i> <i>building height of twenty four feet (24')</i> <i>for an accessory building with a</i> <i>pitched roof or twenty feet (20') for an</i> <i>accessory building with a flat roof</i> <i>provided the accessory building is set</i> <i>back a minimum of ten feet (10') from a</i> <i>side or rear property line. The setback</i> <i>for additional height may be reduced to</i> <i>four feet (4') if the side or rear lot line is</i> <i>adjacent to an alley.</i>	The height of primary dwelling is approximately 20'-9" . The ADU over the detached garage is proposed to be 20'-8" .	Complies	
Side or Rear Yard Setbacks A second story addition to an existing accessory building is permitted provided the second story has a minimum setback of ten feet (10') from a side or rear property line and the second story addition complies with all applicable	Side [North] Lot Line: 12 feet Rear [West] Lot Line: 10 feet	Complies	

regulations for accessory dwelling units located on a second floor of a detached accessory building. If the side or rear lot line is adjacent to an alley, the setback may be reduced to four feet (4').		
Separation 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.	The proposed ADU is approximately 35 feet from the principal dwelling on the same parcel. The nearest single-family dwelling on an adjacent property is more than 25 ' from the ADU .	Complies
 Entrance Locations The entrance to an ADU in an accessory building shall be located: (1) Facing an alley, public street or facing the rear facade of the single family dwelling on the same property. (2) Facing a side or rear property 	The entrance for the proposed ADU faces internal to the lot toward the south interior lot line.	Complies
 (a) Line provided the entrance is located a minimum of ten feet (10') from the side or rear property line. (3) Exterior stairs leading to an entrance shall be located a minimum of ten feet (10') from a side or rear property line is adjacent to an alley in which case the minimum setback for the accessory building applies to the stairs. 		
 Requirement for Windows Windows on an accessory building containing an ADU shall comply with the following standards: (1) Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required. 	All windows within 10' of a property line will be obscured or glazed. The windows are similar dimension and design as the windows found on the principal structure.	Complies
(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. (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. 		
 Parking An accessory dwelling unit shall require a minimum of one on-site parking space. If the property has an existing driveway, the driveway area located between the property line with an adjacent street and a legally located off-street parking area can satisfy the parking requirement if the parking requirement for the principal sue is complied with and the driveway area has a space that is at least twenty feet (20') deep by eight feet (8') wide. The parking may be waived if: (1) Legally located on street parking is available along the street frontage of the subject property; 	The principal dwelling has two (2) off- street parking spaces in the detached 2- car garage with access from 900 East. The proposal would provide one (1) onsite parking space in front of the garage.	Complies

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-1/7,000 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 <u>Attachment</u> <u>D</u>, 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 proposed ADU meets all the requirements in terms of 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 proposal is located within the Sugar House Community Master Planning Area. The area is largely comprised of single-family dwellings with architectural styles ranging from cottages to bungalows. The master plan designates the future land use of this area to remain as low density residential. 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 following Residential Land Use Goals included in the Sugar House Community Master Plan:

- Encourage new medium-density housing opportunities in appropriate locations in Sugar House.
- Provide a diversity of housing types, sizes, and prices within the 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-1/7,000 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 <u>Attachment D.</u>
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 Sugar House 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 subject property are generally single-family residential properties. The lots in this area are generally narrow and deep which provides some separation from the proposed ADU from 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	The ADU will be located to the rear of the property and will not be readily visible from the public realm. The ADU will be slightly shorter than the single- family home in front. The main home and ADU have pitched roofs. The ADU will include 10' separations from adjoining properties which have existing mature trees and landscaping. A 6' fence is also provides a buffer to the neighboring properties (note: the fence is neighbor's fence, not the ADU applicant property owner).
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 900 East. The driveway will serve both the existing home and the proposed ADU and will not impede traffic flows.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;	Complies	The proposed ADU would be accessible from 900 East. 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. There is a path from the proposed ADU through the driveway leading out to 900 East.

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;	Complies	There is vehicular access to the site. No unreasonable impacts to the service level of the adjacent streets is anticipated.
9. The location and design of off- street parking complies with applicable standards of this code;	Complies	Off-street parking complies with the applicable standards. 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.
10. Utility capacity is sufficient to support the use at normal service levels;	Complies	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.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;	Complies	The surrounding properties are all residential uses and the proposed use is also residential. The proposed ADU may result in increased activity in the rear yard of the subject property but is located at least 10' from all property lines. The closest primary residence to the subject ADU is approximately 25'.
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.

Public Meetings:

• Sugar House Community Council meeting on October 11, 2021. During the meeting, attendees asked general questions about the ADU height, distance from adjacent property lines, privacy, parking, as well as owner occupancy requirements. A letter of support (if the ADU meets all zoning requirements) and summary of the meeting was submitted by the Sugar House Community Council and is included as an attachment to this report. The Sugar House Community Council requested a clear statement that the ADU cannot be used as a short-term rental.

Public Notice:

- Early notice of application mailed on September 30, 2021
- Public hearing notice mailed on January 13, 2022
- Public hearing sign posted on the property January 14, 2022

Public Comments:

As of the publication of this Staff Report, Staff has received several comments regarding the proposal (attached). The comments are primarily concerned with the height of the structure, concern regarding use as a short-term rental, and overall compatibility. Please note that since the attached public comments were received the height of the structure was reduced from 23 feet to 20 feet.

Any public comments received up to the public hearing meeting will be forwarded to the Planning Commission and included in the public record.



November 3, 2021

TO: Salt Lake City Planning Commission

- FROM: Judi Short, Vice Chair and Land Use Chair Sugar House Community Council
- RE: PLNPCN2021-00930 ADU at 2900 South 900 East

Salt Lake City has received a request from Jon Layne, project architect, seeking Conditional Use approval for a detached Accessory Dwelling Unit (ADU) at 2900 S 900 E. The property is in the R-1/7,000 Single-Family Residential zoning district. The ADU will measure approximately 650 square feet in size and will be constructed over a new detached garage in the rear yard. There are 2 designated parking spaces in the garage with room for additional parking spaces in the driveway.

We distributed flyers around the neighborhood, and reviewed this project at the October 11, 2021 meeting of the Sugar House Community Council. We have some comments from neighbors (attached) and others were in attendance to ask questions. It was a bit confusing, because the request was for a 650 square foot ADU above a garage to be constructed. Because of the size of the garage footprint, there were two storage spaces put in the garage, although one had the water heater and toilet and sink, which seemed strange since there is a bath in the ADU above. And the ADU above has a storage unit for the garage, in an attempt to keep the ADU at the allowable 650 square feet. There will be two parking spaces for the owners in the garage, and the ADU occupant will be allowed to park on the property.

While some people had questioned the owner and he said that this would not be an Air BnB, at the meeting he was a bit vague, saying that his grown children might need a place to live, and they might have friends or family coming to visit. It was made clear that an Air BnB was NOT allowed in this zone, and if it was used for such, could be enforced upon. We would like that put in the letter of approval. Just because it is in our code doesn't mean people know how to read it, but if the city has given them notice, they lose their excuse if they break the rules.

There was also a conversation about lighting, and we ask that any exterior lights shine right down from the house, and not in such a way that the light will shine into any neighboring properties.

At the time we reviewed this there were still some questions about height, and 650 sf for ADU and 720 sf for garage. We would like all those questions clearly answered by the time the staff report is written. If it meets all the criteria for an ADU, it should be approved, with a statement in the letter of approval to remind the applicant that Air BnB's are not allowed in this zone.

Enclosure:

Comments from the public

COMMENT ADU 2900 S 900 EAST

From: Richard Knickerbocker

><2512 Elizabeth St #6, SLC, UT 84106>

Sun, Oct 10,

ago)

6:00 PM (1 day

Subject: ADU at 2900 S 900 East

Having gone over the plans, it is my opinion that there is nothing wrong with this.

From: Marcia <

<867 Zenith ave>

Subject: ADU at 2900 S 900 East Today some of residents of Zenith Ave received a soggy postcard flyer on our porches stating the council will be discussing the ADU at 2900 S 900 E. It was our understanding that the residents had until the end of October to submit our comments to Ms. Gilmore.

Please be aware we are adamantly opposed to the ADU 2 story structure.

Unfortunately because of the short notice the many residents will not be able to attend. Ms. Gilmore will receive our emails by the end of the month. Thank you

From: Teri Giles < _____ ><875 E. Zenith Ave., Salt Lake City, UT 84106>

Subject: ADU at 2900 S 900 East

Yes my backyard i Borders this other property. I am very against having the true story apartment/garage right in my backyard there's not much space that was just junk but I would have to look out every day. Also fees to use it as an Airbnb I'm really not happy about having a lot of strange people coming and going in my backyard or in close proximity there of. I don't really mind if he wants to build a garage which is what he told me he was going to do and never mentioned an apartment of such. So please do not approve to have those two story building in my backyard

From: John and Fay Borsos < ><864 E Zenith Ave> Subject: ADU at 2900 S 900 East

Please do not approve the above referenced request for an ADU at 2900 S. 900 E. Salt Lake approved ADUs in R1 neighborhoods in order to create more housing in Salt Lake City. The person planning this ADU is building in order to create an Airbnb which defeats what the planning commission had in mind. We do not want a hotel in our neighborhood.

In addition, we do not want a two story dwelling that looks into our private yards. We have single story houses. This ADU will destroy the character of our community. to me

From: Christine <

><2900 S 900 E>

Subject: ADU at 2900 S 900 East Please send me a link to the meeting, I would like to participate (HIS IS A BAD EMAIL AND THE EMAIL CAME BACK

From: Debra Jamison < Subject: ADU at 2900 S 900 East <852 Zenith Ave Salt Lake City>

I am opposed to the proposal to build a 650 sq foot ADU over a detached garage in the rear yard at 2900 S 900 E. The proposed unit would tower over other structures in our neighborhood infringing upon existing backyard and home privacy. It would also set a precedent for similar future developments in a neighborhood consisting primarily of single story ramblers. I am asking you to please deny this request. Sincerely, Debra Jamison

From:	Judi Short
То:	Gilmore, Kristina
Subject:	(EXTERNAL) Fwd: ADU at 2900 S 900 E
Date:	Monday, November 15, 2021 10:54:58 AM

Krissy, here is another comment for 2900 South 900 East ADU. Thanks

Forwarded message	
From: Ben Raski <	>
Date: Mon, Nov 15, 2021 at 10:40 AM	
Subject: ADU at 2900 S 900 E	
To: <j></j>	
From: Ben Raskin < Subject: ADU at 2900 S 900 East	><2560 South 900 East>

Dear Judi:

I took the girls for a walk yesterday down to this property. It's an older home that could use some renovation. From the street, I can see where the owner would like to build a garage and ADU. Providing the property will be used for long-term residents and not Air-BNB, I don't see any issue with the owner building here. The house is close to a side street, has a very deep backyard and large driveway to accommodate the new garage. Plus, I think putting a capital improvement to the back of the house could inspire the owner to cleanup the front of the house.

I'd be curious what the estimated cost of the project, if the owner is putting in an asphalt/concrete driveway, and will there be a new service panel (electrical) for the garage. Looking forward to hearing from the owner/developer at tonight's meeting.

Best wishes, Ben

--

This email was sent from a contact form on Sugar House Community Council (<u>https://www.sugarhousecouncil.org</u>)

--Judi Short 801.487.7387 h 801.864.7387 c Krissy Gilmore:

Please include the following with my email of October 15, 2021 regarding the purposed ADU structure at 2900 South 900 East Case number PLNPCM2021-00930:

Attached is a Google Map Street View of May 2019 Street View of the Structure:

Please note the following:

The gravel driveway. The structure is over 100 years old. The property does not appear to be maintained.

Directly behind the structure is my property. I paid for the privacy fence do to the deterioration of property over the years.

Should the ADU be granted it will degrade my property and my neighbors.

We are adamantly opposed to the ADU, but should it be approved we would request the opportunity to mitigated effects.

Thank you

Marcia Corak





Hi here is my email.

Thank you for the opportunity to express my concerns regarding the proposed ADU.

I'm 66 years old and have lived in this house for 65 years. I do not know the current occupants of the property proposing the addition of the ADU.

I'm adamantly opposed to the ADU structure that is seeking approval to be built in the backyard of 2900 s 900 e.. I'm the owner of the property to the west of the purposed ADU structure.

My concern:

Privacy - I have a 6ft privacy fence. I wanted an 8ft fence because of the history of the lack of maintenance and deterioration of property located at 2900 s 900 e. I was denied.

Structure- The ADU is a 2 story structure and inconsistent with the single 1 story homes in the surrounding neighborhood and directly invades my privacy.

Windows - the ADU windows plan will look directly onto my backyard and house. I do not want the occupants to have the opportunity to invade my privacy and encroach on my right to quiet enjoyment of my backyard.

Entrance- the entrance to the ADU appears to be on the south side of the structure; again will be able to look directly into my backyard and house and invade my privacy.

ADU backyard- it has not been mentioned if the ADU will have a backyard for the occupants.

The plan states it is only 10 ft away from my property. It has not been stated what will occupy the space between the ADU and my property line.

Safety: it has not been stated how many individuals can occupy this ADU structure.

Recently 3 homes have been purchased in our neighborhood by owners that could pay cash for the homes. The 3 homes are now rentals and are deteriorating. 2 of the homes are labeled "frat" houses.

Noise• concern for what the noise level will be.

Power lines- my power lines connect to a power pole on the property of 2900 s 900 e. I have not been informed how the power lines moved and effect my property.

Future: as the homes and yards on 9th need improvement this ADU will not improve or enhance the current structure or neighborhood aesthetics. I'm concerned for when the structure begins to deteriorate then what.

I have spoken to 6 houses that received your notice. All are opposed. Some individuals do not want voice their concerns.

I urge the Planning Commission and Sugarhouse Council to explore other alternatives to assist the occupant and the surrounding residents a viable solution.

Sent from my iPhone

> On Oct 10, 2021, at 4:00 PM, Marcia Corak

> Today some of residents of Zenith Ave received a soggy postcard flyer on our porches stating the council will be discussing the ADU at 2900 S 900 E. It was our understanding that the residents had until the end of October to submit our comments to Ms. Gilmore.

>

> Please be aware we are adamantly opposed to the ADU 2 story structure.

>

> Unfortunately because of the short notice the many residents will not be able to attend.

> Ms. Gilmore will receive our emails by the end of the month.

>

> Thank you

>

> Sent from my iPhone

From:	Fay Borsos
То:	<u>Gilmore, Kristina</u>
Subject:	(EXTERNAL) Proposed ADU at 900 E 2900 S
Date:	Sunday, October 10, 2021 7:16:37 PM

This ADU defeats the stated purpose of the city moving to allow ADUs in R1 neighborhoods: to create more housing. The owner wants to use it solely as an Airbnb; he has no intention of creating a monthly rental space. He should be denied on that intent alone since it circumvents the purpose of the exemption to R1 neighborhoods.

In addition, we have single story homes and protest a two story home looking into our private yards.

Thank you for your consideration in this matter. John and Fay Borsos 864 Zenith Ave.

Sent from Yahoo Mail on Android

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

A fire hydrant shall be located within 600-feet of all ground level exterior walls of the proposed ADU/garage. Provide the location and distance of the fire hydrant on building permit plans. Measurements are in straight lines and right angels from the hydrant, following the drive route, and then around the structure.

Transportation (Michael Barry at Michael.Barry@slcgov.com)

Transportation doesn't have any issues with this ADU. The additional parking space for the ADU can be waived because there is a bus stop directly in front of the residence. If the bus stop weren't there, they would have legal on street parking along their frontage. Please let me know if you have any questions.

Public Utilities (Jason Draper at Jason.Draper@slcgov.com)

The sewer lateral for this home is over 80 years old and will need to be video inspected before the ADU building permit can be approved. We will also need to see a site utility plan showing water and sewer connections to the proposed ADU.